Nichols • Berman
Environmental Planning
110 East D Street Suite E
Benicia California
9 4 5 1 0

MONTALCINO AT NAPA GOLF COURSE

Use Permit Amendment
Zoning Change
Amendment to Zoning Text

Draft Subsequent
Environmental Impact Report

NAPA COUNTY CONSERVATION,
DEVELOPMENT AND PLANNING DEPARTMENT

State Clearinghouse No.1999032052

SEPTEMBER 2005

MONTALCINO AT NAPA GOLF COURSE
DRAFT SUBSEQUENT ENVIRONMENTAL IMPACT REPORT

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1.0 INTRODUCTION

1.0 INTRODUCTION

This Draft Subsequent Environmental Impact Report (SEIR) assesses the potential environmental effects of the proposed *Montalcino at Napa Golf Course* project. This SEIR has been prepared by Napa County pursuant to the California Environmental Quality Act (CEQA) of 1970, as amended. As required by Section 15165 of the California Environmental Quality Act Guidelines (*State CEQA Guidelines*), this SEIR assesses the expected individual and cumulative environmental impacts resulting from approval, construction, and operation of the proposed project, and identifies means of minimizing potential adverse environmental impacts.

As provided in the *State CEQA Guidelines*, public agencies are charged with the duty to avoid or minimize environmental damage where feasible. In discharging this duty, the public agency has an obligation to balance a variety of public objectives, including economic, environmental, and social issues. This is an informational document that informs decision-makers and the general public of the significant environmental effects of a proposed project. An EIR must identify possible means to minimize the significant effects and describe reasonable alternatives, to the project. The lead agency, in this case Napa County, is required to consider the information in the EIR along with any other available information in making its decision.

The *State CEQA Guidelines* (Section 15162) also state that when an EIR has been certified for a project, a Subsequent EIR shall be prepared when substantial changes are proposed in the project which would require major revisions of the previous EIR due to new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Other reasons to prepare a Subsequent EIR include changes in the feasibility of the identified mitigation measures in the certified EIR or if new information of substantial importance becomes available.

The history of planning and development for the Montalcino project area requires a SEIR. In February 2000, Napa County began circulation of a Draft EIR on the proposed Montalcino at Napa project. [1] The proposed project analyzed consisted of a hotel/conference center to be constructed in two phases, and construction of an 18-hole golf course. During the public review period from February 7, 2000 to April 24, 2000, and at the public hearing held by the Napa County Planning Commission on April 5, 2000, comments on the Draft EIR were solicited from governmental agencies and the public. All written comments received during the 78-day public review period and comments received at the public hearing were addressed in the Response to Comments on the Draft Environmental Impact Report. [2]

Between December 2000 and April 2001, several public hearings were held to consider the merits of the proposed Montalcino at Napa project. In the course of the hearings HCV Napa Associates LLC (i.e., the project applicant) made various modifications to the proposed project, including elimination of the second development phase originally proposed and incorporation of mitigation measures recommended in the Draft EIR, resulting in a revised plan for the project.

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1 *Montalcino at Napa Draft Environmental Impact Report*, Napa County, February 2000.

2 *Montalcino at Napa Response to Comments on the Draft Environmental Impact Report*, Napa County, September 2000.

Beginning in June 2001, the Napa County Board of Supervisors held several public hearings to consider the merits of the Montalcino at Napa project. In April 2002 HCV Napa Associates LLC submitted a revised proposed project. The principal changes to the proposed project were elimination of the golf course and a related change of the primary entrance from Soscol Ferry to Devlin Road, and a revised drainage plan also related to elimination of the golf course.

It was determined that the revised project would result in significant new information, as defined in *State CEQA Guidelines* (Section 15088.5), requiring recirculation of three sections of the Draft EIR, specifically the sections on Traffic and Circulation, Biological Resources, and Cultural Resources. In July 2003, Napa County began recirculation of a revised Draft EIR on the proposed revised Montalcino at Napa project. [3] The revised Draft EIR contains, among other things, a description of the revised Montalcino at Napa project and the three revised sections of the Draft EIR. During the public review period from July 1, 2003 to August 14, 2003 and at the public hearing held by the Napa County Planning Commission on July 16, 2003, comments on the revised Draft EIR were solicited from governmental agencies and the public. All written comments received during the public review period and comments received at the public hearing were addressed in the Response to Comments on the Recirculated Draft Environmental Impact Report. [4]

The Final EIR for the Montalcino at Napa project was certified by Napa County in April 2004. [5] The Final EIR consists of the following documents and records:

- *Montalcino at Napa Draft Environmental Impact Report*, February 2000. (*2000 Draft EIR*)
- *Montalcino at Napa Recirculated Draft Environmental Impact Report*, June 2003. (*2003 Recirculated Draft EIR*)
- *Montalcino at Napa Responses to Comments on the 2000 Draft Environmental Impact Report and the Recirculated Draft Environmental Impact Report*, October 2003. (*2003 Response to Comments*)
- A memo dated November 4, 2003 from Bob Berman to John McDowell of Napa County staff and a memo dated February 9, 2004, from James Reyff to Bob Berman. [6]

On April 6, 2004, the Napa County Board of Supervisors approved Use Permit #98177-UP to allow development of the Montalcino at Napa project, which consists of a 379 guest room hotel and conference center (i.e., the Montalcino Resort). HCV Napa Associates LLC, is now requesting an amendment to the existing Use Permit to allow the inclusion of an 18-hole golf course. The golf course would be located adjacent to and west of the Montalcino Resort site, generally the same

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3 *Montalcino at Napa Recirculated Draft Environmental Impact Report*, Napa County, June 2003.

4 *Montalcino at Napa Response to Comments on the 2000 Draft Environmental Impact Report and the Recirculated Draft Environmental Impact Report*, October 2003.

5 Resolution No.04-45, Resolution of the Board of Supervisors, County of Napa, State of California certifying the Final Environmental Impact Report for the Montalcino at Napa Project (Consisting of Use Permit #98177-UP), April 6, 2004.

6 The two memoranda clarify information elsewhere in the Draft EIR, the Recirculated Draft EIR or the Response to Comments and are addenda to these documents.

location proposed in the initial project application and analyzed in the *2000 Draft EIR*. A Subsequent EIR is required to analyze the significant impacts of the proposed golf course. The Subsequent EIR evaluates the project compared to the existing undeveloped site conditions but assumes the Montalcino Resort will be constructed on the adjacent site consistent with the approval granted on April 6, 2004.

1.1 EIR REQUIREMENT

As described above, consideration of the proposed *Montalcino at Napa Golf Course* project by Napa County is a discretionary action which requires review in compliance with CEQA. Upon submittal of the application by HCV Napa Associates LLC Napa County Conservation, Development and Planning Department staff determined the need to prepare a SEIR and preliminarily determined the topics for analysis in the SEIR. As provided for in *State CEQA Guidelines* (Section 15060) and because the County determined that an SEIR would clearly be required, no Initial Study was prepared. The following potentially significant impacts are evaluated in this Draft SEIR:

- Agricultural Resources
- Hydrology
- Biological Resources
- Cultural Resources

Review of the proposed *Montalcino at Napa Golf Course* project concluded that the proposed project would not result in "substantial changes" in the project or its circumstances that will require major revisions in the certified EIR in the following impact areas:

- Land Use and Planning
- Traffic and Circulation
- Air Quality
- Noise
- Aesthetics
- Community Services
- Geology
- Population and Housing

The analyses to support this finding are in ***Chapter 7.0 Other Sections Required by CEQA***.

Napa County also prepared a Notice of Preparation (NOP) in July 2005 and sent it to government agencies, special service districts, organizations, and individuals with an interest in or jurisdiction over the project in order to provide early consultation on the scope of the SEIR. The NOP was sent July 22, 2005 and the comment period was until 30 days after receipt of the NOP. Several letters were received in response to the NOP; refer to ***Appendix A*** to view the letters. Comments in these letters were taken into account in the SEIR analyses.

Often during the scoping period and the subsequent review of an EIR, issues that relate to the merits of the proposed project itself, rather than physical environmental issues are raised. Project merit issues include issues that relate to the proposed project itself or the project's community benefits or consequences. As the Lead Agency, Napa County's review of both the environmental issues and project merits are important to the decision of what action to take on the *Montalcino at Napa Golf Course* project and both will be considered in the approval process for the project. However, as Lead

Agency, Napa County is only required to respond in its CEQA review to significant environmental issues that are raised.

The Draft SEIR has been prepared in accordance with the California Environmental Quality Act, including the *CEQA Statutes* (Public Resources Code §§ 21000-21178.1), *State CEQA Guidelines*, and relevant court decisions.

1.2 EIR OBJECTIVITY

EIRs are informational documents intended to:

- Identify all potentially significant effects of a project on the physical environment;
- Determine the significance of impact;
- Assess the extent to which the significant effects could be reduced or avoided; and
- Identify and evaluate feasible alternatives to the project.

When an EIR determines that a project would result in a significant impact, agencies with authority over the project must take one or more of the following actions:

- Require changes to the project which would avoid or substantially reduce the significant impact;
- Approve one of the project alternatives rather than the project; and
- Adopt a written statement of overriding considerations which finds that specific economic, social, or other considerations make the EIR's mitigation measures or project alternative(s) infeasible.

This SEIR is a factual objective public disclosure document that takes no position on the merits of the project, but provides information from which decisions about the project can be based. The SEIR has been prepared according to the professional standards and practices of the SEIR consultants' individual disciplines and in conformance with the legal requirements and informational expectations of CEQA and the State and local guidelines to implement it. The SEIR authors are listed in ***Chapter 8.0 Report Preparation and Persons Consulted***.

1.3 PUBLIC REVIEW AND COMMENT

Napa County will circulate this Draft SEIR widely for review and comment by public agencies, interested individuals, and organizations and will accept comments in writing. Comments should address the adequacy and completeness of the SEIR or contain questions about the environmental consequences of approving and implementing the project, not on the merits of the project itself. (The County will invite comments on the project itself as part of its normal public review process, separate from considering the SEIR.) "Adequacy" refers to the SEIR's completeness in disclosing significant environmental effects, identifying measures to mitigate those significant impacts, and providing sufficient information for officials to make decisions about the merits of the project. The *State CEQA Guidelines* direct EIRs to focus on a project's significant impacts and not to dwell on all conceivable less-than-significant effects, so that reports can be succinct disclosure documents and effective decision-making tools.

Written comments on the Draft SEIR must be made before the close of the 45-day public review period and mailed to or delivered to the following address:

John McDowell, Program Planning Manager
Napa County Conservation, Development and Planning Department
1195 Third Street, Room 210
Napa, CA 94559
Comments can be sent by email to: jmcdowell@co.napa.ca.us

The County Planning Commission will hold a public hearing on the Draft SEIR at a formally noticed hearing.

A Final SEIR will be prepared after the close of the public review period. The Final SEIR will include all comments received by the County during the public review period and responses to those comments. The Final SEIR will be distributed to the public and to public agencies commenting on the Draft SEIR for review before the County considers certifying the Final SEIR as complete.

No action can be taken to approve or conditionally approve the project until the Final SEIR is certified. County acceptance of the SEIR upon certification does not require approval of the project studied in the SEIR.

In addition to preparation of the Final SEIR, a Mitigation Monitoring and Report Program (MMRP) will be prepared. California State Government Code Section 21081.6 (California Environmental Quality Act) requires a public agency to adopt a reporting or monitoring program when approving a project or changes to a project, in order to mitigate or avoid significant effects on the environment. The program is based on the findings and the required mitigation measures presented in the SEIR that has been prepared on the project and certified by the lead agency. The reporting or monitoring program must be designed to ensure compliance during project implementation.

Per the guidelines, the MMRP must cover the following:

- The MMRP must identify the entity that is responsible for each monitoring and reporting task, be it Napa County (as Lead Agency), other agency (Responsible or Trustee Agency), or a private entity (e.g., the project sponsor);

- The MMRP must be based on the project description and the required mitigation measures presented in the environmental document prepared for the project and certified by the Lead Agency; and

- The MMRP must be approved by the Lead Agency at the same time of project entitlement action or approvals.

1.4 REPORT ORGANIZATION

After this ***Introduction***, the SEIR is organized as follows:

- ***Chapter 2.0 – Summary of Findings,*** identifies areas of controversy, discusses the significant impacts of implementing the project and mitigation measures, and discusses issues to be resolved.

- ***Chapter 3.0 – Description of the Proposed Project,*** describes the location of the project site, existing land uses on and in the vicinity of the project site, all aspects of the project as proposed, and the approvals and permits required before the project could be implemented, if approved.

- ***Chapter 4.0 – Conformance with Public Plans and Zoning,*** describes the consistency of the project with the *Napa County General Plan*, the *Napa County Airport Land Use Compatibility Plan*, and the *Napa County Zoning Ordinance.*

- ***Chapter 5.0 – Environmental Setting, Impacts, and Mitigation Measures,*** describes existing environmental conditions on the site and within the study area, identifies probable impacts from implementing the project, and describes mitigation measures required to substantially reduce or eliminate potentially significant adverse impacts.

- ***Chapter 6.0 – Alternatives to the Proposed Project,*** discusses alternatives to the proposed project and identifies an environmentally superior alternative among the alternatives.

- ***Chapter 7.0 – Other Sections Required by CEQA,*** discusses growth inducing impacts, cumulative impacts, significant unavoidable impacts and a review of the proposed project.

- ***Chapter 8.0 – Report Preparation and Persons Consulted*** includes: the report preparers; the people and organizations consulted; and the bibliography.

1.5 INFORMATION USED TO PREPARE THE SEIR

The *State CEQA Guidelines* permit any person, including the applicant, to submit information to assist in the preparation of an EIR but require independent review of the information to ensure that it accurately reflects the Lead Agency's judgment about the environmental impacts of the project. The SEIR consultants conducted peer reviews of the background reports and documents submitted to the County as part of the project application. Applicant-prepared information was only used in the SEIR after the validity of the data was verified and, where required, updated by the SEIR consultants. Documents prepared by the applicant's consultants and examined in the SEIR's environmental analyses are listed below, identified in the relevant report sections, and referenced in ***Chapter 8.0 Report Preparation and Persons Consulted***.

- *Addendum to Montalcino at Napa Valley Storm Drainage Management Plan,* Riechers Spence and Associates, July 1, 2005.

- *Special-Status Species Assessment for Montalcino Golf Course Napa County, California,* ECORP Consulting, Inc., June 8, 2005.

These documents are available for public review at:

Napa County Conservation, Development, and Planning Department
1195 Third Street, Room 210
Napa, California 94559

2.0 SUMMARY OF FINDINGS

2.0 SUMMARY OF FINDINGS

This chapter summarizes the proposed project considered in the Draft Subsequent Environmental Impact Report (Draft SEIR). It provides a summary of the environmental impacts associated with the proposed project and mitigation measures.

2.1 PROPOSED PROJECT

On April 6, 2004, the Napa County Board of Supervisors approved Use Permit #98177-UP to allow development of a 379 guest room hotel and conference center, known as the Montalcino Resort. HCV Napa Associates LLC, the sponsor of the Montalcino Resort, is now requesting an amendment to the existing Use Permit for the Montalcino Resort to allow the inclusion of an 18-hole golf course. The proposed *Montalcino at Napa Golf Course* 233-acre project site is adjacent to and west of the Montalcino Resort.

The applicant also requests two related zoning modifications:

The first request is to rezone the project site from the Agricultural Watershed (AW) designation to Public Lands (PL).

The second request is an amendment to Section 18.50.030 of the Zoning Ordinance to allow in the PL district uses utilizing a high volume of recycled or reclaimed water. A new subsection (18-50-030.H) would be added as follows:

> Recreational or other uses requiring no on-site buildings and utilizing an average of not less than 250 acre-feet of recycled water annually.

The Napa Sanitation District owns the project site. The Napa Sanitation District uses the project site for the disposal of recycled water and biosolids generated by its operation. The project site would be leased to the project applicant. The lease would require that a minimum of 400 acre-feet per year of recycled water be used on the golf course.

A detailed description of the proposed project is presented in ***Chapter 3.0 Description of the Proposed Project***.

2.2 AREAS OF CONTROVERSY

The Final EIR for the Montalcino at Napa project was certified by Napa County in April 2004. [1] The Final EIR consists of the following documents and records:

- *Montalcino at Napa Draft Environmental Impact Report*, February 2000. (*2000 Draft EIR*)

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[1] Resolution No.04-45, Resolution of the Board of Supervisors, County of Napa, State of California certifying the Final Environmental Impact Report for the Montalcino at Napa Project (Consisting of Use Permit #98177-UP), April 6, 2004.

- *Montalcino at Napa Recirculated Draft Environmental Impact Report*, June 2003. (*2003 Recirculated Draft EIR*)

- *Montalcino at Napa Responses to Comments on the 2000 Draft Environmental Impact Report and the Recirculated Draft Environmental Impact Report*, October 2003. (*2003 Response to Comments*)

- A memo dated November 4, 2003 from Bob Berman to John McDowell of Napa County staff and a memo dated February 9, 2004, from James Reyff to Bob Berman. [2]

Napa County prepared a Notice of Preparation (NOP) in July 2005 and sent it to government agencies, special service districts, organizations, and individuals with an interest in or jurisdiction over the project in order to provide early consultation on the scope of the SEIR. Several letters were received in response to the NOP. After reviewing comments relevant to the proposed *Montalcino at Napa Golf Course* project the County identified the following areas of controversy that are further evaluated in this Draft SEIR:

- Potential land use compatibility issues with the Napa County Airport. Of particular importance is the potential hazards to aviation due to the placement of ponds and wetlands.

- Impact of the proposed project on special status animal species, especially steelhead and Swainson's hawk.

- Impacts to on-site streams (Suscol Creek and the Central Watercourse).

- Impact of the proposed project on agricultural, including the conversion of agricultural land to a non-agricultural uses.

2.3 SIGNIFICANT IMPACTS AND MITIGATION MEASURES

This section presents a complete summary of the environmental impacts discussed in this Draft SEIR and detailed in ***Chapter 5.0 Environmental Setting, Impacts, and Mitigation Measures***. The following levels of significance are used to identify impacts in this section and elsewhere in the Draft SEIR:

- ***Significant Impact (S)*** – an adverse change in the environment, where the change exceeds a specific significance threshold. These thresholds are described under the "Significance Criteria" in sections 5.1 to 5.4.

- ***Significant Unavoidable Impact (SU)*** – A significant impact which cannot be avoided with mitigation. These include impacts which could be partly mitigated but could not be reduced to a less-than-significant level.

- ***Less-than-Significant Impact (LTS)*** – a change in the environment that does not exceed specific significance thresholds, or no change at all.

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[2] The two memoranda clarify information elsewhere in the Draft EIR, the Recirculated Draft EIR or the Response to Comments and are addenda to these documents.

Exhibit 2.0-1 shows a summary of the project impacts and the significance of the impacts before and after mitigation.

Exhibit 2.0-1
Summary of Findings

Impact	*Signif. Before Mit.*	*Mitigation*	*Signif. After Mit.*
Agricultural Resources			
5.1-1 Loss of Agricultural Lands The *Montalcino at Napa Golf Course* would result in the conversion of approximately 226 acres of lands characterized as Prime Farmland, Farmland of Statewide Importance or Unique Farmland by the FMMP to a golf course. The site would remain as a spray field for the Napa Sanitation District. However, because Napa County believes the site does not meet the FMMP criteria for Important Farmland this would be a less-than-significant impact.	**LTS**	No mitigation would be required.	**LTS**
Biological Resources			
5.2-1 Conversion of Non-Native Grassland and Rural Residential Landscaping The proposed project would result in the loss of 193 acres of non-native grasslands	**LTS**	No mitigation would be required.	**LTS**

Impact	Signif. Before Mit.	Mitigation	Signif. After Mit.
5.2-2 Construction-Related Impacts to Riparian Habitat Due to Intrusion Significant impacts to the mixed riparian woodland and willow riparian communities could occur during construction activities as a result of trampling of vegetation, staging of equipment, placement of materials, and/or dumping of debris.	**S**	Temporary high visibility fencing shall be used for the duration of construction activities occurring within 200 feet of riparian habitat. To prevent inadvertent impacts from encroachment into this community, fencing should be placed 50 feet away from the outside edge of riparian vegetation and/or the dripline of riparian trees (except where project improvement plans require construction within that 50-foot buffer).	**LTS**
5.2-3 Long-Term Operation-Related Impacts to Riparian Habitat Due to Intrusion Significant impacts to the mixed riparian woodland and willow riparian communities could occur after project development as a result of trampling of vegetation by pedestrians and/or golfers accessing the areas near Suscol Creek. However, the proposed project incorporates an undeveloped setback of 45 feet from the top of bank of Suscol Creek to prevent disturbance to riparian areas.	**LTS**	No mitigation would be required.	**LTS**
5.2-4 Modification to the Banks of Waters Regulated by the State of California No impact to waters of the State would result from development of the golf course.	**LTS**	No mitigation would be required.	**LTS**

Impact	*Signif. Before Mit.*	*Mitigation*	*Signif. After Mit.*
5.2-5 Construction-Related Impacts to Downslope Wetlands Due to Intrusion Significant impacts to the wetland communities downslope of the grading envelope could occur during construction activities and after project development as a result of trampling of vegetation, staging of equipment, placement of materials, and dumping of debris.	**S**	Temporary high visibility fencing shall be used 50 feet away from the outside edge of the wetland habitat for the duration of construction activities within 200 feet of the potentially effected wetland habitats, in order to prevent inadvertent impacts from encroachment into this community.	**LTS**
5.2-6 Long-Term Operation-Related Impacts to Wetlands Due to Intrusion Significant impacts to wetlands could occur after project development as a result of trampling of vegetation by pedestrians and/or golfers accessing the areas. However, the proposed project incorporates an undeveloped setback of 25 feet from the edge of wetlands to prevent disturbance to the areas.	**LTS**	No mitigation would be required.	**LTS**
5.2-7 Permanent Removal of Trees Within the Grading Envelope Significant impacts may result from the removal of trees located in the grading envelope. Although removal of oak trees is not planned, a significant number of rural residential landscape trees, including eucalyptus would be lost to the development of the golf course adjacent to golf course holes 3, 5, 6, 10, and 12.	**S**	A tree survey depicting the locations, species and diameter breast height (dbh), of all trees in the project boundaries that are not within the riparian corridor, shall be conducted by a qualified arborist or biologist. In addition, removal of trees shall be avoided while implementing the proposed project. Where avoidance is not practicable, trees over eight inches that are removed should be replaced by a qualified landscape specialist in conjunction with the implementation of project landscaping. The replacement trees should be native species planted in suitable habitat areas on-site at a ratio equal to twice the diameter of the tree. The number of trees used to replace each tree can vary, under the conditions that the combined sum of the diameter of the replacement trees equals twice the diameter of the tree removed and that replacement trees have a minimum diameter of two inches.	**LTS**

Impact	*Signif. Before Mit.*	*Mitigation*	*Signif. After Mit.*
5.2-8 Construction-Related Disturbance to Remaining Oak Trees Although no oak trees are planned for removal on the project site, during construction and implementation of the proposed project, damage to oak trees could occur.	**S**	Place orange plastic fencing around the outer edge of the dripline of existing oak trees for the duration of construction of the proposed project and avoid soil disturbance within the dripline of the trees.	**LTS**
5.2-9 Long-Term Operation-Related Disturbance to Remaining Oak Trees Watering within the dripline of oak trees during the normal dry season, and excessive limbing, could result in mortality of oak trees from root rot and other diseases.	**S**	Revise the landscape master plan so that vegetation that needs summer watering is not planted under the dripline of existing oak trees. Align the development such that limbing of the oak trees is minimized.	**LTS**
5.2-10 Impacts to Freshwater Marsh Occupying Species The May 2001 Bird Survey did not confirm the presence of nesting special-status bird species potentially associated with the freshwater marsh community (e.g., California black rail, black-crowned night heron, and tricolored blackbird). No impacts are anticipated to the freshwater marsh, and a buffer of 25 feet is incorporated into the proposed project; therefore, no significant permanent impacts are anticipated to potential breeding habitat for these species. However, potential habitat could be significantly temporarily impacted by adjacent construction	**S**	Pre-construction bird surveys shall be conducted prior to construction grading, during the appropriate activity period for each species. Where a non-listed species is identified in the impact area, construction activities should be scheduled to occur outside of the breeding season and/or individual(s) should be relocated away from the impact area according to agency protocols (if any). Where a listed species would be effected, appropriate permitting would be pursued with the agency (or agencies) having regulatory authority over it. Mitigation measures stipulated in the appropriate permitting instrument (i.e., a Management Agreement with the California Department of Fish and Game) would be imposed.	**LTS**

Impact	*Signif. Before Mit.*	*Mitigation*	*Signif. After Mit.*
5.2-11 Long-Term Operational Drainage Impacts to Special-Status Fish/Aquatic Species The proposed *Montalcino at Napa Golf Course* project would not impact either Suscol Creek, the Central Watercourse, or any wetland feature; therefore, no direct impact to special-status fish and aquatic animals is anticipated. However, significant impacts to special-status fish and aquatic animals associated with wetlands and the riparian habitats associated with Suscol Creek may result from decreased water quality due to contaminated runoff originating from the golf course.	**S**	Same as Mitigation Measure 5.3-4 (Site and Downstream Water Quality).	**LTS**
5.2-12 Construction-Related Drainage Impacts to Special-Status Species Occupying Aquatic Habitats The proposed project is not expected to directly impact any wetlands and/or waters on-site. However, decreased water quality due to contaminated and or sediment laden runoff originating from construction areas may impact special-status fish and aquatic animals associated with wetlands and the riparian habitats.	**S**	Same as Mitigation Measure 5.3-1 (Construction Disturbance – Site Erosion and Sedimentation)	**LTS**

Impact	Signif. Before Mit.	Mitigation	Signif. After Mit.
5.2-13 Removal/Disturbance of Active Nests of Colonial Nesting Birds The removal of trees associated with rural residential landscaping within the grassland and along the eastern edge of the project site, may result in significant impacts to colonial nesting birds such as double-breasted cormorant, great egret, or great blue heron as a result of the destruction of nests or disturbance to nests during construction.	**S**	Prior to grading and tree removal, a qualified biologist shall conduct pre-construction surveys to determine the presence or absence of active nests of colonial nesting species. If present, the habitat or trees shall not be removed until the end of the breeding season, as determined in consultation with CDFG.	**LTS**
5.2-14 Removal/Disturbance of Active Raptor Nests Nests of raptors, including special-status species birds such as Swainson's hawk, osprey, Northern harrier, Cooper's hawk, white-tailed kite, burrowing owl, short-eared owl, and loggerhead shrike may be present on the project site.	**S**	Prior to grading and/or tree removal, a qualified biologist should conduct pre-construction surveys to determine the presence or absence of active raptor nests. If present, the habitat or trees should not be removed until the end of the breeding season, and an appropriate setback buffer from construction activities be defined, as determined in consultation with CDFG.	**LTS**

Impact	*Signif. Before Mit.*	*Mitigation*	*Signif. After Mit.*
5.2-15 Conversion of Non-Native Grassland Wildlife Habitat The conversion of 193 acres of non-native grassland habitat (to golf course and water quality treatment ponds/wetlands) would eliminate a substantial area of cover and a portion of the prey base of many wildlife species. The loss of suitable foraging habitat for those species requiring open grassland habitat would be a significant impact. Swainson's hawk has recently been seen foraging and potentially nest-building adjacent to the project site and, therefore, is a special-status species that could be significantly impacted by the loss of non-native grassland habitat.	**S**	A qualified biologist shall conduct a pre-construction survey to determine the presence or absence of Swainson's hawk nests on the project site. If nesting is determined, an adequate buffer zone around the active nest should be established in consultation with CDFG. The applicant shall consult with the CDFG to determine whether potential impacts on Swainson's Hawk nesting or foraging habitat would be considered significant and shall prepare a project-specific Swainson's Hawk Mitigation Plan if required by CDFG prior to site development. A qualified biologist shall be retained to develop a plan that addresses on-site protection and/or replacement of foraging habitat for Swainson's Hawk and generally complies with CDFG's *Staff Report Regarding Mitigation for Impacts to Swainson's Hawks (Buteo swainsoni) in the Central Valley of California*. The objective of the Mitigation Plan would be to implement measures that assure protection for the Swainson's hawk "by maintaining or creating adequate and suitable foraging habitat in areas of existing and potential nest sites and along migratory routes within the state". [3]	**LTS**
5.2-16 Disturbance to Wintering Birds in Grassland Community Although not expected to nest there, two special-status species associated with the grassland community, mountain plover and long-billed curlew, may winter on the project site. No significant impacts to these species are anticipated.	**LTS**	No mitigation would be required.	**LTS**

[3] *Staff Report Regarding Mitigation for Impacts to Swainson's Hawks (Buteo swainsoni) in the Central Valley of California*, California Department of Fish and Game, 1994.

Impact	*Signif. Before Mit.*	*Mitigation*	*Signif. After Mit.*
5.2-17 Disturbance to Active California Horned Lark Nests in Grassland Community Although it was not sighted during the May 2001 Bird Survey, the California horned lark has potential to nest in the grassland habitat on the project site. The removal of 193 acres of this habitat may have significant direct impacts to this species, if nesting activity is determined to be ongoing on site.	**S**	A qualified biologist shall conduct a pre-construction survey to determine the presence or absence of nesting activity. If nesting is determined, an adequate buffer zone around the active nest where construction will be avoided shall be established in consultation with the California Department of Fish and Game.	**LTS**
5.2-18 Disturbance to Active Bat Maternity Roosts Significant impacts to potentially occurring special-status bats may occur from removal of snags and structures. The species potentially impacted are small-footed myotis, long-eared myotis, fringed myotis, long-legged myotis, Yuma myotis, Townsend's big-eared bat, California mastiff bat, and pallid bat.	**S**	Do not remove the snags and structures during the maternity season for these bats, June through August. If the removal must be conducted during this period, conduct pre-construction surveys to determine the presence or absence of these species. If determined to be present, remove the bats utilizing standard non-invasive exclusion methods, implemented by a qualified biologist.	**LTS**
5.2-19 Construction-Related Impacts to Northwestern Pond Turtles No removal of habitat for the Northwestern pond turtle would occur on the project site.	**LTS**	No mitigation would be required.	**LTS**

Impact	Signif. Before Mit.	Mitigation	Signif. After Mit.
5.2-20 Airport Zone Consistency - Waterfowl Use of On-Site Water Features and Increased Risk of Collision with Aircraft Birds can be drawn to certain bodies of water, or areas for feeding such as fresh landfills or large grassy areas. These areas are referred to as "attractive uses", and the Federal Aviation Administration (FAA) recommends a 10,000 foot buffer from airports to attractive uses. In addition to the creation of approximately 180 acres of landscaped lawn, the proposed *Montalcino at Napa Golf Course* project would create three ponds within the golf course that would total approximately 11 acres. Approximately eight acres of new wetlands would also be created.	**S**	In consultation with the U.S. Department of Agriculture (USDA), Wildlife Damage Unit, FAA, and the Napa County Airport, the applicant shall prepare a Wildlife hazard Management Plan for implementation at the project site. The Wildlife Hazard Management Plan shall generally comply with the criteria established in the FAA's *Wildlife Hazard Management at Airports, A Manual for Airport Personnel.* The plan shall be designed to discourage waterfowl use of the site, and shall include techniques ranging from repellent and harassment techniques to capture and relocation. Previous consultation with the USDA Wildlife Damage Unit yielded referral to a similar program for the Teal Bend Golf Course, located near Sacramento International Airport.	**LTS**
5.2-21 Airport Zone Consistency - Tree Height Restrictions Portions of the project site are within the *Airport Land Use Compatibility Plan's* approach / departure zones B and C. Generally, height restrictions of 35 feet are imposed in the approach / departure zones. Although no structures are proposed for the project site it is possible that trees planted on the project site could reach over this height at maturity. The proposed project's landscape plan, however, states that trees would be limited to those with a mature height of 50 feet and to be maintained to a maximum of 35 feet. Therefore, this would be a less-than-significant impact.	**LTS**	No mitigation would be required.	**LTS**

Impact	*Signif. Before Mit.*	*Mitigation*	*Signif. After Mit.*
Hydrology			
5.3-1 Construction Disturbance -- Site Erosion and Sedimentation Project implementation would create extensive land disturbance during active construction of the golf course, and for one to two years thereafter, prior to site revegetation. Raindrop impact and site runoff could cause soil erosion and downstream sedimentation in both constructed site water features and downstream receiving waters, including the undisturbed Central Watercourse and the wetland pond at the watershed outlet.	**S**	As a condition of Use Permit approval, obtain a NPDES General Construction Activity Permit from the RWQCB. This permit is required of all construction projects totaling one acre or more. As part of the permit and post-construction agency monitoring process, the applicant shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) in accordance with guidelines set forth by the RWQCB. The SWPPP shall include design details and construction specifications for all site drainage controls and other water quality mitigations. In addition the SWPPP shall contain the implementation schedule, methods, and locations of erosion control features, and be designed to prevent sediment loads greater than ten percent of background levels during construction. The SWPPP shall specify the use of siltation basins during construction. In addition, bare areas created by the removal of vegetation shall be stabilized and seeded with an erosion control mix prior to October 15th of each construction year.	**LTS**
5.3-2 Site Drainage Patterns Project implementation would include grading along the southern property boundary that would divert runoff from approximately 7.3 acres of the Sheehy Creek Watershed to the Central Watercourse Watershed. Grading near Suscol Creek in the northwestern corner of the site would also divert approximately 7.3 acres of the Suscol Creek Watershed to the Central Watercourse Watershed.	**LTS**	No mitigation would be required.	**LTS**

Impact	*Signif. Before Mit.*	*Mitigation*	*Signif. After Mit.*
5.3-3 On-Site and Downstream Flooding Construction of a golf course storm drain system and diversion of additional acreage to the Central Watercourse Watershed would increase local runoff volumes and peak flow rates in the Central Watercourse Watershed. Incorporation of the proposed stormwater detention system into the project, as sized in the Storm Drainage Management Plan, would attenuate peak stormwater flows to pre-project levels.	**LTS**	No mitigation would be required.	**LTS**

Impact	Signif. Before Mit.	Mitigation	Signif. After Mit.
5.3-4 Site and Downstream Water Quality Golf course irrigation and maintenance, including seasonal fertilizer, herbicide and pesticide application could yield residual concentrations of these harmful substances into the Central Watercourse drainageways and the wetland pond located near the watershed outlet.	**S**	To minimize the impact of project construction on site and downstream water quality, the following measures shall be implemented: Mitigation Measure 5.3-1 (Construction Disturbance) Incorporate a golf course management plan into the project SWPPP and implement Plan measures. The plan shall contain specific maintenance procedures designed to minimize both the production of site runoff due to reclaimed water irrigation in wet years (i.e. when antecedent soil moisture is high and irrigation requirements generate small volumes of surface runoff) and the longevity and availability of residual contaminants in applied chemical amendments. As a condition of Use Permit approval provide final constructed wetland locations, surface areas, and storage volumes such that these volumes meet the storage requirements as determined by the area of golf course each constructed wetland is intended to serve. Incorporate constructed wetlands into the golf course design features to treat stormwater and irrigation runoff. Design of the wetlands shall be in accordance with guidelines outlined in the California Storm Water Best Management Practice Handbook, (Municipal) for constructed wetlands. Implement source control BMPs to eliminate water quality contaminants originating from golf course maintenance facilities. Typical source control BMPs are outlined in the California Storm Water Best Management Practice Handbooks for Industrial/Commercial activities. [4]	**LTS**

4 *California Storm Water Best Management Practice Handbook,* Stormwater Quality Task Force, March 1993.

Impact	*Signif. Before Mit.*	*Mitigation*	*Signif. After Mit.*
Cultural Resources			
5.4-1 Impact to the Prehistoric Component of CA-NAP-860/H Grading and construction activity associated with the proposed *Montalcino at Napa Golf Course* project may impact CA-NAP-860/H.	**S**	(a) The proposed *Montalcino at Napa Golf Course* project should be revised so the prehistoric component of CA-NAP-860/H remains undisturbed. OR (b) If avoidance is not feasible and the resource cannot be avoided, then mitigation shall involve evaluation and data recovery of the resource. Further research, field documentation and/or excavation would be required to evaluate the eligibility of the resource for the CRHR. In the case of prehistoric archaeological sites, evaluation may be completed by examining existing records and reports, detailed recording, and/or excavation to determine data potential of the site. If evaluation results in finding the site to be a historical resource per CEQA or eligible for the CRHR, impacts to resource can be reduced to less-than-significant levels through data recovery.	**LTS**

Impact	Signif. Before Mit.	Mitigation	Signif. After Mit.
5.4-2 Potential Subsurface Resources While no discernible impacts to archaeological resources or human remains, other than CA-NAP-860/H, are anticipated, the possibility cannot be precluded that prehistoric cultural deposits and features are present below the ground surface and could be damaged during land alteration activities.	**S**	Workers involved in ground disturbing activities shall be trained in the recognition of archaeological resources (e.g., historic and prehistoric artifacts typical of the general area), procedures to report such discoveries, and other appropriate protocols to ensure that construction activities avoid or minimize impacts to potentially significant cultural resources. In the event that archaeological artifacts or cultural soil deposits are encountered during future grading, excavating, or other land alterations, stop all work in the immediate vicinity of the find until the discovery area can be evaluated by an archaeologist. Depending on the extent and cultural composition of the discovered materials, it may be advisable to have subsequent excavation monitored by an archaeologist who would be ready to record, recover, and / or protect significant cultural materials from further damage. In the event that human skeletal remains are discovered anywhere on the site, discontinue work in the vicinity of the discovery and contact the Napa County Coroner. If skeletal remains are found to be prehistoric Native American (not modern), the Coroner shall call the Native American Heritage Commission in Sacramento within 24 hours who will identify the person(s) it believes to be the "Most Likely Descendant" of the decreased Native American. The Most Likely Descendant would be responsible for recommending the disposition and treatment of the remains. The most likely descendant may make recommendations to the landowner or the person responsible for the excavation work for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98.	**LTS**

Impact	*Signif. Before Mit.*	*Mitigation*	*Signif. After Mit.*
5.4-3 The Somky House With relocation the original setting and historic context of the Somky House would be lost. There is a possibility that the house would not be relocated, in that situation demolition of the Somky House could occur.	**S**	(a) If the proposed relocation of the Somky House by the Napa Sanitation District does not occur the proposed *Montalcino at Napa Golf Course* project shall be revised so that the house remains undisturbed. (b) If the proposed relocation of the Somky House by the Napa Sanitation District does not occur the following measures shall be implemented: Prior to relocating the Somky house the following measures shall be completed: Existing measured drawings for the building; A house relocation plan; and, A Historic Structure Report that documents the history, significance, and character-defining features of the Somky House, identifies material and structural deficiencies, and makes recommendations for rehabilitation and repairs according to *The Secretary of the Interior's Standards for the Treatment of Historic Properties* and *Guidelines for Rehabilitation*. In order to create a permanent record of the Somky House and its historic physical environment, the project sponsor shall provide documentation before and after the house relocation following a modified version of the standards set forward in the National Park Service's Historic American Buildings Survey (HABS) documentation program. The documentation should be deposited with the Napa County Historical Society and the California State Office of Historic Preservation C.H.R.I.S. Northwest Information Center located at Sonoma State University. Rehabilitation of the Somky house shall follow the Secretary of the Interior's Standards for the Treatment of Historic Properties (The Standards) and Guidelines for Rehabilitation.	**LTS**

2.4 ISSUES TO BE RESOLVED

Based on the analyses in this Draft SEIR there are a number of issues related to the proposed *Montalcino at Napa Golf Course* to be resolved. These include the following:

- The project applicant shall consult with the California Department of Fish and Game to determine whether potential impacts on Swainson's hawk nesting or foraging habitat would be considered significant. If required by the California Department of Fish and Game, prior to site development a project-specific Swainson's Hawk Mitigation Plan shall be prepared.

- The applicant shall cooperate with the U.S. Department of Agriculture, Wildlife Damage Unit, the FAA, and the Napa County Airport and prepare a Wildlife Hazard Management Plan for implementation at the project site.

- It is possible that grading and construction activity associated with the proposed *Montalcino at Napa Golf Course* project may impact the existing on-site archaeological site (CA-NAP-860/H). Prior to the issuance of a grading permit the applicant shall either redesign the golf course layout to avoid the site or retain a consulting archaeologist to conduct an evaluation of the site with regard to its potential eligibility for listing on the California Register of Historical Resources.

- It is not certain that the Somky House would be relocated by the Napa Sanitation District prior to development of the golf course. If the proposed relocation does not occur than the proposed *Montalcino at Napa Golf Course* shall be revised so that the house remains undisturbed. If the relocation does occur than specific measures would need to be completed prior to the relocation.

3.0 DESCRIPTON OF THE PROPOSED PROJECT

3.0 DESCRIPTION OF THE PROPOSED PROJECT

This chapter of the SEIR describes all aspects of the proposed *Montalcino at Napa Golf Course* project.

3.1 SITE LOCATION AND LAND USES

The 233.19-acre project site consists of two parcels adjacent to and west of the Montalcino Resort site. The project site consists of all of assessor's parcel number (APN) 057-010-036 and a portion of 057-010-037. The parcels that make up the project site and the acreage used for the proposed project are listed in **Exhibit 3.0-1**. **Exhibit 3.0-2** shows the location of the individual assessor parcels that make up the project site.

Exhibit 3.0-1
Project Site Parcels

Assessor's Parcel Number	*Total Acreage*	*Total Acres Leased*
057-010-037	263.23	230.70
057-010-036	2.49	2.49
Total	***265.72***	***233.19***

Source: HCV Napa Associates LLC

The Napa Sanitation District owns the project site. The Napa Sanitation District uses the project site for the disposal of recycled water and biosolids generated by its operations. Although these lands have been used in the past for cattle grazing, the most current grazing lease expired October 1, 1999. [1] The project site currently is not used for cattle grazing or any other agricultural activity. [2]

An existing house and related structures exist on the project site (on APN 057-010-036). Constructed in 1911 and known as the Somky House, the house is currently vacant and has suffered considerable deterioration in recent years.

Adjacent land uses include vineyards located to the north and east and the Gateway Business Park located to the south. A spur line of the California Northern Railroad tracks creates the western boundary, while the Napa Sanitation District treatment plant and holding ponds are located immediately west of the railroad tracks.

Three streams cross or are adjacent to the project site. Suscol Creek runs along a portion of the northern boundary of the project site and the Central Watercourse runs through the central portion of the project site. Immediately to the south of the project site is Sheehy Creek. All three streams are

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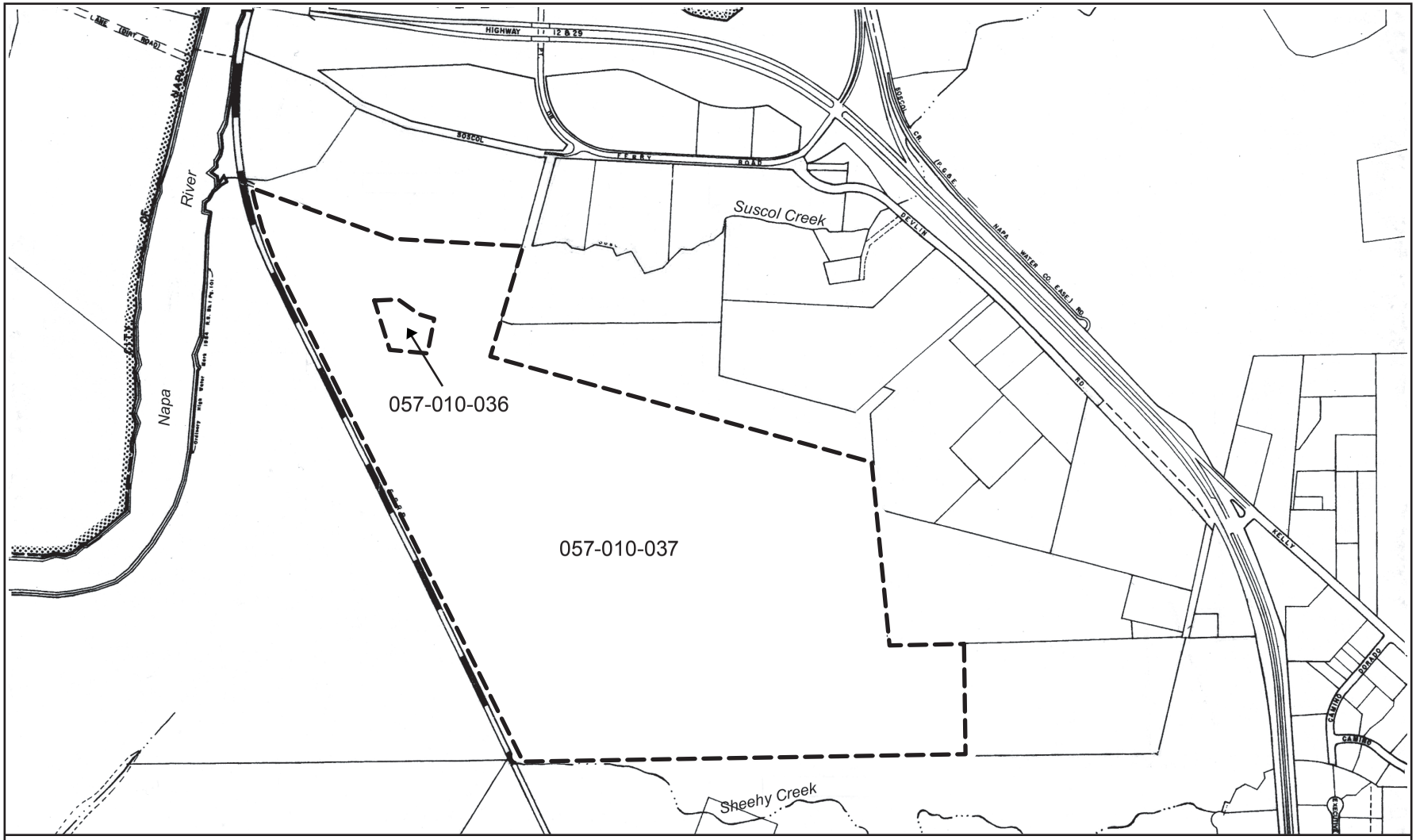
1 Nichols • Berman communication with Tim Healy, Napa Sanitation District, January 2000.

2 Nichols • Berman communication with Tim Healy, *op. cit.*, July 2005.

Exhibit 3.0-2
Location of Assessor's Parcels



Source: Nichols•Berman, 2005

classified as "blue line" streams. Suscol Creek and Sheehy Creek support perennial flows while the Central Watercourse is an intermittent stream. [3]

In February 2005, the Napa Sanitation District initiated plans to solicit bids for the 233.19 acres with the requirement that a minimum of 400 acre-feet [4] per year of recycled water to be used on the property. [5] There is also a requirement for the one-time application of biosolids in the amount of approximately 100 dry tons per acre on the site as a part of the construction process. On June 1, 2005 the Napa Sanitation District Board of Directors approved an Option to Lease and Lease Agreement with HCV Napa Associates LLC that allow for the golf course to be developed subjected to entitlement approval by Napa County. The lease would be for 30 years with two options for an additional 20 years. A portion of APN 057-010-037 (approximately 32.5 acres) would be outside of the lease between HCV and NSD and would remain under the control of the Napa Sanitation District.

3.2 PROPOSED PROJECT [6]

HCV Napa Associates LLC proposes to develop an 18-hole golf course on the 233.19-acre project site (see **Exhibit 3.0-3**). The golf course would be located adjacent to and west of the Montalcino Resort site (see **Exhibit 3.0-4**). The golf course would be open to the guests of the Montalcino Resort as well as the general public.

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3 A "blue line" stream refers to streams designated on United States Geologic survey topographic map by either a solid or a dashed blue line. An intermittent stream is an ephemeral or seasonal stream in which the surface water flow is not continuous.

4 An acre-foot of water is the amount of water that covers one acre to a depth of one foot, equivalent to 325,851 gallons. Four hundred (400) acre-feet of water is equivalent to 130,340,400 gallons of water.

5 Call for Bids for 233.18 Acres of Property Owned by the Napa Sanitation District, Otherwise Known as the Somky Ranch, Napa Sanitation District, February 1, 2005.

6 The project description is based on the following application materials:
Amendment to Montalcino Resort Use Permit No. 98177-UP and Application for Zone Change submitted to Napa County by HCV Napa Associates, LLC, June 8, 2005.
Drawings prepared by George W. Girvin Associates Inc., Golf Course Site Plan (L-1), Golf Course & Hotel Site Plan (L-2), and Airport Compatibility Zones (L-3), August 1, 2005.
Addendum to Montalcino at Napa Valley Storm Drainage Management Plan, Riechers Spence and Associates, July 1, 2005.

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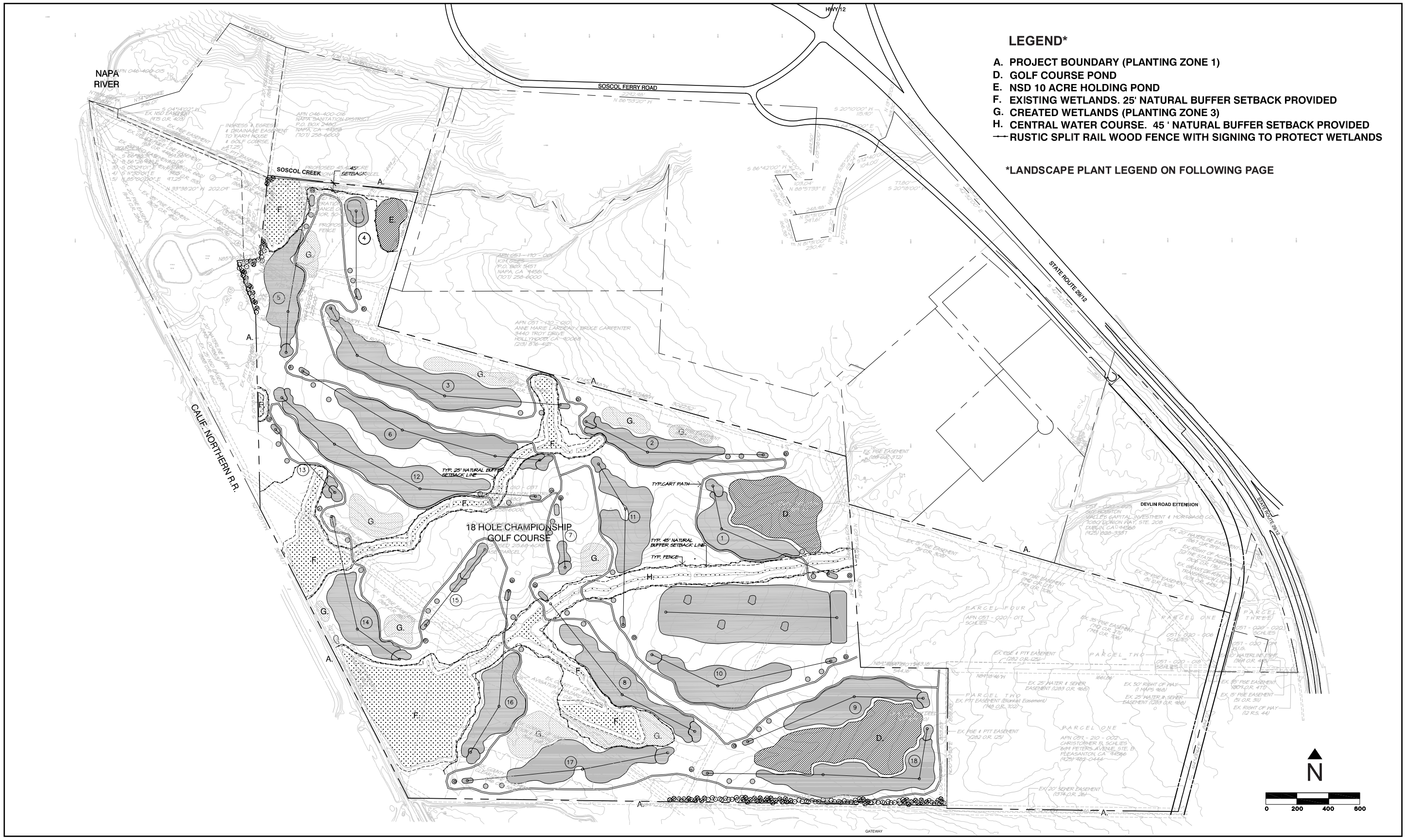
Exhibit 3.0-3
Golf Course Site Plan



Source: George W. Girvin Associates, Inc., August 2005

Exhibit 3.0-3
Golf Course Site Plan (cont.)

LANDSCAPE PLANT LEGEND

- THIS PLANT LEGEND LISTS THE PLANT MATERIALS TO BE USED IN THE DESCRIBED PLANTING ZONES
- ALL TREES ARE LIMITED TO THOSE WITH A MATURE HEIGHT OF 50 FEET AND TO BE MAINTAINED TO A MAXIMUM OF 35 FEET

ZONE 1: EVERGREEN TREE/SHRUB BUFFER (LANDSCAPE SCREENING OF THE PROJECT BOUNDARY WHERE INDICATED)

TREES:

ARBUTUS 'MARINA'	CALOCEDRUS DECURRENS	PODOCARPUS SPECIES
ARBUTUS MENZIESII	CEDRUS DEODARA	SCHINUS MOLLE
ARBUTUS UNEDO	EUCALYPTUS SPECIES	UMBELLULARIA CALIFORNICA

SHRUBS:

HETEROMELES SPECIES
NERIUM OLEANDER
PITTOSPORUM SPECIES

ZONE 2: ACCENT: (ACCENT PLANTING AT SELECTED AREAS WITHIN THE GOLFCOURSE)

TREES/DECIDUOUS:

AESCULUS CALIFORNICA	CORNUS SPECIES	LIQUIDAMBAR TULIPIFERA
BETULA PENDULA	GINKGO BILOBA	MAGNOLIA SPECIES
CATALPA SPECIES	KOELREUTERIA BIPINNATA	MALUS SPECIES
CERCIS SPECIES	LAGERSTROEMIA INDICA	PLATANUS SPECIES
POPULUS SPECIES	QUERCUS SPECIES	

TREES / ACCENT:

CERCIS 'FOREST PANSY'	OLEA EUROPAEA	PICEA PUNGENS
LAGERSTROEMIA INDICA	PHOENIX CANARIENSIS	PINUS PINEA

TREES / EVERGREEN / CONIFER

ACACIA MELANOXYLON	CEDRUS DEODARA	QUERCUS AGRIFOLIA
ARBUTUS 'MARINA'	CUPRESSUS 'ITALIA'	QUERCUS SUBER
CALOCEDRUS DECURRENS	EUCALYPTUS SPECIES	SCHINUS MOLLE

SHRUBS:

ABELIA SPECIES	ESCALLONIA SPECIES	PHORMIUM SPECIES
ABUTILON SPECIES	FREMONTODENDRON	PITTOSPORUM SPECIES
AGAPANTHUS SPECIES	CALIFORNICUM	PLUMBAGO SPECIES
CEANOTHUS SPECIES	GREVILLEA SPECIES	PUNICA GRANATUM
CERCIS SPECIES	HEMEROCALLIS SPECIES	RHAPHIOLEPIS SPECIES
CISTUS SPECIES	HETEROMELES SPECIES	RIBES SPECIES
COPROSMA SPECIES	MAHONIA SPECIES	ROSA SPECIES
COTONEASTER SPECIES	NERIUM SPECIES	SALVIA SPECIES
		SANTOLINA SPECIES

VINES:

CLEMATIS SPECIES	GRAPE SPECIES	PARTHENOCISSUS
DISTICTIS SPECIES	JASMINIUM SPECIES	SPECIES
FICUS SPECIES	LONICERA SPECIES	ROSA SPECIES
		TECOMARIA SPECIES

GROUND COVER:

ARCTOSTAPHYLOS	HEDERA HELIX	PENNISETUM SPECIES
BACCHARUS SPECIES	HELICTOTRICHON SPECIES	RIBES SPECIES
CEANOTHUS SPECIES	HEUCHERA SPECIES	ROSMARINUS SPECIES
COTONEASTER SPECIES	IRIS SPECIES	SOLLYA SPECIES
ERIOGONUM SPECIES	LONICERA SPECIES	TRACHELOSPERMUM
ESCHSCHOLZIA SPECIES	MAHONIA SPECIES	VERBENA SPECIES
FESTUCA SPECIES	OENOTHERA SPECIES	VINCA SPECIES

ZONE 3: CREATED WETLANDS: (RIPARIAN PLANTING AND GRASSY SWALES AT CREATED WETLANDS. EXISTING WETLANDS TO BE LEFT IN THE EXISTING NATURAL CONDITION)

AESCULUS CALIFORNICA	CORNUS STOLINIFERA
ALNUS SPECIES	PLATANUS RACEMOSA
ARROYO WILLOW SALIX	QUERCUS AGRIFOLIA
JUNCUS XIPHOIDES	MUHLENBERGIA
MIMULUS (FLOWERING SWALE)	RIBES SPECIES
NATIVE IRIS	SEDGE
SCIRPUS SPECIES	ZEPHYRANTHES SPECIES
NATIVE GRASSES	

Source: George W. Girvin Associates, Inc. August 2005

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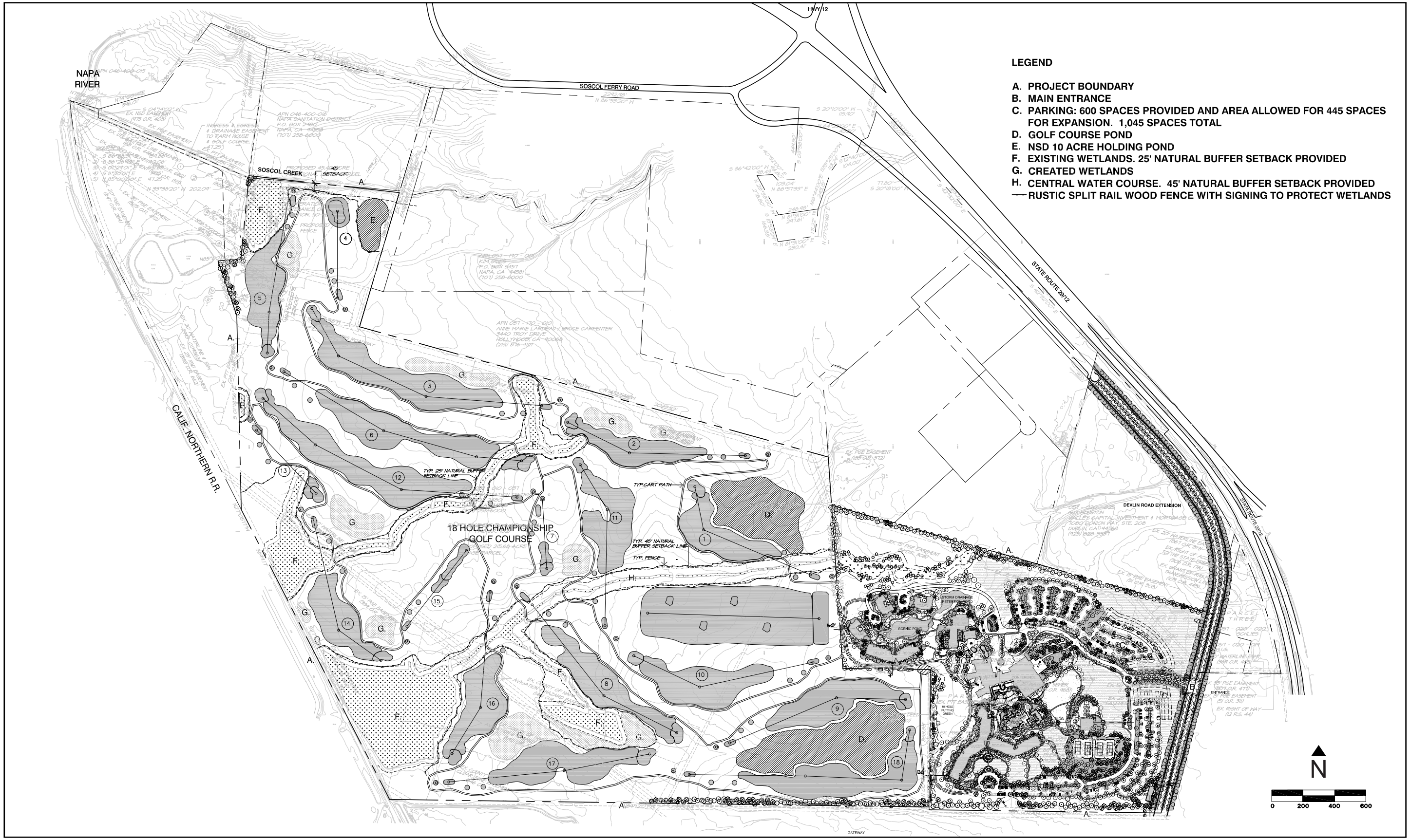
Exhibit 3.0-4
Golf Course and Hotel Site Plan



Source: George W. Girvin Associates, Inc., August 2005

Project Objectives

HCV Napa Associates LLC has submitted the following project objectives to Napa County for the proposed *Montalcino at Napa Golf Course* project:

- A key objective is to have a championship golf course as part of the project. That means the course must have 18 holes and be "part of" the main hotel site.

- To expand the project site substantially in order to provide advantages in planning and lay-out of buildings on the main site. As part of this objective, our desire is that the existing project site remains available for already-approved development and that the golf course be located entirely on land adjacent to the main site that can be integrated into the overall project design.

- To develop improvements and facilities on the land made available by NSD that can use the high volume of reclaimed water that NSD needs to discharge on the site (400 acre-feet per year).

- To accommodate Napa County's goal of open space creation, and enhance the usefulness of Montalcino as a community separator, by developing a golf course and related open space facilities as part of the project plan and by providing greater assurances that the site will remain as open space for many years to come.

Project Related Applications

The proposed project includes the following applications:

USE PERMIT MAJOR MODIFICATION

On April 6, 2004, the Napa County Board of Supervisors approved Use Permit #98177-UP to allow development of a 379 guest room hotel and conference center, known as the Montalcino Resort. HCV Napa Associates LLC, the sponsor of the Montalcino Resort, is now requesting an amendment to the existing Use Permit for the Montalcino Resort to allow the inclusion of an 18-hole golf course.

ZONING REQUESTS

The applicant also requests two related zoning modifications.

- The first request is to rezone APN's 057-010-036 and 057-010-37 from the Agricultural Watershed (AW) designation to Public Lands (PL).

- The second request is an amendment to Section 18.50.030 of the Zoning Ordinance to allow in the PL district uses utilizing a high volume of recycled or reclaimed water. A new subsection (18-50-030.H) would be added as follows:

    - Recreational or other uses requiring no on-site buildings and utilizing an average of not less than 250 acre-feet of recycled water annually.

Elements of the Proposed Project

HCV Napa Associates LLC proposes to develop an 18-hole golf course on the 233-acre project site. **Exhibit 3.0-3** shows the proposed layout of the golf course. In addition to the golf course the project would include protection of existing wetlands and associated buffers, construction of three ponds, and constructed wetlands for water quality enhancement.

A summary of project site land uses is presented in **Exhibit 3.0-5**. Approximately 182 acres of land within the project site would be required for the golf course. Approximately 16 acres of wetlands (see legend item F in **Exhibit 3.0-3**) exist on-site that when combined with the required setbacks would require approximately 31 acres. Newly created wetlands (see legend item G in **Exhibit 3.0-3**) would comprise approximately eight acres. Three ponds would be located within the golf course and would total approximately 11 acres. One of the three ponds (see legend item E in **Exhibit 3.0-3**) would be used as a storage reservoir for the Napa Sanitation District. The reservoir would have a volume of ten acre-feet and would be constructed to allow it to be filled by gravity flow from Napa Sanitation District's filters. The other two ponds (see legend item D in **Exhibit 3.0-3**) would be stormwater detention basins for the golf course. The two detention ponds would be designed to ensure that post-development peak storm drain runoff from the golf course would be the same as pre-development levels. The two detention ponds would also serve as scenic ponds for the golf course.

Exhibit 3.0-5
Summary of Development Areas

Use	*Acres*
Golf Course	182.49
Wetland areas and setbacks	31.20
New Wetlands	8.04
Water Features and NSD Pond	11.46
Total	***233.19***

Source: HCV Napa Associates LLC

The golf course is proposed so as to set back development 45 feet from the top-of-bank from both the Central Watercourse and Soscol Creek. It is also proposed to set back development 25 feet from the edge of the existing wetlands. Several of the water features and their buffers would be fenced with a split rail wood fence and marked with signs to keep golfers and others out. There would be no encroachment into the existing alignment of the Central Watercourse, Suscol Creek, or other jurisdiction wetland features.

No improvements are planned for the existing culverted crossings over the Central Watercourse or the wetland swales located north of the Central Watercourse, which would affect the channel/swale banks. The existing crossings would be part of the golf cart path network and paved with asphalt. Split rail fencing would be installed as a safety measure and to keep golfers out of the natural drainage features. The Napa County Fire Department (NCFD) would use some of the golf cart paths for emergency services. The NCFD has determined that the existing culvert crossings are adequate for its needs and would not need to be improved for emergency vehicle access. [7]

A total of ten full-time employees and four part-time employees would be required for golf course maintenance.

It is proposed that the golf course would be open to the guests of the Montalcino Resort as well as the general public. Approximately 93 rounds of golf per day are projected for the golf course. [8] Hotel guests are projected to average 85 to 90 percent of the total rounds of golf, with the remaining ten to 15 percent by the general public.

ACCESS AND PARKING

No additional vehicular access to the project site is proposed. Access to the proposed golf course is proposed from the adjacent Montalcino Resort. No additional parking is proposed for the golf course. The previously approved Montalcino Resort includes a requirement for the provision of 1,045 parking spaces. It is proposed to utilize these spaces for the golf course.

RELATED FACILITIES

Facilities supporting the golf course (e.g., the pro-shop and locker rooms) would be included within the retail and spa components previously approved as part of the Montalcino Resort. Golf cart storage would be required and would consist of approximately 7,000 square feet of covered space. This storage facility would be developed on the Montalcino Resort site within the scope of construction previously approved under the existing use permit. No buildings are proposed on the *Montalcino at Napa Golf Course* site.

LANDSCAPE MASTER PLAN

Exhibit 3.0-3 shows the landscape master plan for the project site. The landscape master plan establishes three planting zones and recommends specific plants for each zone. Zone 1 is an evergreen tree/shrub buffer along portions of the project boundary. The intent of Zone 1 is to provide a landscape screening at the project site boundary. Zone 2 would provide accent planting at selected

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7 Nichols • Berman communication with John McDowell, Napa County Conservation, Development and Planning Department, July 2005. In the event that improvements become necessary that would affect the bed or banks of the existing drainage features, notification of the California Department of Fish and Game (CDFG) and issuance of a Streambed Alteration Agreement from CDFG would be required.

8 One round of golf equals one person playing 18 holes of golf. When the course is not busy, it is not uncommon for players to go out single or in groups of two or three. Nichols • Berman communication with Bruce Pendergraft, George W. Girvin Associates, Inc., August 2005.

areas within the golf course. Zone 3 provides for riparian planting and grassy swales at the created wetlands. Existing wetlands are to be left in the existing natural condition. Trees included in the landscape master plan are limited to those with a mature height of 50 feet and would be maintained to a maximum height of 35 feet.

UTILITIES AND DRAINAGE

Water

The project site is within the Napa Sanitation District's reclaimed Water Benefit Zone. The project applicant proposes to use reclaimed wastewater from the Napa Sanitation District for golf course irrigation. The lease agreement with Napa Sanitation District requires that a minimum of 400 acre-feet per year of recycled water to be used on the project site. The continued use of recycled water on this property would allow the Napa Sanitation District to maintain its commitment for land-based disposal of treated wastewater in accordance with its Waste Discharge Requirements that are mandated by the Regional Water Quality Control Board.

Drainage

A Storm Drainage Management Plan was previously prepared for the Montalcino Resort.[9] The project applicant's civil engineer, Riechers Spence & Associates, has now prepared a revision to the previously approved Storm Drainage Management Plan for the Montalcino Resort to include the proposed golf course.[10] The revised storm drainage management plan details the stormwater controls for the proposed 18-hole golf course.

Approximately 7.3 acres of the Suscol Creek Watershed would be redirected through storm drains to constructed wetlands that drain to the Central Watercourse by infiltration or overland flow. An area of approximately the same size would be redirected from the Sheehy Creek Watershed to the Central Watercourse Watershed in the same manner. Some of the redirection would come from direct grading, while storm drains would redirect runoff from other portions of the 7.3-acre area.

Stormwater runoff within the Montalcino Resort development area footprint would be handled by a storm drain system that directs runoff into the detention pond located in the northwest portion of the golf course. Clarified pond effluent from the Montalcino Resort area would be directed to the Central Watercourse.

RELOCATION OF SOMKY HOUSE

Although not a part of the proposed *Montalcino at Napa Golf Course* project, the Napa Sanitation District proposes to sell the Somky House for relocation off of the project site. The intent is that the Somky House would be relocated for the purpose of restoration and preservation. One possibility is

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9 *Montalcino at Napa Valley, Storm Drainage Management Plan*, Riechers Spence and Associates, revised November 5, 2005.

10 *Addendum to Montalcino at Napa Valley Storm Drainage Management Plan*, Riechers Spence and Associates, July 1, 2005.

that the house would be moved over District-owned land to a barge on the Napa River, which would then transport the house to an existing site in Benicia. [11]

3.3 ADMINISTRATIVE ACTIONS

The proposed project would require the following specific actions by Napa County, the Lead Agency:

- Certification of the *Montalcino at Napa Golf Course Subsequent EIR* by the Napa County Board of Supervisors as accurate, complete, and objective;
- Approval of a Napa County Zoning Code Amendment pertaining to uses in the Public Lands (PL) district (Section 18.50.030) to provide that recreational uses utilizing a high volume of recycled water are allowed with a use permit on land in such a district;
- Rezoning of the project site from Agricultural Watershed (AW) to Public Lands (PL); and
- Approval of an amendment to Use Permit #98177-UP to allow development of a golf course.

This report intends to aid the public, agencies and organizations, and public decision-makers in their evaluation of the beneficial and adverse environmental effects of the proposed *Montalcino at Napa Golf Course* project. Other agencies would have discretionary approvals related to the proposed project. A *Responsible Agency* includes "all public agencies other than the Lead Agency which have discretionary approval power over the project." [12] A *Trustee Agency* is a "state agency having jurisdiction by law over resources affected by the project which are held in trust for the people of the State of California." [13] Possible Responsible and Trustee Agencies include but may not be limited to: [14]

- ***City of American Canyon*** – Responsible Agency for the Montalcino Resort but not on the golf course because there is no domestic water needed for the golf course.
- ***City of Napa*** – There is a City water trunk line running through the project site requiring city authorization to allow grading activities to occur within the easement.
- ***Napa Sanitation District (NSD)*** – Responsible Agency for the golf course because it is the property owner and will be executing a lease with the applicant. Also, the Montalcino Resort (but not the golf course) is required to hook up to NSD sewer.

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11 Draft agreement between the Napa Sanitation District and Joy Properties for the sale and relocation of the Smoky House, undated.

12 *State CEQA Guidelines*, Section 15381.

13 *State CEQA Guidelines*, Section 15386.

14 In some circumstances an agency may only be a responsible agency for the Montalcino Resort but not for the proposed golf course. Because it is not clear if the resort and golf course would proceed as separate projects or as a single project, it was decided to list all responsible agencies for both the resort and the golf course. Also some listed agencies may only be an interested agency.

Possible Responsible and Trustee Agencies (cont.)

- ***Napa County Airport Land Use Commission (ALUC)*** – Responsible Agency. The ALUC and County regulations require a Consistency Determination for the golf course.

- ***San Francisco Regional Water Quality Control Board (RWQCB)*** – Responsible Agency for storm water pollution permitting.

- ***State Department of Fish and Game*** – Trustee Agency for the Montalcino Resort and possibly for the golf course.

- ***State Department of Transportation (Caltrans)*** – Responsible Agency for Montalcino Resort and possibly for the golf course.

- ***State Department of Transportation Aeronautics (Caltrans Aeronautics)*** – Not a Responsible Agency. Aeronautics is involved in an advisory capacity but no permit is required.

- ***State Department of Conservation*** – Not a Responsible Agency. Conservation is involved in an advisory capacity but no permit is required.

- ***Native American Heritage Commission*** – Not a Responsible Agency. Commission is involved in an advisory capacity but no permit is required.

- ***U.S. Army Corps of Engineers (Corps)*** – Responsible Agency for Montalcino Resort and possibly for the golf course.

- ***U.S. Federal Aviation Administration*** – Likely Responsible Agency. Although there are no structures involved the golf course is likely required to file a Notice of Construction.

- ***U.S. Fish and Wildlife Service (USFWS)*** – Commenting Agency to the Corps. Responsible Agency for the Montalcino Resort and possibly for the golf course.

4.0 CONFORMANCE WITH PUBLIC PLANS AND ZONING

4.0 CONFORMANCE WITH PUBLIC PLANS AND ZONING

INTRODUCTION

The *State CEQA Guidelines* require EIRs to "... discuss any inconsistencies between the proposed project and applicable general plans and regional plans". [1] This chapter presents an analysis of the *Montalcino at Napa Golf Course* project's conformance with adopted public plans and zoning in order to determine the extent to which the project would be consistent or would conflict with policies and zoning. One objective of this analysis is to provide information to find ways to modify the project to reduce any identified inconsistencies with relevant plans and policies. The project is examined in relation to policies and provisions of the:

- *Napa County General Plan*
- *Napa County Airport Land Use Compatibility Plan*
- *Napa County Zoning Ordinance*

General Plans articulate long-term goals and policies for economic growth, proposed use of land, development of infrastructure, conservation of resources, preservation of open space and related issues (see Government Code sections 63300 and 65302). A project does not need to be consistent with every policy of a general plan; rather, it must be "generally consistent" and "in harmony".

State law does not impose a requirement that a project completely satisfy every policy stated in the general plan. The goals, objectives, and policies in a general plan set the stage for later decision making. As noted in the recent case of *Sierra Club v. County of Napa,* [2] "A project is consistent with a county's general plan . . . if, considering all its aspects, it will further the objectives and policies of the general plan and not obstruct their attainment. A given project need not be in perfect conformity with each and every general plan policy. To be consistent, a project must be compatible with the objectives, policies, general land uses and programs specified in the general plan" (internal citations omitted). A general plan "must try to accommodate a wide range of competing interests… and to present a clear and comprehensive set of principles to guide development decisions. Once a general plan is in place, it is the province of elected officials to examine the specifics of a proposed project to determine if it would be "in harmony" with the policies stated in the plan. [3] Recognizing the plan provisions would ordinarily provide policy guidance on a range of issues, rather than mandatory, objective regulatory standards, the courts have recognized that the decision-maker must weigh plan policies when applying them, and that the law does not require every policy be completely satisfied. [4] However, in some instances general plans contain fundamental, mandatory, and objective standards

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1 *CEQA Guidelines,* Section 15125(b).

2 *Sierra Club v. County of Napa et al.* (2004) 121 Cal. App. 4th 1490.

3 *Sequoyah Hills Homeowners Assn. v. City of Oakland,* 23 Cal. App. 4th 704,791, summarizing from *Greenbaum v. City of Los Angeles,* 153 Cal. App. 3d 391.

4 *Ibid.*

that do not allow any discretion in interpretation and application. A project will be found inconsistent with such a standard if it is clearly incompatible with it. [5]

The determinations of conformance provided below represent the EIR authors' best judgment based on a strict third-party interpretation of the policies examined. **The Napa County Board of Supervisors ultimately must determine the project's conformance with County policies before taking action to approve, conditionally approve, or deny the pending application.** Other responsible agencies similarly must determine the project's conformance with their relevant policies when reviewing and commenting on the project. The analysis of conformance in this EIR is intended to aid in these decisions.

The project application includes a request to amend Use Permit #98177-UP and two related zoning modifications.

The Napa County Board of Supervisors would be responsible for approving the components of the project application. Approval of the *Montalcino at Napa Golf Course* project would require the following actions.

- The Board of Supervisors to approve an amendment to Section 18.50.030 of the Zoning Ordinance to allow in the Public Lands district uses utilizing a high volume of recycled or reclaimed water. A new subsection (18-50-030.H) would be added as follows:

  > Recreational or other uses requiring no on-site building and utilizing an average of not less than 250 acre-feet of recycled water annually.

- The Board of Supervisors would change the site's existing zoning designation from Agricultural Watershed (AW) to Public Lands (PL).

- The Board of Supervisors would approve an amendment to Use Permit #98177-UP to allow the inclusion of an 18-hole golf course.

4.1 Napa County General Plan

The *Napa County General Plan* [6] is the County's guide for all development in the unincorporated areas of Napa County. The *Napa County General Plan* consists of ten elements (land use, housing, growth management system, school facilities, circulation, scenic highways, conservation and open space, seismic safety, safety, and noise).

The overarching goal of the *Napa County General Plan* is to preserve agriculture and concentrate urban uses in existing areas. Consistent with this goal, the intent of the plan is to "… ensure the long term protection and integrity of those areas identified in the General Plan as agricultural, open space or

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5 *Families Unafraid to Uphold Rural El Dorado Co. v. El Dorado County*, 62 Cal.App.4th 1332 (1998).

6 *Napa County General Plan*, Napa County, adopted by the Napa County Board of Supervisors on June 7, 1983.

undevelopable … (as well as to) stimulate the development of those areas identified in the General Plan for residential, commercial and industrial (uses)." [7]

The *Napa County General Plan* land use map distinguishes between urban and non-urban uses. [8] Urban land use classifications include cities, urban residential, rural residential, commercial, industrial, and public-institutional. Non-urban land use classifications include agriculture, watershed and open space plus agricultural resource.

The *Napa County General Plan* designates the entire project site Public-Institutional (see **Exhibit 4.0-1**).

No change to the General Plan land use designation is proposed.

Exhibit 4.0-1
Existing Land Use Designations

Assessor's Parcel Number	*Acreage*	*Napa County General Plan Designation*	*Napa County Zoning Designation*	*Airport Land Use Zone*
057-010-037	263.23	Public-Institutional	AW:AC	C,B,D
057-010-036	2.49	Public-Institutional	AW:AC	D

Source: Napa County

The intent of the Public-Institutional land use designation is to indicate those lands set aside for those existing and future uses of a governmental, public use, or public utility nature such as a public hospital, public use airport, sanitation district facilities, government equipment yard, state or federal administrative offices, or recycling-composing facilities.

There is no listing of general uses that would be considered appropriate for the public-institutional designation nor is there a minimum parcel size or maximum building intensity.

MEASURE J – AGRICULTURAL LANDS PRESERVATION INITIATIVE

Measure J, the "Agricultural Lands Preservation Initiative" approved by Napa County voters on November 7, 1990 affects (until December 31, 2020) those lands that are designated Agricultural Resource (AR) or Agricultural Watershed and Open Space (AWOS) as of February 1, 1990. It does not affect lands in other General Plan designations, rezonings or permits. Under Measure J, any General Plan amendment that alters the intent section of the building intensity standards of the AR or AWOS designations must be placed on the ballot and receive a favorable vote. Measure J provides

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7 *Ibid.*, page 1-1.

8 Nichols • Berman communication with John McDowell, Napa County Conservation, Development and Planning Department, August 2005.

five possible methods of approving a General Plan amendment that alters a land use designation from AR or AWOS to another designation.

The proposed use permit amendment for the golf course would not have any impact upon the intent of Measure J. There are no lands with a General Plan designation of AR or AWOS that would be affected by the proposed project.

GENERAL PLAN CONSISTENCY

Exhibit 4.0-2 presents the assessment of the project's consistency with the *Napa County General Plan*. The assessment indicates whether the project would or would not be consistent with *General Plan* policies which are relevant to the proposed project.

Exhibit 4.0-2
Napa County General Plan

Policy	***Consistency***
LAND USE ELEMENT [9]	
Land Use Goals	
Goal 1 Agricultural as primary land use and concentrate urban uses in urban area. *Goal 3* Suitability of land use encouraged, minimize conflict with natural environment. *Goal 4* Coordinate with other entities to provide services. *Goal 5* Ensure protection of agriculture, stimulate areas designated for industrial and commercial uses.	*Consistent* The project site has an urban designation adjacent to the previously approved Montalcino Resort. *Consistent* Proposed golf course has been designed to minimize conflicts with natural environment, for example the project includes 45 foot setbacks from on-site creeks and 25 foot setbacks from on-site wetlands. *Consistent* The proposed project will use recycled water purchased from Napa Sanitation District, which will assist the District financially. *Consistent* Although the project will convert lands designated agricultural by the California Department of Conservation the project site has not been designated agricultural by the General Plan. Rather the site has an urban designation.
Open Space and Watershed Policies	
1.1 *Airport Approach Zones* – The County will consider low density non-residential development of land such as industrial under Airport Approach Zones to reduce safety hazards through the use of zoning or acquisition of development rights. ▫ Maintain compatibility between designated land uses and the airport operations of Napa County Airport, Parrett Field and Calistoga Gliderport. Refer general plan changes, proposed rezonings, and proposed developments as appropriate to the Napa County Airport Land Use Commission.	*Consistent*. The project site is within the boundaries of the Napa County Land Use Commission's Compatibility Plan for the Napa County Airport. The majority of the project site is within either compatibility zone C or D with a smaller portion of the project site in compatibility zone B. A golf course is listed as an example of uses that are normally acceptable in compatibility zones B, C, and D. Ponds, however, are cited as an example of a use not normally acceptable in compatibility zones B, C, and D. Conformance with the *Airport Land Use Compatibility Plan* is discussed ***Section 4.2***. The proposed project will be referred to the Napa County Airport Land Use Commission.
1.2 *Ecological Sensitive Areas* -- Limit development in such areas	*Consistent* Impacts to biological resources are discussed in ***Section 5.2***. The proposed project would not impact Suscol Creek, the Central Watercourse, or any wetland feature. Impacts to Swainson's hawk would be reduced to less-than-significant with the inclusion of mitigation measures.

9 Amended through March 5, 2002.

Exhibit 4.0-2 (continued)
Napa County General Plan

Policy	***Consistency***
1.3 *Environmental Quality* -- Maintain and improve level of environmental quality	*Consistent* Based on the analyses in ***Sections 5.1*** through ***5.4*** overall the proposed project would be consistent with this policy.
Recreation Policies	
2.2 *Recreational Facilities* – The County will plan for and reserve land use recreational facilities, and encourage public and private recreational development and other open space uses that meet the recreational needs of Napa County residents and are beneficial to the residents of Napa County as well as visitors to the County.	*Consistent*. The proposed golf course would meet the recreational needs of Napa County residents as well as visitors to Napa County.
Agricultural Policies	
3.10*Prime Agricultural Lands* – The County will reserve prime agricultural lands for agricultural use.	*Potentially Inconsistent* As discussed in ***Section 5.1*** the majority of the project site is classified as either prime farmland, farmland of statewide importance, or unique farmland by the California Department of Conservation. The Napa County General Plan does not, however, designate the site for either Agriculture, Watershed and Open Space or Agricultural Resource. Rather the project site is designated for an urban use – Public-Institutional. The proposed project would convert land which the State currently designates as Important Farmland, however, it appears that the property no longer meets the State's definition of Prime Farmland, Farmland of Statewide Importance or Unique Farmland and from a strict general plan point of view the proposed project is consistent with the policy.
Commercial Policies	
5.2 *Tourist Facilities* – The County will support the development of tourist facilities where there is a showing there would be no conflict with agriculture and the necessity for this type of service can be documented to the County's satisfaction.	*Potentially Consistent* The only existing agricultural use in the vicinity of the project site are vineyards located to the north. The proposed golf course would not conflict with the existing vineyards. No documentation showing the necessity of the golf course has, however, been submitted to the County.

Exhibit 4.0-2 (continued)
Napa County General Plan

Policy	***Consistency***
Public/Quasi-Public Lands Policies	
8.1 Governmental uses, public uses, and public utility uses shall be permitted in appropriate locations.	*Consistent.* The project site is owned by the Napa Sanitation District and is currently being used for the disposal of treated and reclaimed wastewater and biosolids. Its current use is consistent with the Public-Institutional land use designation. The proposed golf course would add a new use to the project site, however, the disposal of treated and reclaimed water by the Napa Sanitation District would continue. Therefore, the proposed project would be consistent with this policy.
8.2 Only those new facilities for use specified in Policy 8.1 which specifically implement programs mandated by state or federal government shall be permitted in non-urban areas.	The project site is designated for an urban land use classification – therefore this policy is not relevant to the proposed project.
Standards	
Public-Institutional Standards ▫ Intent To indicate those lands set aside for those existing and future uses of a governmental, public use, or public utility nature such as a public hospital, public use airport, sanitation district facilities, government equipment yard, state or federal administrative offices, recycling-composing facilities or any other facilities for which the determinations set fort, pertaining to criteria for eminent domain in the California Code of Civil Procedures Section 1245.230©(1) through (3), can be made. ▫ Minimum Parcel Size Not applicable.	*Consistent* The project site is owned by the Napa Sanitation District and is currently being used for the disposal of treated and reclaimed wastewater and biosolids. The proposed golf course would add a new use to the project site, however, the disposal of treated and reclaimed water by the Napa Sanitation District would continue. Therefore, the proposed project would be consistent the General Plan's Public-Institutional designation and standards.

Exhibit 4.0-2 (continued)
Napa County General Plan

Policy	***Consistency***
CIRCULATION ELEMENT [10]	
4c The land uses surrounding the Napa County Airport should be compatible with airport activity and consistent with Policy 1.1 (Airport Approach Zones of the Land Use Element of the General Plan.	*Consistent with Mitigation* Airport Compatibility impacts are discussed in Impact 5.2-20. Some compatibility problems may occur under the proposed project. Mitigation measures would reduce these compatibility problems to a less-than-significant level.
CONSERVATION AND OPEN SPACE ELEMENT [11]	
Goal 1A(2) Conserve and improve wildlife and fishery habitat in cooperation with governmental agencies, private associations and individuals in Napa County.	*Consistent with Mitigation* Proposed golf course has been designed to minimize conflicts with wildlife and fishery habitat. Setbacks are proposed from both the Central Watercourse and Suscol Creek as well as existing wetlands. Mitigation measures would reduce identified impacts to biological resources to a less-than-significant level.
III Open Space for Recreation *Goal* To provide a full range of recreational areas and facilities for the residents of the County.	*Consistent* The proposed golf course would meet the recreational needs of Napa County residents.
Goal Encourage preservation of and provide visual access to the natural beauty of Napa County, thereby enriching the lives of its citizens and enhancing and maintaining one of the County's primary industries, the tourist industry**.**	*Consistent* In the certification of the EIR for the Montalcino Resort the Board of Supervisors stated that the resort would help to create a "community separator" between urbanized uses along Highway 29 and create a desirable break from more dense commercial and industrial uses existing (and other expected in the future) south of the resort. [12] The golf course would provide additional lands to the "community separator".

[10] Amended through August 1, 1990, format change only – December, 1996.

[11] Amended through December 3, 1998.

[12] Resolution No. 04-45 Resolution of the Board of Supervisors, County of Napa, State of California Certifying the Final Environmental Impact report for the Montalcino at Napa Project (Consisting of Use Permit #98177-UP).

Exhibit 4.0-2 (continued)
Napa County General Plan

Policy	***Consistency***
SAFETY ELEMENT [13]	
Policies for Flood hazards 2. The unincorporated areas of the County which are subject to the provisions of the Flood Insurance Program (Ordinance #627 – flood Plan Management) provides that new developments will be safe from a one-percent flooding occurrence. This is done by reservation from constructing in designated floodways and requiring new construction in the flood plans to be above the 100 year flood elevation.	*Consistent* No flooding impacts are expected as described in Impact 5.3-3.

13 Amended through January 23, 1996, format change only – December, 1996.

4.2 Napa County Airport Land Use Compatibility Plan

The Napa County Airport Land Use Commission (ALUC) evaluates land use plans and proposed development with the *Airport Land Use Compatibility Plan.* [14] The relationship between the ALUC and local jurisdictions is set by state law. Although the ALUC functions under the general auspices of County government, it is not controlled by the County.

The Napa County airport has two main runways 18R-36L (which generally runs north south) and 24-6 which generally runs east west. [15] The southern boundary of the project site is approximately 2,200 feet north of the end of runway 18R-36L.

This section discusses the conformance of the project with the "Compatibility Zones" guidelines of the airport, the conformance of the project with densities recommended in the *Airport Land Use Compatibility Plan*, and conformance with other policies of the plan.

CONFORMANCE WITH COMPATIBILITY ZONES

The *Airport Land Use Compatibility Plan* defines five compatibility zones based on geographic relationships to the runways, approach and departure zones, traffic patterns, and flight paths. Three of those seven compatibility zones overlay the project site. **Exhibit 4.0-1** identifies the compatibility zone for each parcel in the project site and **Exhibit 4.0-3** shows these compatibility zones as they affect the project site.

Zone B Approach / Departure Zones

The approach / departure zone is defined as the areas where aircraft will be below 100 feet above the ground level as determined by the type of approach anticipated for that runway in the future. Future approach slopes are designated on the respective Airport Layout Plans and Airspace Plans. These areas are affected by substantial risk of accident potential due to the frequency of over flights at low altitudes. Noise levels are generally high with frequent loud single-events.

Zone C Extended Approach / Departure Zones

The extended approach / departure zone is defined as the area where aircraft will be below 300 feet above the ground as determined by the type of approach. The low altitude of aircraft in these areas indicates moderate to high risk of accident potential. Properties in this zone will be affected by substantial noise.

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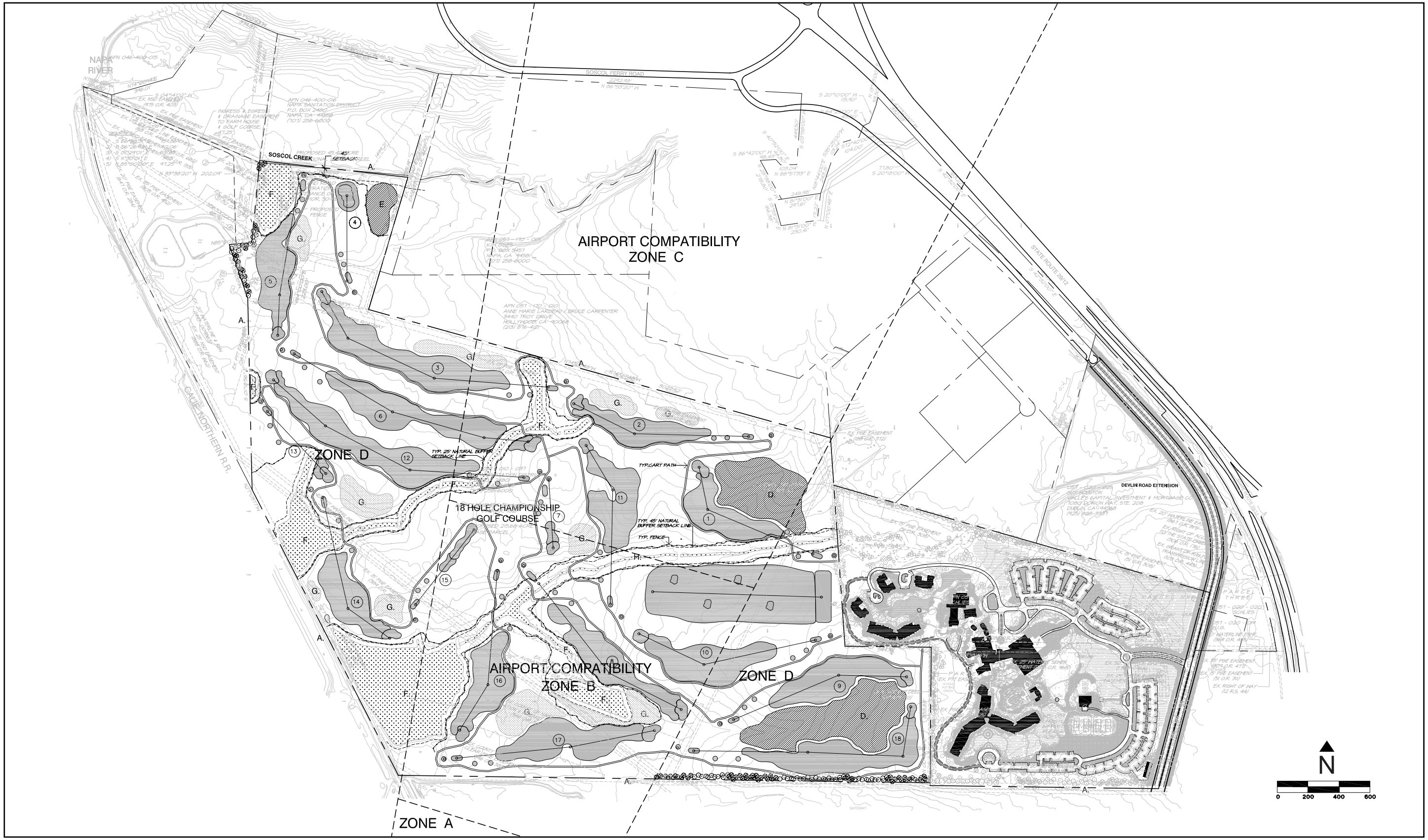
[14] *Airport Land Use Compatibility Plan*, Napa County Airport Land Use Commission, adopted April 22, 1991, revised December 15, 1999.

[15] A third shorter runway (18L-36R) exists parallel to 18R-36L.



Source: George W. Girvin Associates, Inc., August 2005

Zone D Common Traffic Pattern Area

Common traffic pattern areas are defined by the flight pattern for each airport and illustrated in the respective "Airport Impact Areas" figures contained in the *Airport Land Use Compatibility Plan.* [16] These areas are routinely overflown by aircraft operating to and from the airport with frequent single-event noise intrusion. Overflights in these areas can range from near the traffic pattern altitude (about 1,000 feet above the ground) to as low as 300 feet above the ground. Accident risk varies from low to moderate.

In general, the proposed *Montalcino at Napa Golf Course* would be consistent with compatibility zone guidelines.

The golf course would be located in compatibility zones B, C, and D. A golf course is listed as an example of uses that are normally acceptable in compatibility zones B, C, and D. [17] No buildings are proposed to be constructed on the golf course, so building height would not be an issue. Ponds, however, are cited as an example of a use not normally acceptable in compatibility zones B, C, and D. The proposed project includes the construction of three ponds – one of the ponds would be used as a storage reservoir for the Napa Sanitation District and the other two ponds would be stormwater detention basins for the golf course.

CONFORMANCE WITH DENSITY REQUIREMENTS

The proposed project consists of a golf course with no structures. No persons on-site would be within buildings. There are no proposed activities that would result in large concentrations/congregations of people in any one particular location on the golf course site, such as stadium or event seating for spectators. No spectator events have been proposed, and would be subject to separate review and approval if at any time they were proposed in the future.

The *Airport Land Use Compatibility Plan* includes maximum densities in terms of the number of people per acre including those in structures and those in and out of structures. [18] In compatibility zone B the maximum number of people per net acre [19] in and out of structures is 25. For compatibility zone C this figure is 75 people per net acre and for compatibility zone D this figure is 150 people per net acre.

The project site is approximately 233 acres of which the golf course would occupy approximately 182 acres. Density calculations are based on gross project area, or 233 acres in this case. Since aircraft do not fly set patterns, as a matter of past practice, the Napa County ALUC has calculated density on

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16 *Airport Land Use Compatibility Plan*, *op. cit.*, figure 5C.

17 Table 3-2 Airport Vicinity Land Use Compatibility Criteria, *Airport Land Use Compatibility Plan*, Napa County Airport Land Use Commission, *op. cit.*, page 3-15.

18 *Ibid.*

19 Net acreage is defined as the total site area inclusive of parking areas and landscaping, less the area dedicated for streets. Since no streets are included in the *Montalcino at Napa Golf Course* project gross and net acres would be the same.

projects divided by two or more compatibility zones by assessing the project in its entirety under the density limitations of the most restrictive zone. This results in a conservative allowance on maximum density. Under this approach, the proposed project has been assessed as if the entire site was in Zone B, wherein the allowable density would be 233 acres multiplied by 25 persons per acre, or 5,825 persons.

The *California Airport Land Use Planning Handbook*[20] describes two general methods for determining the density of projects. One is based on required parking. The other is based on occupancy requirements set forth on the Uniform Building Code. Since no persons would be located within buildings, this project's density has been calculated on parking. Napa County's Ordinance, which has been found consistent with the *Airport Land Use Compatibility Plan*, requires golf courses to have one space for every two employees plus three per golf hole. The golf course could have up to have 14 employees. This is an 18-hole course. Based on the *California Airport Land Use Planning Handbook* methodology, the project density would be 14 employees multiplied by one parking space per employee, and 18 holes multiplied by one parking space per hole, multiplied by 1.5 persons (ALUC standard) per required parking space, or (14 plus 18) times 1.5 equals 48 persons on site. Dividing these 48 persons by the 233 acres yields a project density of 0.21 persons per acre (well within the standard of 25 persons per acre).

The *California Airport Land Use Planning Handbook* also allows for alternative means of density calculations if the above-described general methods do not accurately characterize the project. The Airport Land Use Commission staff has reviewed the characteristics of this project and believes the following may more accurately characterize the worst-case project density when compared to the required parking methodology. Being that there are no spectator events proposed, the worst-case on-site density would logically represent the largest number of golfers and employees that would be utilizing the golf course at any one time. To determine this number, it was assumed that all 14 employees would be on-site at the time all 18 golf holes were being played at a presumed maximum capacity. Presumed maximum capacity would consist of groups of four golfers playing the course in congested conditions, which would be a maximum of three groups of four playing each hole at a time (one group at the green, one on the fairway, and one at the tee box). Based on this scenario, the density of the project site would be 14 employees plus 12 golfers per hole, or 14 plus (12 times 18) equals 230 persons on site. Dividing these 230 persons by the 233 acres yields a project density of approximately one person per acre (again, well within the standard of 25 persons per acre). It is acknowledged that this is likely over-estimating the actual number of persons on site, but for ALUC purposes, it is a reasonable method for determining maximum theoretical density.

CONSISTENCY WITH OTHER POLICIES

Exhibit 4.0-4 discusses the policies of the *Airport Land Use Compatibility Plan*, and analyses the consistency of the project with these policies.

Since the proposed project includes an amendment to the County's zoning ordinance and a request to rezone the project site, approval of the proposed project would require a consistency determination by the Napa County Airport Land Use Commission. The Napa County Board of Supervisors may approve the project, despite an adverse consistency determination from the Airport Land Use Commission, with a two-thirds vote.

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20 *California Airport Land Use Planning Handbook*, California Department of Transportation, 2002.

The primary purpose of the *Airport Land Use Compatibility Plan* is to establish policies and guidelines for land use compatibility to local jurisdictions affected by airport activities under Section 21670 of the California Public Utilities Code. The *Airport Land Use Compatibility Plan* addresses the major airport / land use compatibility concerns, including noise, hazards to flight, safety on the ground and overflight issues, as well as relevant Federal Aviation Administration (FAA) requirements, policies, standards or guidelines.

Exhibit 4.0-4
Airport Land Use Compatibility Plan

Policy	***Consistency***
3 SUPPORTING COMPATIBILITY POLICIES	
3.1 Noise	
3.1.1 The evaluation of airport/land use compatibility shall consider future Community Noise Equivalent Level (CNEL) contours of each airport. These contours are calculated based upon aircraft activity forecasts which are set forth in adopted airport master plans or which are considered by the Commission to be plausible (refer to Part II for noise exposure maps).	*Consistent* CNEL contours were taken into account in the noise analysis of the certified EIR (see Impact 5.4-2), and no impact was discovered. Aircraft generated noise levels would be "clearly acceptable" for the proposed golf course use.
3.1.4 Noise level standards for compatibility with other types of land uses shall be applied in the same manner as the above residential noise level criteria (as in policy 3.1.3, not included in this analysis). Examples of acceptable noise levels for other land uses in an airport's vicinity are presented in Table 2-1.	*Consistent* No noise compatibility issues were found in the certified EIR (see Impacts 5.4-1 and 5.4-2).
3.2 Safety	
3.2.1 The intent of land use compatibility criteria is to minimize the risks associated with an off-airport aircraft accident or emergency landing. (a) Risks both to people and property in the vicinity of an airport and to people on board the aircraft shall be considered. (b) More stringent land use controls shall be applied to the areas with greater potential risk.	*Potentially Inconsistent* Risks to people on property and to people on board aircraft are discussed in the certified EIR in Impact 5.1-3 (Airport Compatibility) under "Hazards to Flight" and "Safety on the Ground". Potential impacts were found to aircraft safety, such as construction dust, construction cranes, proposed tree heights, and ponds that could attract birds. In regards to the ponds in general the concerns center on the construction of "wildlife attractants," as defined in FAA Advisory Circular No. 150/5200-33A, *Hazardous Wildlife Attractants on or Near Airports*. This SEIR concludes that wildlife use of the site (including use of on-site water features) such as by Canada geese, mallards, and gulls could result in an increased risk of collision with aircraft. Mitigation is proposed that may reduce the level of impact to less-than-significant, but the ALUC will exercise its own independent judgment whether the project is consistent with this policy or not.
3.2.2 The principal means of reducing risks to people on the ground is to restrict land uses so as to limit the number of people permitted to occupy a given area. Methods for determining the concentration of people for various land uses is provided in Appendix D. (a) Greater restrictions shall be placed upon the number of people permitted in a building rather than upon the number within an open area because of the greater difficulty of evacuating a building in the event of its involvement in an aircraft accident.	*Consistent* An analysis of the density of the proposed project was conducted in ***Section 4.2*** of the SEIR. The proposed project would be consistent with the density requirements of the *Airport Land Use Compatibility Plan*.

Exhibit 4.0-4
Airport Land Use Compatibility Plan

Policy	***Consistency***
3.2.5 In the event that an aircraft is forced to land away from an airport, the risks to people on board aircraft and damage to property can best be minimized by providing as much open land area as possible within the airport vicinity. This concept is based upon the fact that the large majority of aircraft accidents occurring away from an airport runway are controlled emergency landings in which the pilot has reasonable opportunity to select the landing site. (a) For purposes of this Plan, "open land" shall be defined as an area that this typically: (1) free of structures and other major obstacles such as walls, large trees, and overhead wires; and (2) have minimum dimensions of at least 75 feet wide, and at least 300 feet or more in length. Certain roads are acceptable as open land areas if they meet the preceding criteria.	*Consistent* The proposed golf course would have many open areas of these dimensions.
b) the most critical areas for preserving open land are within the approach zones and beneath the traffic pattern (Zones A, B, C, and D). Within an airport's traffic areas, lands presently designated for open space uses (i.e., agricultural lands, golf courses, etc.) should be preserved as open space areas to the maximum extent feasible. The following criteria should be used to retain/preserve open land areas within proposed development. (1) Within the approach/departure zones (Zones A, B, and C), buildings should be set back from the extended runway centerline to the maximum extent feasible. (2) Within the traffic pattern areas (Zone D), open land areas at the periphery of the traffic pattern areas should be preserved.	*Consistent* Land in existing open space would be preserved as open space by means of the golf course. No structures are proposed on the golf course site.
(c) Clustering of development and providing contiguous landscaped and parking areas is encouraged as a means of maximizing open space and providing continuity of open land areas between developments.	*Consistent* The proposed golf course would maximize the open space.
(d) In order to establish the open land areas available in critical areas and make a consistency determination, building envelopes and the approach zones should be indicated on all development plans and subdivision maps for all proposed development within 100 feet of an approach zone.	*Consistent* Approach zones are indicated on the applicant's maps. No structures are proposed on the golf course site.

Exhibit 4.0-4
Airport Land Use Compatibility Plan

Policy	***Consistency***
3.3 Airspace Protection	
3.3.1 The criteria for limiting the height of structures, trees, and other objects in the vicinity of an airport shall be set in accordance with the United States Standard for Terminal Instrument Procedures (TERPS). Airspace plans for each airport which depict the critical areas for airspace protection are provided in Part III. TERPS height limitations are only applicable at Napa County Airport where an instrument approach has been established. The private airfield has only visual approaches.	*Consistent* The project would meet height requirements of both the ALUC and County zoning code.
3.3.2 Within the approaches to a public airport, the owner of any property proposed for development should be required to dedicate an avigation easement to the jurisdiction owning the airport. In the case of a private airport, a height-limit easement should be dedicated to the jurisdiction controlling the land use. Examples of these easements are provided in Appendix E. (a) The avigation easement shall: (1) provide the right of flight in the airspace above the property; (2) allow the generation of noise and other impacts associated with aircraft overflight; (3) restrict the height of structures, trees, and other objects; (4) permit access to the property with proper notice for the removal or aeronautical marking of objects exceeding the established height limit; and (5) prohibit electrical interference, glare, and other potential hazards to flight from being created on the property.	*Consistent* Napa County code requires execution of an avigation easement prior to commencing construction consistent with the requirements of the ALUCP. Although an overflight easement has been previously recorded on the project site, the permittee would be required to demonstrate compliance with the current code requirement prior to commencing construction.
(b) Within the approach/departure zones, height restrictions of less than 35 feet may be required.	*Consistent* Applicant's landscape plan states that trees would be limited to those with a mature height of 50 feet and to be maintained to a maximum of 35 feet. No evidence that it would be necessary to limit trees to a lower height.

Exhibit 4.0-4
Airport Land Use Compatibility Plan

Policy	***Consistency***
3.3.3 Other than within the approach/departure zones, (Compatibility Zones A, B, and C), height restrictions may allow 35 feet above the level of the ground on which they are located, or as similarly provided by local ordinance. (a) In locations where the terrain, structure, or any object (including clearances over roads and railroads) penetrates Federal Aviation Regulations Part 77 surfaces, an avigation easement shall be required in accordance with Paragraph 3.3.2 which limits the height to 35 feet above the ground and enables the marking or lighting of any potential hazard to air navigation. Trees and other natural materials may exceed the height limitation provided that the avigation easement allows for removal, marking, or lighting of potential aircraft hazards.	*Consistent* No structures are proposed on the golf course.
3.3.4 Proponents of a project which may exceed a Part 77 surface must notify the Federal Aviation Administration as required by FAR Part 77, Subpart B, and by the California State Public Utilities Code Sections 21658 and 21659. (Notification to the Federal Aviation Administration under FAR Part 77, Subpart B, is required even for certain proposed construction that does not exceed the height limits allowed by Subpart C of the regulations. Refer to Appendix B for the specific Federal Aviation Administration notification requirements.) (a) Local jurisdictions shall inform project proponents of the requirements for notification to the Federal Aviation Administration. (b) The requirements for notification to the Federal Aviation Administration shall not necessarily trigger review of an individual project by the Airport Land Use Commission if the project is otherwise in conformance with the compatibility criteria established in the Airport Land Use Plan. (c) Any project coming before the Airport Land Use Commission for reason of height-limit issues shall include a copy of FAR Part 77 notification to the Federal Aviation Administration.	*Consistent* No structures are proposed for the golf course.

Exhibit 4.0-4
Airport Land Use Compatibility Plan

Policy	***Consistency***
3.3.5 Land uses which may produce hazards to aircraft shall not be permitted within any airport's planning area. Specific characteristics to be avoided include: (1) glare or distracting lights which could be mistaken for airport lights; (2) sources of dust, steam, or smoke which may impair pilot visibility; (3) sources of electrical interference with aircraft communications or navigation; and (4) any use which may attract large flocks of birds, especially landfills and certain agricultural uses.	*Potentially Inconsistent* The proposed golf course includes the construction of three ponds and wetlands. The project would result in the construction of "wildlife attractants," as defined in FAA Advisory Circular No. 150/5200-33A, *Hazardous Wildlife Attractants on or Near Airports*. This SEIR concludes that wildlife use of the site (including use of on-site water features) such as by Canada geese, mallards, and gulls could result in an increased risk of collision with aircraft. Mitigation is proposed that may reduce the level of impact to less-than-significant, but the ALUC will exercise its own independent judgment whether the project is consistent with this policy or not.
3.4 Overflight	
3.4.2 The compatibility of uses in the airport planning areas shall be preserved to the maximum feasible extent. There is presently a high degree of land use compatibility among the existing and planned land uses in the vicinity of airports within Napa County, primarily because no residential land uses are designated within the traffic areas. The proposed conversion of land to residential use within any airport's traffic area (Compatibility Zones A, B, C and D) shall be inconsistent with this Airport Land Use Compatibility Plan, except as specifically provided herein.	*Consistent* The project does not proposed residential uses on the site. The proposed golf course is a use that is normally acceptable in compatibility zones B, C, and D.

4.3 Napa County Zoning Ordinance

The project site is zoned Agricultural Watershed (AW) and is also designated an Airport Compatibility Combination District (:AC).

- *AW district* The AW zoning district is intended to be applied to those areas of Napa County where the predominant use is agricultural oriented; where watershed areas, reservoirs and floodplain tributaries are located; where development would adversely impact on all such uses; and where protection of agriculture, watersheds, and floodplain tributaries from fire, pollution, and erosion is essential to the general health, safety, and welfare. Park and rural recreation uses and facilities are permitted uses in the AW district upon the granting of a use permit and conformance to the standards in Chapter 18.104.

- *AC district* The AC overlay district is intended to accommodate the orderly growth and development of public-use airports (such as the Napa County Airport) and to apply standards to development in the vicinity of the airport to limit physical, environmental, and operational obstructions to flight that may constitute hazards to aircraft or people on the ground, to limit the density of development so as to reduce risks of damage to property or injury to persons in the event of an aircraft accident, to provide emergency landing opportunities where appropriate, and to reduce the adverse effects of aircraft noise and other aircraft-related impacts on land use that may be sensitive to excessive noise.

It is proposed to rezone the project site to the Public Lands (PL) designation. The AC overlay district would continue to apply.

- *PL district* The PL zoning district is intended to provide areas consistent with the general plan that provide sites suitable to accommodate public and closely related privately owned quasi-public facilities which provide governmental or state-mandated services to the general public.

Conformance of the proposed project with the PL zoning district and other relevant zoning regulations is shown in **Exhibit 4.0-5**.

Exhibit 4.0-5
Napa County Zoning Ordinance

Zoning Requirement	***Consistency***
CHAPTER 18.50 PL PUBLIC LANDS ZONING DISTRICT	
18.50.010 Intent of classification. A. The intent of this classification is to provide areas consistent with the general plan that provide sites suitable to accommodate public and closely related privately owned quasi-public facilities which provide governmental or state-mandated services to the general public. B. Uses permitted under this classification in the nonurban areas designated by the general plan designations agricultural resource or agriculture, watershed and open space shall be restricted to: public uses existing at the time of the date of adoption of the ordinance codified in this chapter and the expansion thereof; and uses which are related to public agency programs implementing government-mandates. C. Lands eligible for public lands zoning should have the following characteristics to insure compatibility with existing and future land uses: 1. Services (water and sewer) from public utilities are readily available, unless on-site water supply and sewage disposal are available and adequate. 2. The lands to be zoned PL should be located where the district would not be in conflict with or detrimental to existing legal uses on adjacent lands.	The project site is designated as an urban area by the general plan and is proposed to be zoned Public Lands (PL). The current use of the site for disposal of treated wastewater from the Napa Sanitation District is consistent with intent of the PL zoning. It is proposed to amend section 18.50.030 to allow recreational or other uses requiring no on-site buildings and utilizing an average of not less than 250 acre-feet of recycled water annually. With approval of the amendment to section 18.05.030 the project would require a use permit.
18.50.020 Uses allowed without use permit. The following uses shall be allowed in all PL districts without use permit subject to the limitations in subsection (B) of Section 18.50.010: A. Governmental offices; B. Government equipment and maintenance yards; C. Agriculture; D. Minor antennas meeting the requirements of Sections 18.119.240 through 18.119.260; E. Telecommunication facilities, other than satellite earth stations, that meet the performance standards specified in Section 18.119.200, provided that prior to issuance of any building permit, or the commencement of the use if no building permit is required, the director or his/her designee has issued a site plan approval pursuant to Chapter 18.140.	With approval of the amendment to section 18.05.030 the project would require a use permit.

Exhibit 4.0-5 (continued)
Napa County Zoning Ordinance

Zoning Requirement	***Consistency***
18.50.030 Uses permitted upon grant of use permit. The following uses may be permitted in all PL districts upon grant of a use permit pursuant to Section 18.124.010: A. Composting facilities; B. Recycling facilities; C. Sanitary landfills (including closure facilities, leachate extraction, etc.); D. Solid waste transfer stations; E. Utility service yards; F. Telecommunication facilities, other than satellite earth stations, that do not meet one or more of the performance standards specified in Section 18.119.200; G. Satellite earth stations that cannot, for demonstrated technical reasons acceptable to the director, be located in an Industrial (I), Industrial Park (IP), or General Industrial (GI) zoning district.	It is proposed to add a new subsection 18.50.030 as follows: H. Recreational or other uses requiring no on-site buildings and utilizing an average of not less than 250 acre-feet of recycled water annually. With approval of this amendment the proposed project would require a use permit under this subsection.
18.50.050 Development standards--Setbacks and yards. A. The minimum front yard setback shall be as follows: 1. Adjacent to State Highway or Silverado Trail: forty-five feet; 2. All other streets: twenty-feet. B. No outdoor storage or work areas shall be located in any required front yard setback. C. Except as provided otherwise in this section, all provisions of Section 18.104.260 shall continue to apply.	*Consistent* The proposed project would meet this requirement.

Exhibit 4.0-5 (continued)
Napa County Zoning Ordinance

Zoning Requirement	***Consistency***
18.50.060 Development standards--Landscaping and screening. A. A minimum of twenty feet of the required front yard setback, as established by Section 18.50.050, including exterior lots, shall be permanently landscaped in accordance with these standards. B. Parcels with rear or side yards adjoining parcels with existing residential uses or residentially-zoned districts shall have all structures setback equal to the setback of the adjoining district. These setback areas shall be screened with a combination of existing vegetation, dense evergreen hedging or trees, earthen berms, and solid fencing or walls, a minimum total of six feet in height. C. All parking areas, outdoor storage or work areas, exterior storage areas, and/or service yards shall be screened from public streets and adjacent properties as provided in subsection (B) of this section. All screening shall be permanently maintained. D. Existing vegetation, especially mature trees and shrubs and producing perennial agricultural vegetation, shall be preserved whenever practical. E. Landscaping approved by the county shall be installed prior to the issuance of any occupancy permit. F. In the selection of new plant materials, preference shall be given to native and drought-tolerant species, and to species which are hardy, long-lived, and require little maintenance.	*Consistent* The proposed project would meet these requirements.
18.50.070 Development standards--Parking requirements. A. All required parking and loading facilities shall be located on the same site as the proposed use and only located within PL district. B. All parking spaces and driveways shall be surfaced by a dust free, all weather surface approved by the director of public works, and the surfacing of all parking spaces and driveways serving those facilities shall be permanently maintained. C. Off-street parking facilities shall be required in accordance with Section 12279.7 of this article, except that the commission may establish other parking requirements for a permitted use of a mixed industrial and commercial character, or for a permitted use of an indeterminate character, or where it can be clearly demonstrated that the required parking and loading will either exceed, or inadequately provide for, the needs of a particular permitted use.	*Consistent* The County's parking requirement for this project would be one space for each full-time employee and one space for each golf hole or 28 spaces. No additional parking, however, is proposed for the golf course. The previously approved Montalcino Resort includes a requirement for the provision of 1,045 parking spaces. The applicant proposes to use these spaces for the golf course. The golf course could be considered an accessory use to the Montalcino Resort. It is likely that all employees and persons playing golf could utilize the resort in some capacity, both prior to or after use of the golf course. Based on this County decision makers (Planning Commission and Board of Supervisors) could require less than the required number of spaces as provided for in subsection C "where it can be clearly demonstrated that the required parking and loading will either exceed, or inadequately provide for, the needs of a particular permitted use".

Exhibit 4.0-5 (continued)
Napa County Zoning Ordinance

Zoning Requirement	***Consistency***
18.50.090 Development standards--Drainage/inundation. No building permit or use permit shall be issued until a drainage plan for the lot or lots involved in the project has been approved by the public works director. No occupancy permit shall be issued or use commenced pursuant to a use permit until all drainage easements identified in the approved plan have been irrevocably offered for dedication and all drainage improvements required in the approved plan have been installed.	*Potentially Consistent* The applicant has prepared a storm drainage management plan for the golf course. This requirement will need to be met before issuance of building or use permit.
8.50.100 Development standards--Watercourse protection. Any use within the Public Lands Zoning District shall be conducted in compliance with the watercourse protection standards set forth in the Napa County Floodplain Management Ordinance (Chapter 16.04 of this code). Proof of compliance with the applicable standards shall be a pre-requisite for issuance of any occupancy permit or approval if issuance of any use permit, whichever is applicable and/or occurs first.	*Consistent* As proposed, the project does not include any construction within any of the Special Flood Hazard Areas that exist on and adjacent to the project site. The project complies with the requirements of the Napa County Floodplain Management Ordinance (16.04).
18.50.120 Performance standards--Hazardous, toxic, highly flammable and/or explosive materials. A. All current local, state and federal regulations regarding hazardous and/or toxic materials shall be complied with prior to the commencement of the approved use. B. All hazardous, toxic, highly flammable and/or explosive materials shall be stored in a manner acceptable to and approved by the fire warden and the fire chief of the agency providing fire protection to the subject property. All activities and all storage of highly flammable and/or explosive materials shall be provided with adequate safety devices against fire, explosion, and other hazards and firefighting suppression equipment acceptable to the fire chief/warden of the agency providing fire protection. In addition, the storage of all hazardous and/or toxic materials shall be done in a manner acceptable to the director of environmental management.	*Potentially Consistent* The proposed project would need to demonstrate conformance with these requirements.
8.50.130 Performance standards--Nuisances. All uses which emit odors, smoke, dust, fly ash, airborne solids, vibrations, glare, heat, or excessive noise shall be conducted in such a manner as to reduce the production thereof to avoid the creation of a public nuisance.	*Consistent* – It is not anticipated that the proposed project would create any public nuisances.

Exhibit 4.0-5 (continued)
Napa County Zoning Ordinance

Zoning Requirement	***Consistency***
18.50.140 Other regulations and exceptions. A. Each structure and each use of land in the PL zoning district shall conform to the area, yard and building height regulations set forth in Section 18.104.010 and in this chapter, except that other regulations may be specified where the commission makes the following findings: 1. The total development will be improved in appearance, functionality, or compatibility with neighboring structures and uses of land by modification of such regulations; and 2. Each structure and use will conform to a precise plan which is part of the approved use permit. B. All lighting shall be directed onto the subject property only, so that the light source is not visible from adjacent properties or streets.	*Consistent* – no structures are proposed as a part of the proposed project.
Chapter 18.80 :AC AIRPORT COMPATIBILITY COMBINATION DISTRICT	
18.80-010 Intent of Classification This combining district classification is intended to: A. Accommodate the orderly growth and development of public-use airports, defined as "public airports" by Public Utilities Code Section 21675;	
B. Apply standards to development in the vicinity of public-use airports which will:	
1. Limit physical, environmental, and operational obstructions to flight that may constitute hazards to aircraft or people on the ground,	*Potentially Consistent* Mitigations are proposed which may make the project consistent with this ordinance requirement. Prior to taking final action on the project, the ALUC will review the project and determine consistency with airport/land use compatibility requirements, including safety and risk assessment.
2. Limit the density of development so as to reduce the risks of damage to property or injury to persons in the event of an aircraft accident,	*Consistent* The proposed golf course would be consistent with ALUC density requirements.
3. Provide emergency landing opportunities where appropriate in accordance with the standards of the Napa County Airport Land Use Compatibility Plan (ALUCP),	*Consistent* The proposed golf course would provide an open area suitable for emergency landings.
4. Reduce the adverse effects of aircraft noise and other aircraft-related impacts on land uses that may be sensitive to excessive noise;	*Consistent* Aircraft noise would be a less-than-significant impact in terms of compatibility with golf course.
C. Avoid the construction of structures and establishment of uses that would be incompatible with the continued existence and planned expansion of a public-use airport;	*Consistent with Mitigation* This SEIR concludes that waterfowl use of on-site water features could result in an increased risk of collision with aircraft. Mitigation is proposed to reduce the level of impact to less-than-significant.

Exhibit 4.0-5 (continued)
Napa County Zoning Ordinance

Zoning Requirement	***Consistency***
D. Provide notice to property owners, buyers and lessees of the existence of and normal operations of public-use airports in the vicinity;	*Consistent* Developer and owner of the golf course is aware of existence of Napa County Airport.
18.80.040 ALUCP Zone D regulations. Within ALUCP Zone D, most nonresidential uses are normally acceptable. However, the following standards shall apply in addition to the standards of the principal zoning district:	*Consistent* The proposed golf course would be an acceptable use in Compatibility Zone D.
A. Overflight easements in a form acceptable to the airport proprietor shall be required as a condition of subdivision approval and/or discretionary permits for new construction, and for any project requiring a building permit. Such easements shall be prepared prior to issuance of a building permit or recordation of a final map.	*Consistent* Napa County code requires execution of an avigation easement prior to commencing construction consistent with the requirements of the ALUC. Although an overflight easement has been previously recorded on the project site, the permittee would be required to demonstrate compliance with the current code requirement prior to commencing construction.
B. Prohibited Uses. The following uses are prohibited: 1. Landfills; 2. Residential uses, except for residential uses allowable under agricultural land use and zoning designations.	*Consistent* The proposed project does not contain any of these uses.
C. Uses Not Normally Acceptable. The following uses raise concerns related to size, density of use, mobility, noise sensitivity or propensity to attract birds to be addressed for a project to be approved. Such uses shall require use permits and shall be referred to the ALUC for a compatibility determination prior to final approval. 1. Public or private schools for children under eighteen years of age; 2. Libraries; 3. Hospitals, major medical facilities (skilled nursing and similar);	*Consistent* With the exception of the proposed ponds the proposed project does not contain any of these uses. The proposed NSD holding pond plus one entire and a portion of a second golf course ponds are located in Compatibility Zone D. The proposed project will be referred to the ALUC for a consistency determination in regard to the ponds.

Exhibit 4.0-5 (continued)
Napa County Zoning Ordinance

Zoning Requirement	***Consistency***
(C continued) 4. Day care centers; except for family day care homes, and ancillary day care centers associated with a business wherein a parent and/or legal guardian of every child present at the daycare is an employee of the primary use or the ancillary daycare center and the daycare does not exceed fifteen children. Furthermore, it is recognized that the provision of day care services are an important countywide goal, and approval of day care centers within compatibility Zone D will not be unreasonably withheld upon demonstration that potential airport land use conflicts have been addressed to the satisfaction of the planning commission and airport land use commission; 5. Retail buildings and shopping centers, greater than forty thousand square feet; or smaller retail buildings and centers that, when combined with an adjacent retail building and center, would in combination total more than forty thousand square feet; 6. Amphitheaters; 7. New ponds.	
D. Use Review Criteria. In determining whether proposed uses in subsection (C) of this section have been appropriately designed, decision-making body shall consider the following criteria: 1. Density. Density of use averaged over the entire site (excluding streets) should not exceed one hundred persons per acre in structures, or one hundred-fifty persons in and out of structures; 2. Clustering. Clustering of development within the density parameters is encouraged to protect and provide open land/safety areas (such as requiring building envelopes, contiguous parking and landscape areas, and larger setbacks from certain geographic features such as creeks, roads, etc.); 3. Noise. Appropriate noise reduction measures have been incorporated for noise sensitive uses (such as schools or libraries) consistent with ALUCP and county general plan standards, whichever is more restrictive.	ALUC will use these criteria when considering consistency of the proposed project.

Exhibit 4.0-5 (continued)
Napa County Zoning Ordinance

Zoning Requirement	***Consistency***
E. General Design Requirements. 1. Lights, Glare, Electronic Interference. All uses and structures shall be designed so as to prevent hazard to flight that could occur as a result of smoke, glare, distracting lights or electronic interference. All exterior lighting shall be directed or shielded to prevent glare to aircraft and meet any approved ALUC lighting guidelines. 2. Height. All uses and structures shall be designed to prevent hazard to flight that could occur as a result of very tall structures intruding into flight areas. Height limits shall be as in the underlying zoning district, or, if height limits are not specifically assigned by the underlying district, the height limit shall be thirty-five feet. Any project proposing heights over the applicable height limit shall require a use permit and be referred to the ALUC prior to final approval.	*Consistent* The golf course would only operate during daylight hours. Nighttime lighting would be the minimum necessary to provide for basic security needs in the vicinity of the Montalcino Resort. No lighting would be present on the golf course. No structures are proposed. It is proposed to that trees would be maintained at a maximum height of 35 feet.
18.80.050 ALUCP Zone C regulations. Within ALUCP Zone C, which is the extended approach/departure zone, most lower intensity non residential uses are normally acceptable. However, the following standards shall apply in addition to the standards of the principal zoning district:	*Consistent* The proposed golf course would be an acceptable use in Compatibility Zone C.
A. Avigation easements in a form acceptable to the airport proprietor shall be required as a condition of subdivision approval and/or discretionary permits for new construction, and for any project requiring a building permit. Such easements shall be prepared prior to issuance of a building permit or recordation of a final map.	*Consistent* Napa County code requires execution of an avigation easement prior to commencing construction consistent with the requirements of the ALUC. Although an overflight easement has been previously recorded on the project site, the permittee would be required to demonstrate compliance with the current code requirement prior to commencing construction.
B. Prohibited Uses. The following uses are prohibited: 1. Residential uses; except for residential uses allowable under agricultural land use and zoning designations; 2. Public or private schools for children under eighteen years of age and libraries; 3. Hospitals and major medical facilities (skilled nursing and similar); 4. Day care centers, except family day care homes within legally established residences;	*Consistent* The proposed project does not contain any of these uses.

Exhibit 4.0-5 (continued)
Napa County Zoning Ordinance

Zoning Requirement	***Consistency***
C. Uses Not Normally Acceptable. The following uses raise concerns related to size, density of use, mobility, noise sensitivity or propensity to attract birds to be addressed for a project to be approved. Such uses shall require use permits and shall be referred to the ALUC for a compatibility determination prior to final approval: 1. Retail buildings and shopping centers larger than forty thousand square feet in size, or smaller retail buildings and centers that, when combined with an adjacent retail building and center, would in combination total more than forty thousand square feet; 2. Hotels and motels; 3. Health clubs; 4. Restaurants or bars seating more than eighty persons; 5. Multi-story buildings; 6. Theaters, assembly halls, and conference centers; 7. New ponds; 8. Solar panels.	*Consistent* With the exception of the proposed ponds the proposed project does not contain any of these uses. A portion of one of the golf course ponds is located in Compatibility Zone C. The proposed project will be referred to the ALUC for a consistency determination in regard to the ponds.
D. Use Review Criteria. In determining whether proposed uses in subsection (C) of this section have been appropriately designed, the decision-making body shall consider the following criteria: 1. Density. Density of use averaged over the entire site (excluding streets) should not exceed fifty persons per acre in structures, or seventy-five persons in and out of structures; however, density on any one acre should not exceed twice the indicated number of people per acre; 2. Clustering. Clustering of development within the density parameters is encouraged to protect and provide open land/safety areas (such as requiring building envelopes, contiguous parking and landscape areas, and larger setbacks from certain geographic features such as creeks, roads, etc.); 3. Noise. Applicable noise reduction measures have been incorporated for noise sensitive uses (such as hotels, motels and offices) consistent with ALUCP and county general plan standards; 4. Location. Structures have been set back as far as possible from the extended centerline of the runway.	ALUC will use these criteria when considering consistency of the proposed project.

Exhibit 4.0-5 (continued)
Napa County Zoning Ordinance

Zoning Requirement	***Consistency***
E. General Design Requirements. 1. Lights, Glare, Electronic Interference. All uses and structures shall be designed so as to prevent hazard to flight that could occur as a result of smoke, glare, distracting lights or electronic interference. All exterior lighting shall be directed or shielded to prevent glare to aircraft and meet any approved ALUC lighting guidelines. 2. Height. All uses and structures shall be designed to prevent hazard to flight that could occur as a result of very tall structures intruding into flight areas. Height limits shall be as in the underlying zoning district, Napa County Airport Ordinance No. 416, and Federal Aviation Administration FAR Part 77 standards. Any project proposing heights over the applicable height limit shall require a use permit and be referred to the ALUC prior to final approval.	*Consistent* The golf course would only operate during daylight hours. Nighttime lighting would be the minimum necessary to provide for basic security needs in the vicinity of the Montalcino Resort. No lighting would be present on the golf course. No structures are proposed. It is proposed to that trees would be maintained at a maximum height of 35 feet.
18.80.060 ALUCP Zone B regulations. Within ALUCP Zone B, which is the approach/departure zone, only low intensity uses such as golf courses, nurseries, outdoor storage, and mini-storage are allowable due to substantial risk from low flying aircraft. The following standards shall apply in addition to the standards of the principal zoning district:	*Consistent* The proposed golf course is a permitted use in Compatibility Zone B.
A. Avigation easements in a form acceptable to the airport proprietor shall be required as a condition of subdivision approval and/or discretionary permits for new construction, and for any project requiring a building permit. Such easements shall be prepared prior to issuance of a building permit or recordation of a final map.	*Consistent* Napa County code requires execution of an avigation easement prior to commencing construction consistent with the requirements of the ALUC. Although an overflight easement has been previously recorded on the project site, the permittee would be required to demonstrate compliance with the current code requirement prior to commencing construction.
B. Prohibited Uses. The following uses are prohibited: 1. Residential uses; 2. Public or private schools; 3. Hospitals and major medical facilities (skilled nursing and similar); 4. Day care centers.	*Consistent* The proposed project does not contain any of these uses.

Exhibit 4.0-5 (continued)
Napa County Zoning Ordinance

Zoning Requirement	***Consistency***
C. Uses Not Normally Acceptable. The following uses raise concerns related to size, density of use, mobility, noise sensitivity or propensity to attract birds to be addressed for a project to be approved. Such uses shall require use permits and shall be referred to the ALUC for a compatibility determination prior to final approval: 1. Retail buildings and offices; 2. Hotels and motels; 3. Health clubs; 4. Restaurants or bars; 5. Multi story buildings; 6. Theaters, assembly halls, and conference centers; 7. New ponds; 8. Solar panels;	*Consistent* The proposed project does not contain any of these uses in Compatibility Zone B.
D. Use Review Criteria. In determining whether proposed uses in subsection (C) of this section have been appropriately designed, the decision-making body shall consider the following criteria: 1. Density. Density of use averaged over the entire site (excluding streets) should not exceed ten persons per acre in structures, or twenty-five persons in and out of structures; however, density on any one acre should not exceed twice the indicated number of people per acre; 2. Clustering. Clustering of development within the density parameters is encouraged to protect and provide open land/safety areas (such as requiring building envelopes, contiguous parking and landscape areas, and larger setbacks from certain geographic features such as creeks, roads, etc.); 3. Noise. Applicable noise reduction measures have been incorporated for noise sensitive uses (such as hotels, motels and offices) consistent with ALUCP and county general plan standards; 4. Location. Structures have been set back as far as possible from the extended centerline of the runway.	None of the uses listed in subsection c are proposed within Compatibility Zone B.

Exhibit 4.0-5 (continued)
Napa County Zoning Ordinance

Zoning Requirement	***Consistency***
E. General Design Requirements. 1. Lights, Glare, Electronic Interference. All uses and structures shall be designed so as to prevent hazard to flight that could occur as a result of smoke, glare, distracting lights or electronic interference. All exterior lighting shall be directed or shielded to prevent glare to aircraft and meet any approved ALUC lighting guidelines. 2. Height. All uses and structures shall be designed to prevent hazard to flight that could occur as a result of very tall structures intruding into flight areas. Height limits shall be as in the underlying zoning district, Napa County Airport Ordinance No. 416, and Federal Aviation Administration FAR Part 77 standards. Any project proposing heights over the applicable height limit shall require a use permit and be referred to the ALUC prior to final approval.	*Consistent* The golf course would only operate during daylight hours. Nighttime lighting would be the minimum necessary to provide for basic security needs in the vicinity of the Montalcino Resort. No lighting would be present on the golf course. No structures are proposed. It is proposed to that trees would be maintained at a maximum height of 35 feet.
18.80.080 Applicability and review process. The requirements of this chapter shall apply to any development requiring application for a general plan amendment, specific plan amendment, rezoning, variance, use permit, tentative parcel map, tentative subdivision map, or design review permit.	The requirements of this chapter apply to the proposed project.
18.80.090 ALUC referral. A. General. General plan amendments, specific plans, zoning or subdivision ordinance amendments, "Not normally acceptable uses," and structure heights over applicable height limits within ALUCP compatibility zones shall be referred to and reviewed by the ALUC for a consistency determination prior to final approval. B. Process. When projects are referred to the ALUC, the following process shall be followed: 1. The planning commission shall hold a public hearing and make a recommendation on the application and refer the project to the ALUC; 2. The project shall be reviewed by the ALUC and the ALUC shall provide an ALUCP consistency determination. The ALUC may make recommendations to modify the project for consistency with the ALUCP; 3. The county decision-making body shall then hold a public hearing and take final action on the project. If the ALUC finds the project to be inconsistent with the ALUCP, the board of supervisors may override that decision in accordance with state law.	The proposed project will be referred to the ALUC.

Exhibit 4.0-5 (continued)
Napa County Zoning Ordinance

Zoning Requirement	***Consistency***
18.80.100 Filing materials. In addition to standard application materials, the applicant shall provide the following filing materials: A. Special Requirements In/Near Zone C. Subdivisions and new construction proposed in Zone D within one hundred feet of Zone C, or within Zone C shall provide building envelopes, approach surfaces and the extended runway centerline on the plans. B. Design Response, All Projects. The applicant shall address how the building or use has been designed so that it does not create smoke, glare, distracting lights, or electrical interference that may constitute a hazard to aircraft flight. C. Uses Not Normal Acceptable. For projects identified as being not normally acceptable, the applicant shall also address how their use has been appropriately designed to address identified criteria.	The project applicant will need to comply with these requirements.
18.80.110 Findings. A. Except as provided in subsection (C) of this section, the county shall make the following findings for a general plan amendment, specific plan, zoning or subdivision ordinance amendment, or use permit for a "not normally acceptable" use: 1. The proposed project has been referred to the ALUC for a consistency determination; and 2. The ALUC has determined that proposed project is consistent with ALUCP compatibility policies and standards. B. Design Review. In approving a design review permit for new development, the decision-making body must find that the building or structure has been designed to meet ALUC design requirements. C. Local Override. To override a determination by the ALUC that a proposed project or use is inconsistent with the ALUCP, the board of supervisors, by a two-thirds vote, must make specific findings defined by state law that the action is consistent with the purposes of the ALUC statute.	The ALUC will need to make these findings.

5.0 ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

5.0 ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES

This chapter contains an analysis of the environmental topics identified by Napa County's scoping process for the EIR described in ***Chapter 1.0 Introduction***. Environmental topics addressed in this chapter include:

- 5.1 Agricultural Resources
- 5.2 Biological Resources
- 5.3 Hydrology
- 5.4 Cultural Resources

Sections 5.1 through 5.4 of this chapter describe existing environmental conditions as they relate to each specific topic, identify potential impacts from implementing the proposed project, and present mitigation measures required to reduce significant adverse impacts to a less-than-significant level. Cumulative impacts are discussed in ***Section 7.2 Cumulative Impacts***.

FORMAT OF TOPICAL ANALYSES

Each of the topical impact assessments in this SEIR (Sections 5.1 through 5.4) are organized as follows:

Environmental Setting

Existing conditions are described in the respective "setting" sections. These descriptions summarize information compiled during the study process to prepare the EIR. Background materials used in the EIR are referenced in footnotes and listed in ***Section 8.3 Bibliography***.

Significance Criteria

Standards used to evaluate the magnitude of impacts are listed in the "significant criteria" subsections for each topic analyzed. Under CEQA, a significant effect is defined as a substantial or potentially substantial adverse change in the environment – namely, in any of the "physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance". The *State CEQA Guidelines* direct that the significance of impact be determined on the basis of scientific and factual data. The significance criteria were derived from the following main sources – the *State CEQA Guidelines*, the existing *General Plan*, environmental documents prepared recently on other projects in Napa County, and the professional standards and practices of the technical analysts who conducted the EIR evaluations.

Impacts and Mitigation Measures

The "impacts and mitigation" subsections identify the level and type of impacts that are likely to result from implementation of the proposed *Montalcino Golf Course* project.

All impacts are numbered consecutively by topic. Based on the significance criteria each impact is identified as being either a ***Significant Impact*** or a ***Less-than-Significant Impact***. Significant impacts are followed by measures required to reduce the magnitude of impact. No mitigation measures are required for less-than-significant impacts. Mitigation measures also are numbered to correspond to the respective impacts.

For each significant impact a conclusion is provided as to whether with the incorporation of the recommended mitigation measure the impact would be reduced to a less-than-significant level or whether it would be a ***Significant Unavoidable Impact***. A significant unavoidable impact is a significant impact which cannot be avoided with mitigation. These include impacts which could be partly mitigated but could not be reduced to a less-than-significant level.

For each significant unavoidable impact identified in the Final EIR, Napa County would be required to adopt Findings and a Statement of Overriding Considerations explaining the reasons for approving the project (if approved) despite the impacts identified.

5.1 AGRICULTURAL RESOURCES

5.1 AGRICULTURAL RESOURCES

Agricultural Resources – The Setting

EXISTING SITE CONDITIONS AND ADJACENT LAND USES

The 233.19-acre *Montalcino at Napa Golf Course* project site is largely undeveloped, consisting of open, uncultivated grasslands. The site is owned by the Napa Sanitation District, the agency that has utilized the land as a spray field for recycled water and biosolids since 1984.

The project site is generally bounded on the west by the California Northern Railroad trackage and lands of the Napa Sanitation District. Napa Sanitation District owns a portion of the land north of the site, south of Soscol Ferry Road. Privately owned vineyards are also directly north of the project site. The project site is adjacent to and west of the Montalcino Resort site. The Gateway Business Park located to the south of the site.

The Napa Sanitation District treats its wastewater to meet California Department of Health Services Water Reclamation Criteria as specified in the California Code of Regulations Title 22 for "unrestricted irrigation reuse", which requires the highest level of treatment, but provides maximum flexibility in irrigation practices. The Napa Sanitation District is permitted to discharge treated wastewater to the Napa River from November 1st to April 30th each year. From May 1st to October 31st the Napa Sanitation District uses the treated wastewater to irrigate several nearby areas including the project site. There is an underground pipe system in the area to which a spray gun can be attached at several locations to irrigate the lands. Generally the land is irrigated until it is saturated but before any runoff occurs. [1] In addition to the project site the Napa Sanitation District owns an additional 350 acres of land north of State Route 12 and east of North Kelly Road which is also used for irrigation. Napa Sanitation District also leases 77 acres of land to Eagle Vines Golf Course, adjacent to the Chardonnay Golf Course and both courses buy treated reclaimed water from Napa Sanitation District for irrigation purposes. Napa Sanitation District also provides reclaimed water to Napa Community College, Napa Memorial Gardens, Napa Municipal Golf Course, Napa State Hospital and others.

Although the project site was previously used for cattle grazing the land is not currently being used for grazing and has not been used for grazing for the past several years. The most recent grazing lease expired October 1, 1999 and was not renewed. The site has not been used for any agricultural uses for more than four years. Since the expiration of the grazing lease in 1999 the project site has been exclusively used for reclaimed water and biosolid disposal. [2]

The site's current General Plan designation is Public-Institutional. As discussed in ***Chapter 4.0 Conformance with Public Plans and Zoning***, uses consistent with this land use designation include "sanitation district facilities" and "recycling-composting facilities". Prior to its designation as Public-

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1 Nichols • Berman conversation with Tim Healy, Napa Sanitation District, March, 1999.

2 Nichols • Berman conversation with Tim Healy, *op. cit.*, July, 2005.

Institutional (which occurred in 1975) the site was designated by the County as Industrial since approximately 1955. The Napa Sanitation District begun using the site for disposal of reclaimed water in approximately 1984. The Napa Sanitation District's use of the project site is consistent with the Public-Institutional land use designation. The cattle grazing that occurred on the site was only relatively brief in duration and was ancillary to the public use as a spray field.

FARMLAND MAPPING AND MONITORING PROGRAM (FMMP) FARMLAND CLASSES

The California Department of Conservation's (CDC) Farmlands Mapping and Monitoring Program (FMMP) defines and maps Important Farmlands, including Prime Farmland, Farmland of Statewide Importance, and Unique Farmlands. [3] The FMMP bases these classifications on the United States Soil Conservation Service (SCS) Soil Survey and existing land use. Important farmland categories represent the agricultural lands most suitable for cultivating crops, and include Prime Farmland, Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance as described below.

- ***Prime Farmland*** Land with the best combination of physical and chemical features able to sustain long term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.
- ***Farmland of Statewide Importance*** Land similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.
- ***Unique Farmland*** Land of lesser quality soils used for production of the State's leading agricultural crops. This land is usually irrigated, but may include nonirrigated orchards or vineyards as found in some climatic zones of California. Land must have been cropped at some time during the four years prior to the mapping date.
- ***Farmland of Local Importance*** Land of importance to the local agricultural economy as determined by each county's board of supervisors and local advisory committees. In Napa County these farmlands include areas of soils that meet all of the characteristics of Prime Farmland or of additional Farmland of Statewide Importance with the exception of irrigation. These farmlands include dryland grains, haylands, and dryland pasture.
- ***Grazing Land*** Land on which the existing vegetation is suited to the grazing of livestock. The minimum mapping unit for grazing land is 40 acres.
- ***Urban and Built-Up Land*** Land occupied by structures with a building density of at least one unit per 1.5 acres, or approximately six structures to a ten-acre parcel.
- ***Other Land*** Lands which do not meet the criteria of any other category.

Farmland classes of the project site are shown on **Exhibit 5.1-1**.

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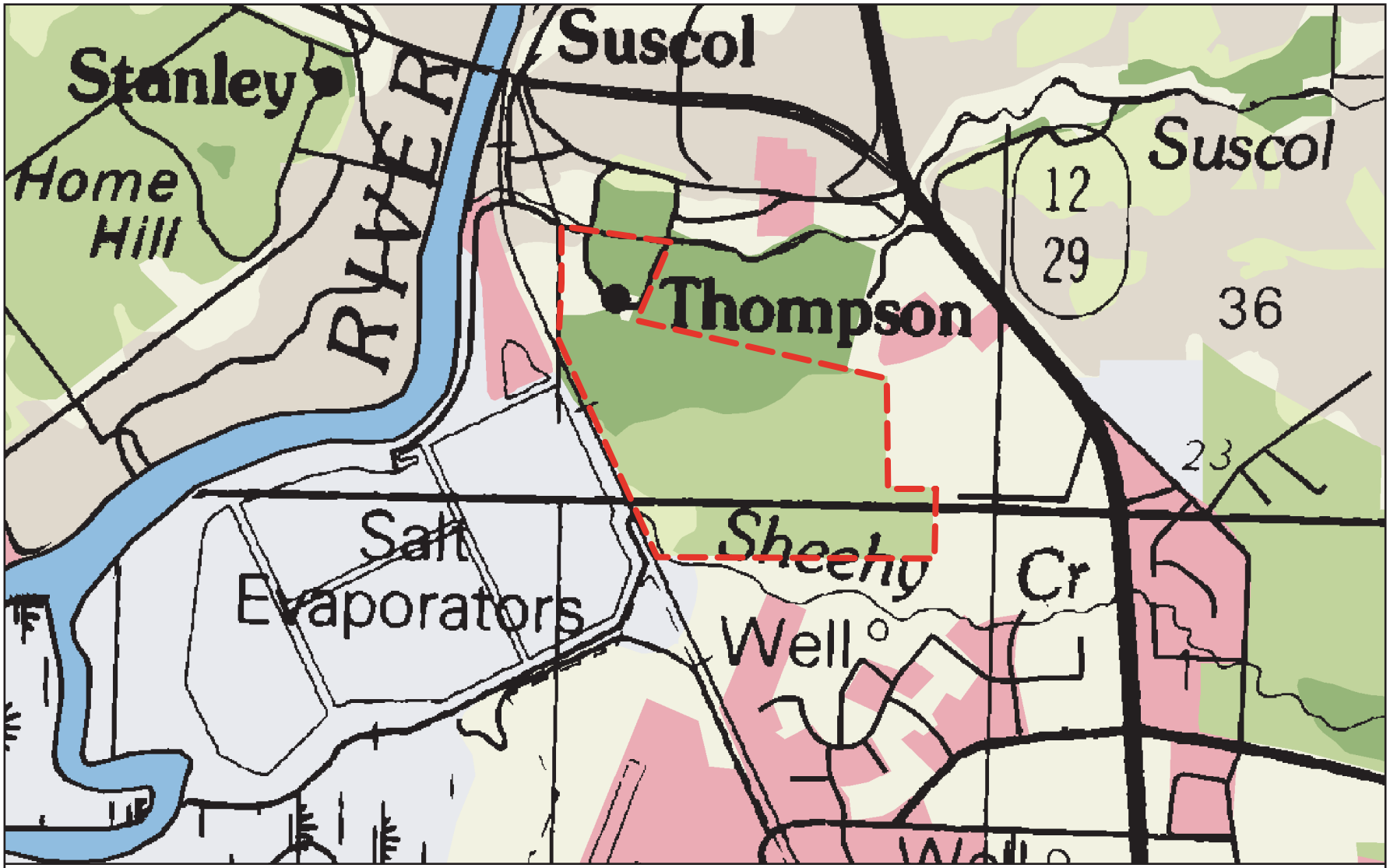
[3] Napa County 1984-2002 Land Use Summary , Farmland Mapping and Monitoring Program, California Department of Conservation. A fourth "Important Farmland" category, "Farmland of Local Importance," is established on a county-by-county basis according to local definitions and conditions. The FMMP also monitors changes in other agricultural (grazing) and non-agricultural (urban and other) land categories on a county-by-county basis.

Exhibit 5.1-1
Important Farmlands



Source: State of California, Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program 2002.

As of 2002, Napa County has approximately 259,397 acres of agricultural land (51 percent of the County.) Of that total, 79,298 acres (about 16 percent of the County) were classified as important farmlands (using CDC definitions) and 180,109 acres were designated as Grazing Land (about 36 percent). [4]

FARMLAND CLASSIFICATION CONVERSION

A critical function of the FMMP is to record changes in the inventory of Important Farmland, [5] including conversions from one land use to another (e.g., through development) or re-designation of land classifications. Every two years, the FMMP reviews and updates farmland classifications. [6] Irrigated land use is determined by FMMP staff during examination of current aerial photos, local comment letters and field verification. [7] The amount of land in various agricultural classifications plus urban land in Napa County, and the change from 1996 to 2002 is shown in **Exhibit 5.1-2**.

Exhibit 5.1-2
FMMP Classifications Napa County 1996 – 2002

Year	*Prime Farmland*	*Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance*	*Grazing Land*	*Urban Land*
1996	29,519	44,468	186,722	20,325
1998	29,936	46,891	185,643	20,599
2000	31,515	46,891	180,920	21,114
2002	31,944	47,344	180,109	21,394
Net Change 1996-2002	***+2,425***	***+4,876***	***-6,613***	***+1,069***

Source: *Land Use Conversion Tables for Napa County*, California Department of Conservation, Division of Land Resource Protection

4 Napa County 1984-2002 Land Use Summary, Farmland Mapping and Monitoring Program, California Department of Conservation.

5 Important Farmland consists of Prime Farmland plus Farmland of Statewide Importance, Unique Farmland and Farmland of Local Importance.

6 Department of Conservation website, Farmland Mapping and Monitoring Program Overview, http://www.consrv.ca.gov/DLRP/fmmp/overview/background.htm

7 These considerations are made in addition to the known soil type of the site.

As shown in **Exhibit 5.1-2** the amount of Important Farmland in Napa County increased by 7,301 acres between 1996 and 2002. During the same period the amount of grazing land decreased by 6,613 acres and the amount of urban land increased by 1,069 acres. It should also be noted that there were conversions of one type of farmland to another classification. For example, 1,143 acres of Farmland of Local Importance were re-classified as Prime Farmland, primarily due to new vineyards planted throughout the county between 2000 and 2002. [8]

PROJECT SITE FARMLAND CLASSIFICATION HISTORY

As discussed in the certified EIR the project site previously was classified as Farmland of Local Importance. [9] As discussed above, every two years, the FMMP reviews and updates farmland classifications. [10] The project site was reclassified in the 1998 Important Farmland data which covers the 1996 to 1998 time period. At the time the project site was reclassified from Farmland of Local Importance to Prime Farmland and Farmland of Statewide Importance due to the identification of irrigated pastures at the site. [11] In 2002, the most recent mapping that is available, 82 acres of the project site were classified as Prime Farmland [12] and 136 acres were classified as Farmland of Statewide Importance. Another eight acres were designated Unique Farmland and the remaining acreage was classified as Farmland of Local Importance. Therefore, approximately 226 acres, 97 percent of the project site, is considered Important Farmland per the 2002 FMMP mapping and classifications. [13] The project site farmland classifications from 1998 to 2002 are shown in **Exhibit 5.1-3**.

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8 Table A-18, Napa County 2000-2002 Land Use Conversion, California Department of Conservation.

9 *Montalcino at Napa Draft Environmental Impact Report*, Napa County Conservation, Development and Planning Department, February 2000, Exhibit 5.1-2. This exhibit was based on the California Department of Conservation June 1998 Farmland Conversion Report.

10 Department of Conservation website, Farmland Mapping and Monitoring Program Overview, http://www.consrv.ca.gov/DLRP/fmmp/overview/background.htm.

11 The project site is irrigated with recycled water from the Napa Sanitation District. Irrigated pasture qualifies as Prime Farmland or Farmland of Statewide Importance under FMMP mapping guidelines. Nichols • Berman conversation with Michael Kisko, Land and Water Use Analyst, California Department of Conservation, Farmland Mapping and Monitoring Program, September 2005.

12 Nichols • Berman conversation with Michael Kisko, *op. cit.*, August 2005 indicated that irrigated land (with or without cultivated crops) that has the proper soil type can be classified as Prime Farmland.

13 *Napa County Important Farmland 2002*, California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program, October 2003.

Exhibit 5.1-3
Project Site Farmland Acreage Designations 1998 – 2002

Year	*Prime Farmland*	*Farmland of Statewide Importance*	*Unique Farmland*	*Farmland of Local Importance*
1998	0	0	0	233 [a]
2002 [b]	82	136	8	11
Net change 1998 – 2002	+82	+136	+8	-222
Percent of Site (2002)	35 percent	58 percent	Less than 1 percent	5 percent

a Source: California Department of Conservation, Office of Land Conservation, June 1988 & Draft Environmental Impact Report, Montalcino at Napa, Napa County Conservation, Development and Planning Department, State Clearinghouse No. 99032052, February 2000.

b Numbers are approximate based on estimate provided by Michael Kisko, Water & Land Use Analyst, FMMP, August 2005.

It is Napa County's position that the project site currently does not meet the FMMP criteria for Prime Farmland, Farmland of Statewide Importance or Unique Farmlands. To meet the State's criteria for Prime Farmland or Farmland of Statewide Importance the land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date. To meet the State's criteria for Unique Farmland the land must have been cropped at some time during the four years prior to the mapping date.

The project site continues to be used for reclaimed water and biosolid disposal. However as discussed above, cattle grazing has not occurred on the site since 1999 and no irrigated agricultural production has occurred on the site for more than four years. The site is not now, nor has it been for more than four years, used as irrigated pasture. It is Napa County's position that the site has not met the FMMP criteria for Prime Farmland, Farmland of Statewide Importance or Unique Farmlands since at least 2003. The fact that the site remains mapped by the FMMP as Important Farmland is a technicality that does not accurately characterize the existing condition.

Agricultural Resources – Significance Criteria

The California Environmental Quality Act (CEQA) defines agricultural land for the purposes of assessing environmental impacts as Prime Farmland, Farmland of Statewide Importance, or Unique Farmland as defined by the FMMP. [14]

The agricultural resources analysis uses criteria from the *State CEQA Guidelines.* According to these criteria, the project would have a significant land use impact if it would:

[14] Public Resources Code Section 21060.1.

- Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use.

Agricultural Resources – Impacts and Mitigation Measures

Impact 5.1-1 Loss of Agricultural Lands

The Montalcino at Napa Golf Course would result in the conversion of approximately 226 acres of lands characterized as Prime Farmland, Farmland of Statewide Importance or Unique Farmland by the FMMP to a golf course. The site would remain as a spray field for the Napa Sanitation District. However, because Napa County believes the site does not meet the FMMP criteria for Important Farmland this would be a less-than-significant impact.

Based on the most current FMMP information, implementation of the proposed *Montalcino at Napa Golf Course* project would result in the conversion of approximately 226 acres of Prime Farmland, Farmland of Statewide Importance, and Unique Farmland to a golf course. The site would continue to be used by the Napa Sanitation District for reclaimed water disposal.

As discussed above, it is Napa County's finding that the site has not met the FMMP criteria for Prime Farmland, Farmland of Statewide Importance, or Unique Farmlands since at least 2003. The fact that the site remains mapped by the FMMP as Important Farmland is a technicality that does not accurately characterize the existing condition.

The project site has not been designated for agricultural use by the County's General Plan. The site's Public-Institutional General Plan designation is in recognition of its use as a spray field for Napa Sanitation District's recycled water. This spray function is integral to Napa Sanitation District's operations, as the District must dispose of this water, to the extent it can not sell or use it elsewhere, in order to meet its Waste Discharge Requirements that are mandated by the Regional Water Quality Control Board. A benefit of the proposed *Montalcino at Napa Golf Course* project is that a minimum of 400 acre-feet per year of recycled water would be used on the project site for golf course irrigation.

In the context of loss of agricultural land it should be noted that in Napa County between 1996 and 2002 there was an increase in FMMP designated Prime Farmland, Farmland of Statewide Important, Unique Farmland, and Farmland of Local Importance of 7,301 acres. In part this is due to new vineyards planted throughout the county.

The loss of agricultural land, therefore, is a less-than-significant impact.

Mitigation Measure 5.1-1 No mitigation would be required.

5.2 BIOLOGICAL RESOURCES

5.2 BIOLOGICAL RESOURCES

Biological Resources – The Setting

This section of the Draft SEIR examines existing biological resources and applicable resource regulations. Specifically, it describes the habitats of the project site (including jurisdictional waters of the U.S.), identifies the plants and animals typical of those habitats, and assesses the potential for special-status plants and animals to occur within them.

HABITATS AND COMMUNITIES

A special-status species assessment of the *Montalcino at Napa Golf Course* project site was conducted on April 14, 21, and May 2, 2005, during which time a biologist walked meandering transects through the site. [1] The site was visually inspected for the presence of special-status species and potential habitat for regionally occurring special-status species. A wetland delineation was also conducted during this field survey.

The special-status species assessment included taxa specific literature review, [2] California Department of Fish and Game Natural Diversity Data Base query, [3] and reconnaissance-level field survey. Plant taxonomy and nomenclature follows The Jepson Manual. [4] A list of potentially occurring special-status species has been developed for the project site based upon vegetation communities present on-site, species' distributive data, and review of the references cited above. This list includes 12 plants, seven fish, two amphibians, one reptile, 29 birds, and nine mammals. A list of wildlife species observed during field surveys is provided on **Exhibit 5.2-1**. The majority of the site is made up of one vegetation community (i.e., non-native annual grassland), which occurs on gently rolling topography at elevations ranging from five to 40 feet above mean sea level. [5] The Napa Sanitation District currently uses the site for discharge of treated water from the adjacent wastewater treatment facility. In addition to annual grassland, small areas of willow riparian scrub and mixed

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1 Unless otherwise noted, all of the site surveys were conducted by ECORP Consulting, Inc. Environmental Consultants, either under contract to HCV Pacific Partners, LLC or as a part of the preparation of the environmental documents.

2 *Inventory of Rare and Endangered Plants of California*, California Native Plant Society, 2001 and online edition v6-04b, 2004, *Fish Species of Special Concern in California,* P.B. Moyle, *et al*, 1995, *Amphibian and reptile Species of Special Concern in California,* M.R. Jennings and M. P. Hayes, 1994, *Bird Species of Special Concern in California*, J.V. Remsen, Jr. 1978, and *Mammalian Species of Special Concern in California,* Daniel Williams, 1986.

3 *Rarefind CDFG Natural Diversity Database*, California Department of Fish and Game, 2003, personal computer program, commercial version 3.0.5, January 15, 2005.

4 *The Jepson Manual: Higher Plants of California*, James C. Hickman (ed.), 1993.

5 *Special-Status Species Assessment for Montalcino Golf Course, Napa County, California, ECORP Consulting, Inc., June 8, 2005.*

Exhibit 5.2-1
Wildlife (or Sign of) Observed on Project Site

Common Name	***Scientific Name***	***Common Name***	***Scientific Name***
Fish		***Birds (cont.)***	
Mosquitofish	*Gambusia affinis*	House finch	*Carpodacus mexicanus*
		House sparrow	*Passer domesticus*
Amphibians		Killdeer	*Charadrius vociferus*
Bullfrog	*Rana catesbeiana*	Lesser goldfinch	*Carduelis psaltria*
Pacific chorus frog	*Pseudacris regilla*	Lincoln's sparrow	*Melospiza lincolnii*
		Marsh wren	*Cistothorus palustris*
Reptiles		Northern mockingbird	*Mimus polyglottos*
Western fence lizard	*Sceloporus occidentalis*	Northern rough-winged swallow	*Stelgidopteryx serripennis*
		Oak titmouse	*Baeolophus inornatus*
Birds		Mallard	*Anas platyrhynchos*
Acorn woodpecker	*Melanerpes formicivorus*	Merlin	*Falco columbarius*
Allen's hummingbird	*Selasphorus sasin*	Mourning dove	*Zenaida macroura*
American crow	*Corvus brachyrhynchos*	Nuttall's woodpecker	*Picoides nuttallii*
American goldfinch	*Carduelis tristis*	Pacific-slope flycatcher	*Empidonax difficilis*
American kestrel	*Falco sparverius*	Pied-billed grebe	*Podilymbus podiceps*
American pipit	*Anthus rubescens*	Red-shouldered hawk	*Buteo lineatus*
American robin	*Turdus migratorius*	Red-tailed hawk	*Buteo jamaicensis*
Anna's hummingbird	*Calypte anna*	Red-winged blackbird	*Agelaius phoeniceus*
Barn owl	*Tyto alba*	Ring-necked pheasant	*Phasianus colchicus*
Barn swallow	*Hirundo rustica*	Savannah sparrow	*Passerculus sandwichensis*
Bewick's wren	*Thryomanes bewickii*	Snowy egret	*Egretta thula*
Black phoebe	*Sayornis nigricans*	Song sparrow	*Melospiza melodia*
Black-crowned night-heron	*Nycticorax nycticorax*	Sora	*Porzana carolina*
Blue grosbeak	*Guiraca caerulea*	Swainson's hawk	*Buteo swainsoni*

Exhibit 5.2-1 (continued)
Wildlife (or Sign of) Observed on Project Site

Common Name	***Scientific Name***	***Common Name***	***Scientific Name***
Birds (cont.)			
Bonaparte's gull	*Larus philadelphia*	Tree swallow	*Tachycineta bicolor*
Brewer's blackbird	*Euphagus cyanocephalus*	Turkey vulture	*Cathartes aura*
Brown-headed cowbird	*Molothrus ater*	Virginia rail	*Rallus limicola*
Bullock's oriole	*Icterus bullockii*	Western bluebird	*Sialia mexicana*
Bushtit	*Psaltriparus minimus*	Western meadowlark	*Sturnella neglecta*
California quail	*Callipepla californica*	Western scrub-jay	*Aphelocoma californica*
California towhee	*Pipilo crissalis*	White-crowned sparrow	*Zonotrichia leucophrys*
Canada goose	*Branta canadensis*	White-faced ibis	*Plegadis chihi*
Chestnut-back chickadee	*Poecile rufescens*	White-tailed kite	*Elanus leucurus*
Cinnamon teal	*Anas cyanoptera*	Yellow-rumped warbler	*Dendroica coronata*
Cliff swallow	*Hirundo pyrrhonata*		
Common raven	*Corvus corax*	***Mammals***	
Common snipe	*Gallinago gallinago*	Black-tailed jackrabbit	*Lepus californicus*
Common yellowthroat	*Geothlypis trichas*	California ground squirrel	*Spermophilus beecheyi*
Dark-eyed junco	*Junco hyemalis*	California vole	*Microtus californicus*
Double-crested cormorant	*Phalacrocorax auritus*	Deer mouse	*Peromyscus maniculatus*
Downy woodpecker	*Picoides pubescens*	Raccoon	*Procyon lotor*
European starling	*Sturnus vulgaris*	River otter	*Lutra canadensis*
Gadwall	*Anas strepera*	Striped skunk	*Mephitis mephitis*
Golden-crowned sparrow	*Zonotrichia atricapilla*		
Great blue heron	*Ardea herodias*		
Great egret	*Ardea alba*		
Green heron	*Butorides virescens*		

Source: ECORP Consulting Inc., April 14, 21, and May 2, 2005.

riparian woodland are located adjacent to Suscol Creek, and rural residential landscaping lines the road along the northern and eastern boundaries and is associated with the Somky House and two other locations on the project site (see **Exhibit 5.2-2**).

UPLAND COMMUNITIES

The upland plant communities observed on the project site are non-native grassland, mixed riparian woodland, willow riparian scrub, and rural residential landscaping. The acreages of each plant community are summarized in **Exhibit 5.2-2**. Each plant community is characterized below. A list of plant species observed during field surveys is provided on **Exhibit 5.2-3**, and **Exhibit 5.2-4** indicates proposed impacts to each vegetation community.

Non-Native Annual Grassland

This community encompasses approximately 207 acres on the project site. Most of this community is currently being utilized by the Napa Sanitation District as a spray field for dispersal of treated wastewater. The grassland was historically used for livestock grazing, but has been fallow for the last several years. The annual grassland community is comprised of a variety of non-native naturalized plants such as mustard (*Brassica* spp.), Bermuda grass (*Cynodon dactylon*), cut-leaved geranium (*Geranium dissectum*), ryegrass (*Lolium multiflorum*), bur clover (*Medicago polymorpha*), and purple wild radish (*Raphanus sativus*).

Annual grasslands provide foraging habitat for species such as black-tailed jackrabbit (*Lepus californicus*); rodents such as California ground squirrel (*Citellus beecheyi*), deer mouse (*Peromyscus maniculatus*), and California vole (*Microtus californicus*); and birds which include ring-necked pheasant (*Phasianus colchicus*), killdeer (*Charadrius vociferus*), horned lark (*Eremophila alprestris*), savannah sparrow (*Passerculus sandwichensis*), lark sparrow (*Chondestes grammacus*), western bluebird (*Sialia mexicana*), and western meadowlark (*Sturnella neglecta*). These species are, in turn, prey for raptors, coyotes (*Canis latrans*) and other predators which may utilize the grassland for hunting. Raptors that use grasslands for foraging include species such as red-tailed hawk (*Buteo jamaicensis*), red-shouldered hawk (*Buteo lineatus*), American kestrel (*Falco sparverius*), and white-tailed kite (*Elanus leucurus*). These raptors may nest in large trees growing within the grassland.

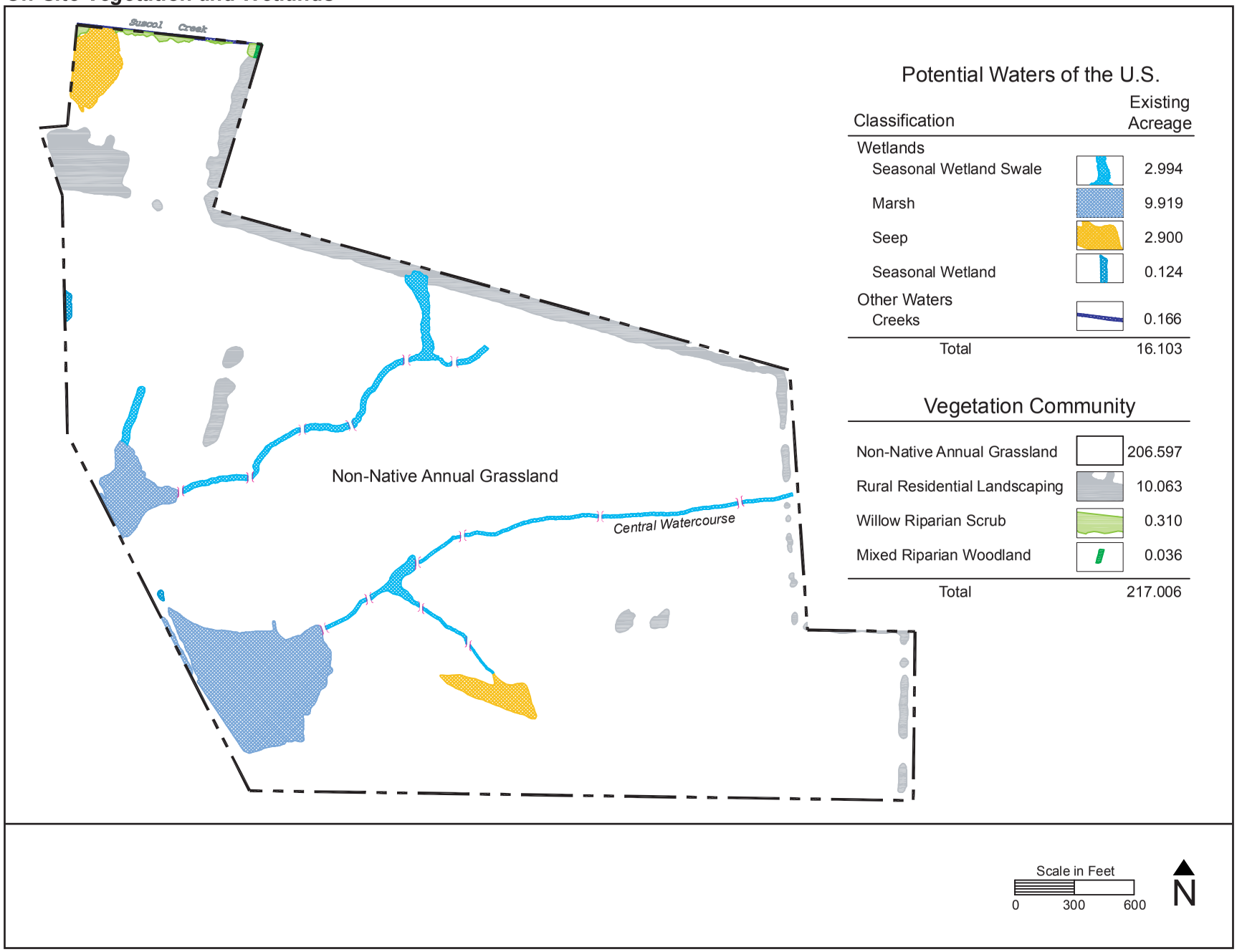
Rural Residential Landscaping

Rural residential landscaping is comprised of large trees and garden plantings associated with various structures, encompassing approximately ten acres on the project site. Species observed include ornamental trees and shrubs such as eucalyptus (*Eucalyptus* spp.), poplar (*Populus* sp.), black locust (*Robinia pseudoacacia),* and cultivated walnut (*Juglans* spp.).

Mixed Riparian Woodland

Riparian habitats include mixed riparian woodland and willow riparian scrub. The mixed riparian woodland habitat is associated with the eastern reach of Suscol Creek, which flows east to west through the northern portion of the site. This habitat, encompassing approximately 0.036 acre on the northeastern edge of the project site, is largely restricted to the banks of the creek channel and immediately adjacent areas. The creek has a dense canopy of riparian trees and a diverse understory. This community is characterized by large trees that include Valley oak (*Quercus lobata*), California

Exhibit 5.2-2
On-Site Vegetation and Wetlands



Source: ECORP Consulting, Inc., July 2005.

Exhibit 5.2-3
Plants Observed On-site

Scientific Name	Common Name	Scientific Name	Common Name
Acer platanoides	Norway maple	*Deschampsia danthonioides*	Annual hairgrass
Achillea millefolium	Common yarrow	*Distichlis spicata*	Inland saltgrass
Aesculus californica	California buckeye	*Echinochloa crusgalli*	Barnyard grass
Aira caryophyllea	Hairgrass	*Eleocharis macrostachya*	Creeping spikerush
Alisma plantago-aquatica	Broad-leaf water plantain	*Epilobium brachycarpum*	Panicled willow-herb
Amsinckia menziesii	Rancher's fireweed	*Epilobium ciliatum*	Hairy willow-herb
Anagallis arvensis	Scarlet pimpernel	*Eremocarpus setigerus*	Turkey mullien
Artemisia ludoviciana	Silver wormwood	*Eriogonum species*	Buckwheat
Atriplex patula	Halberd-leaf saltbush	*Eryngium species*	Coyote-thistle
Atriplex triangularis	Spearscale	*Eschscholzia californica*	California poppy
Avena barbata	Slender wild oat	*Eschscholzia lobii*	Frying pan poppy
Azolla filiculoides	Mosquito fern	*Eucalyptus globulus*	Blue gum
Baccharis pilularis	Coyote bush	*Festuca arundinacea*	Kentucky fescue
Bellardia trixago	Mediterranean Lineseed	*Festuca rubra*	Red fescue
Brassica nigra	Black mustard	*Foeniculum vulgare*	Sweet fennel
Brassica rapa	Field mustard	*Fraxinus latifolia*	Oregon ash
Brassica species	Mustard	*Gastridium ventricosum*	Nit grass
Briza maxima	Big quaking grass	*Geranium dissectum*	Cut-leaved geranium
Briza minor	Little quaking grass	*Glyceria declinata*	Mannagrass
Bromus carinatus	California brome	*Gnaphalium luteo-album*	Weedy cudweed
Bromus diandrus	Ripgut brome	*Grindelia camporum*	Gumplant
Bromus hordeaceus	Soft brome	*Grindelia stricta*	Gumplant
Calandrina ciliata	Red maids	*Hemizonia fitchii*	Fitch's spikeweed
Callitriche species	Water-starwort	*Holcus lanatus*	Velvet grass
Carduus pycnocephalus	Italian thistle	*Hordeum brachyantherum*	Meadow barley
Castilleja campestris	Field owl's-clover	*Hordeum marinum*	Mediterranean barley
Castilleja species	Indian paintbrush	*Hordeum murinum*	Barley
Centaurea calcitrapa	Purple star-thistle	*Hydrocotyle ranunculoides*	Marsh pennywort
Centaurea solstitialis	Yellow star-thistle	*Hypochaeris radicata*	Perennial cat's-ear
Chamomilla suaveolens	Pineapple weed	*Juncus balticus*	Baltic rush
Cicendia quadrangularis	Gentian	*Juncus bufonius*	Toad rush
Cichorium intybus	Chicory	*Juncus effusus*	Soft rush
Cirsium species	Thistle	*Juncus xiphioides*	Iris-leaf rush
Cirsium vulgare	Bull thistle	*Lactuca serriola*	Prickly lettuce
Claytonia perfoliata	Miner's lettuce	*Lemna species*	Duckweed
Conium maculatum	Poison-hemlock	*Lepidium latifolium*	Broad-leaf pepper grass
Convolvulus arvensis	Bindweed	*Leymus triticoides*	Creeping wild-rye
Conyza canadensis	Canada horseweed	*Lobularia maritima*	Sweet alyssum
Cotula coronopifolia	Brassbuttons	*Lolium multiflorum*	Ryegrass
Crypsis schoenoides	Swamp grass	*Lolium perenne*	Perennial ryegrass
Cuscuta salina	Dodder	*Lotus corniculatus*	Birdsfoot trefoil
Cynodon dactylon	Bermuda grass	*Lotus purshianus*	Spanish clover
Cyperus eragrostis	Tall flatsedge	*Lupinus bicolor*	Bicolored lupine
Cyperus species	Flatsedge	*Lythrum hyssopifolium*	Hyssop loosestrife

Exhibit 5.2-3 (continued)
Plants Observed On-site

Scientific Name	Common Name	Scientific Name	Common Name
Danthonia californica var. californica	California oatgrass	*Madia species*	Tarweed
Malva parviflora	Cheeseweed	*Salicornia virginica*	Pickleweed
Medicago polymorpha	Bur clover	*Salix gooddingii*	Goodding's black willow
Medicago sativa	Alfalfa	*Salix lasiolepis*	Arroyo willow
Melilotus alba	White sweetclover	*Scirpus acutus*	Hard-stem bulrush
Mentha pulegium	Pennyroyal	*Scirpus americanus*	Olney bulrush
Metasequoia glyptostroboides	Dawn redwood	*Scirpus californicus*	California bulrush
Mollugo verticillata	Indian chickweed	*Scirpus fluviatilis*	River bulrush
Morus alba	White mulberry	*Sequoiadendron giganteum*	Giant sequioa
Nassella pulchra	Purple needle grass	*Setaria faberi*	Japanese bristle grass
Navarretia species	Navarretia	*Silybum marianum*	Milk thistle
Oenanthe sarmentosa	Water parsley	*Sonchus asper*	Prickly sowthistle
Parentucellia viscosa	Yellow parentucellia	*Sonchus oleraceus*	Common sowthistle
Paspalum dilatatum	Dallis grass	*Spergularia rubra*	Purple sandspurry
Paspalum distichum	Joint paspalum	*Stachys albens*	White-stem hedgenettle
Phalaris aquatica	Harding grass	*Stellaria media*	Common chickweed
Phalaris species	Canary grass	*Taeniatherum caput-medusae*	Medusahead grass
Picris echioides	Bristly oxtongue	*Taraxacum officinale*	Common dandelion
Plagiobothrys stipitatus	Slender popcorn-flower	*Toxicodendron diversilobum*	Poison oak
Plantago lanceolata	English plantain	*Tragopogon porrifolius*	Goat's beard
Plantago major	Broad-leaf plantain	*Trifolium hybridum*	Clover
Poa annua	Annual bluegrass	*Trifolium repens*	White clover
Polygonum arenastrum	Prostrate knotweed	*Triphysaria eriantha*	Butter and eggs
Polygonum punctatum	Dotted smartweed	*Triteleia laxa*	Ithuriel’s spear
Polygonum species	Smartweed	*Typha angustifolia*	Narrow-leaf cattail
Polypogon monspeliensis	Annual rabbit-foot grass	*Typha latifolia*	Broad-leaf cattail
Potentilla anserina	Silverweed	*Typha species*	Cattail
Quercus agrifolia	Coast live oak	*Ulmus species*	Elm
Quercus lobata	Valley oak	*Urtica dioica*	Stinging nettle
Ranunculus muricatus	Spiny-fruit buttercup	*Verbascum blattaria*	Moth mullein
Raphanus sativus	Purple wild radish	*Veronica americana*	American brooklime
Robinia pseudoacacia	Black locust	*Veronica peregrina*	Purslane speedwell
Rorippa nasturtium-aquaticum	Water cress	*Vicia sativa*	Common vetch
Rosa californica	California rose	*Vicia species*	Vetch
Rubus discolor	Himalayan blackberry	*Vitis californica*	California wild grape
Rubus ursinus	California blackberry	*Vitis vinifera*	Cultivated grape
Rumex acetosella	Sheep sorrel	*Vulpia myuros*	Rat-tail vulpia
Rumex conglomeratus	Clustered dock	*Xanthium spinosum*	Spiny cockle-bur
Rumex crispus	Curly dock	*Xanthium strumarium*	Rough cockle-bur
Rumex pulcher	Fiddle dock		

Source: ECORP Consulting Inc., April 14, 21, and May 2, 2005.

Exhibit 5.2-4
Impact Map

Potential Waters of the U.S.

Classification	Existing Acreage	Avoided Acreage	Impacted Acreage
Wetlands			
Seasonal Wetland	0.124	0.124	N/A	0.000
Seasonal Wetland Swale	2.994	2.994	N/A	0.000
Marsh	9.919	9.919	N/A	0.000
Seep	2.900	2.900	N/A	0.000
Other Waters			
Creeks	0.166	0.166	N/A	0.000
Total	16.103	16.103	0.000

Vegetation Community

Classification	Existing Acreage	Avoided Acreage	Impacted Acreage
Rural Residential Landscaping	0.063	7.944	2.119
Willow Riparian Scrub	0.310	0.310	N/A	0.000
Mixed Riparian Woodland	0.036	0.036	N/A	0.000
Non-Native Grassland	206.597	13.305	193.292
Total	217.006	21.595	195.411

Legend

- Fairway
- Tee
- Green
- D. Golf Course Pond
- E. NSD 10-Acre Holding Pond
- F. Created Wetland
- Cart Path
- Project Boundary
- Wetland Buffer

Scale in Feet
0 200 400 800

N

Source: ECORP Consulting, Inc. and Riechers Spence & Associates, July 2005.

laurel (*Umbellularia californica*), Oregon ash (*Fraxinus latifolia*), willow (*Salix* spp.), and California buckeye (*Aesculus californica*).

The tree and shrub canopy associated with the riparian corridor may provide nesting habitat for birds and squirrels (*Sciurus* spp.). Mature trees and dying snags are important to cavity-nesting birds and mammals. The riparian area also provides escape cover and a movement corridor for mammals. Water sources can provide drinking water for terrestrial animals such as deer (*Odocoileus* spp.) raccoons (*Procyon lotor*), coyote, California quail (*Callipepla californica*), and mourning doves (*Zenaida macroura*). Many species living within the riparian habitat specialize spatially. Birds such as warblers (*Dendroica* spp.) feed in the tree canopy, while woodpeckers (*Picoides* spp. and *Melanerpes* spp.) are bark feeders. Species such as snakes (various genera), moles (*Scapanus* spp.), shrews (*Sorex* spp.), mice (*Perognathus* spp.), salamanders (various genera), thrushes (*Catharus* spp.), juncos (*Junco* spp.) and towhees (*Pipilo* spp.) predominantly utilize the understory and leaf litter. Decaying logs in the understory are habitat for salamanders, toads, frogs and small mammals.

Willow Riparian Scrub

The willow riparian scrub community is located along the southern side of Suscol Creek within the northwestern portion of the project site, and encompasses approximately 0.31 acre. The willow riparian scrub community exhibits decreased species diversity, being largely dominated by willows and herbaceous vegetation. Representative species are arroyo willow (*Salix lasiolepis*), Pacific oenanthe (*Oenanthe sarmentosa*), stinging nettle (*Urtica dioca* var. *holosericea*), and smartweed (*Polygonum* ssp.). Portions of the creek banks are lined with dense patches of Himalayan blackberry (*Rubus discolor*).

AQUATIC / WETLAND COMMUNITIES

A wetland delineation was also conducted for the 233-acre project site on April 14, 21, and May 2, 2005. The wetland delineation was conducted in accordance with methodology described in the *Corps of Engineers Wetlands Delineation Manual.* [6] The waters of the U.S. boundaries were delineated through aerial photograph interpretation and standard field methodologies (i.e., paired data set analyses), and all wetland data were collected on Routine Wetland Determination Forms. A color aerial photograph was used to assist with mapping and ground-truthing. [7] A Munsell Soil Color Chart and the Soil Survey Napa County, California [8] were used to aid in identifying hydric soils in the field, and the Jepson Manual was used for plant nomenclature and identification. [9]

The wetland delineation was submitted to the U.S. Army Corps of Engineers (Corps) for verification on May 27, 2005. A verification of the delineation is currently pending. A total of 16.103 acres of

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6 Co*rps of Engineers Wetlands Delineation Manual*, Environmental Laboratory, Corps of Engineers, 1987

7 1" = 200' scale, photo date: November 2002

8 Kollmorgen Instruments Corp. 1990; *Soil Survey of Napa County, California,* U.S. Department of Agriculture, Soil Conservation Service, 1978.

9 *The Jepson Manual: Higher Plants of California*, *op. cit.*

potentially jurisdictional waters of the U.S. have been mapped for this site. This includes wetlands (i.e., seasonal wetlands, seasonal wetland swales, seeps, and marshes) and other waters of the U.S. (Suscol Creek) (see **Exhibit 5.2-5**). Each is described below.

Most of the wetland features, such as Suscol Creek, are determined by natural topography. Suscol Creek, a perennial creek with a defined bed and bank, is demarcated as a "blue-line" feature on the U.S. Geological Survey quadrangle, and is considered a jurisdictional streambed by both the Corps and the California Department of Fish and Game (CDFG). [10]

The present configurations of some of the site's wetland features have resulted from alterations in the hydrology of the site. As previously mentioned, the Napa Sanitation District is currently utilizing the majority of the project site as a spray field for dispersal of treated wastewater, and, as such, the site is intensively irrigated. The current intensive irrigation regime has had a significant influence on the hydrology of much of the site. During the non-rainy season, the fields are irrigated, via a network of staggered sprayers, nearly continuously on a daily basis. Runoff is transported by drainage swales into the freshwater marshes, which form at the western boundary of the site, where the railroad grade impedes the flow of runoff water.

The central seasonal wetland swale (this EIR refers to this as the "Central Watercourse") is also represented as a "blue line" feature. [11] However, years of cattle grazing and the semi-regular placement of culverted crossings along the drainage, combined with irrigation practices, have influenced drainage flows and contributed to the current swale-like character of the drainage. In the Corps' previously verified delineation of the area (dated November 16, 1998), it was determined this drainage feature is characterized as a vegetated swale, because it is well vegetated and lacks a defined bed and bank. Nevertheless, the CDFG is expected to consider this feature a jurisdictional streambed.

Seasonal Wetland Swale

Seasonal wetland swales totaling approximately 2.99 acres are located on the project site. The swales appear to be largely supported by the continuous irrigation activities and run-off from the irrigated pastures and upland areas. While the swales vary in plant community composition, they are typically dominated by non-native wetland generalist plants, as well as native annual species. These include ryegrass, Mediterranean barley (*Hordeum marinum*), manna grass (*Glyceria declinata*), and watercress (*Rorippa nasturtium-aquatica*).

Seasonal Wetland

Seasonal wetland habitat encompasses approximately 0.12 acres on the project site. Seasonally saturated areas are located along the western boundary of the site. The vegetative composition of the seasonal wetlands is comprised of non-native wetland generalist plants such as ryegrass,

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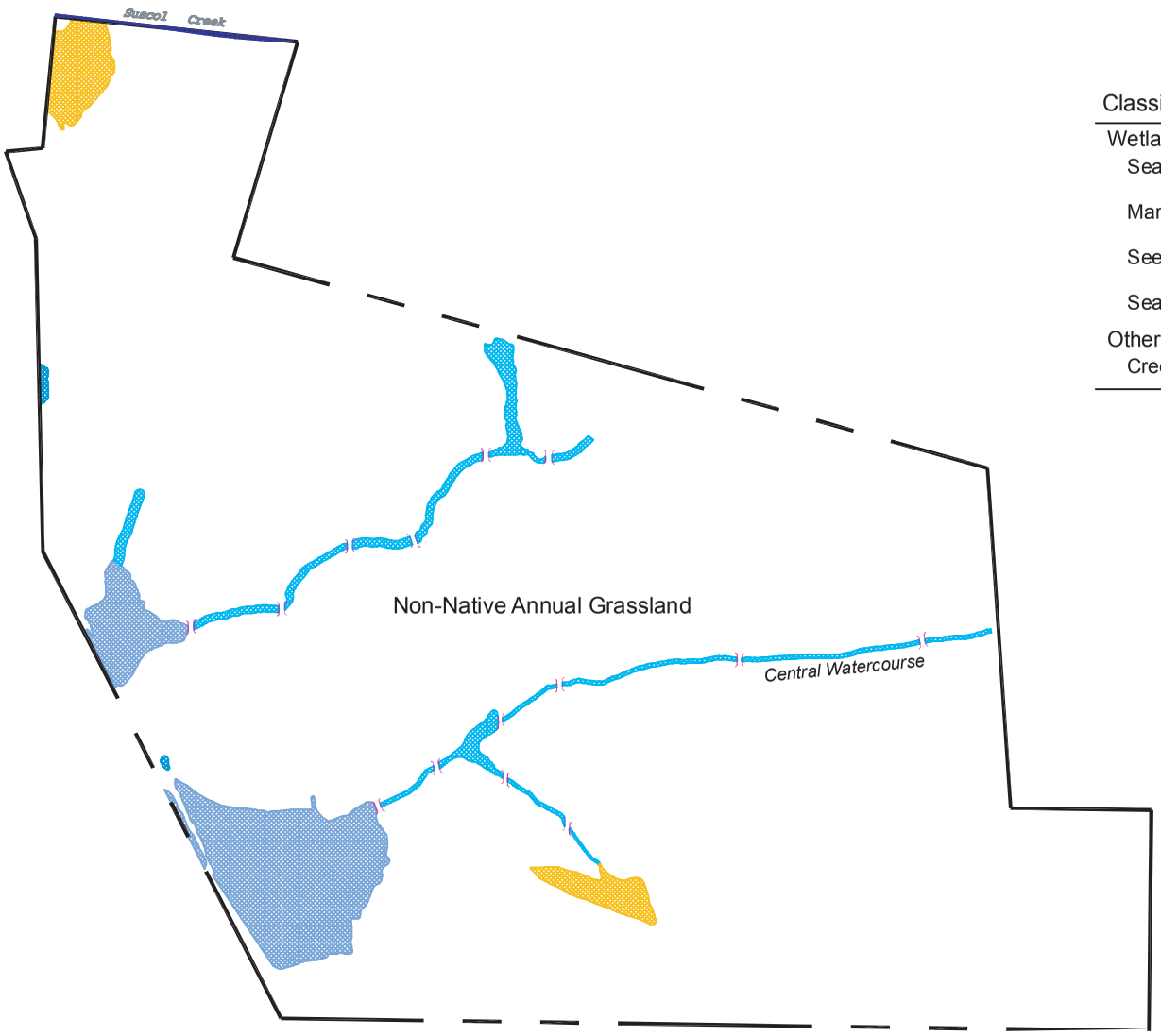
[10] A "blue line" stream refers to streams designated on a United States Geologic Survey topographic map by either a solid or dashed blue line. Suscol Creek is shown as a blue line creek on the "Cuttings Wharf, California" 7.5 minute topographic quadrangle, U.S. Department of the Interior, Geological Survey, 1981.

[11] "Cuttings Wharf, California" 7.5 minute topographic quadrangle, U.S. Department of the Interior, Geological Survey, 1981.

Exhibit 5.2-5
Wetland Delineation



Potential Waters of the U.S.[1]

Classification	Existing Acreage
Wetlands	
Seasonal Wetland Swale	2.994
Marsh	9.919
Seep	2.900
Seasonal Wetland	0.124
Other Waters	
Creeks	0.166
Total	16.103

[1] This exhibit depicts information and data produced in strict accord with the U.S. Army Corps of Engineers wetland delineation methods described in the *1987 Corps of Engineers Wetland Delineation Manual* and conforms to specifications per the San Francisco Corps District. However, wetland boundaries have not been legally surveyed and may be subject to minor adjustments if if exact locations are required.

Scale in Feet
0 300 600
N

Source: ECORP Consulting, Inc., July, 2005.

Mediterranean barley, curly dock (*Rumex crispus*), Bermuda grass, and hyssop loosestrife (*Lythrum hyssopifolium*). Scattered native plants within seasonal wetlands include creeping sprikerush (*Eleocharis macrostachya*) and Carter's buttercup (*Ranunculus bonariensis*).

Seep

Two seeps, located along the northwestern boundary of the project site and in the south central portion of the site, encompass approximately 2.90 acres. The seeps may, in part, be influenced by irrigation practices, but are likely the result of natural water discharge. The seeps support plant species such as manna grass and watercress (*Rorippa nasturtium-aquaticum*).

Freshwater Marsh

Freshwater marshes encompass approximately 9.92 acres on the project site. This community is associated with topographically low areas within the irrigated pastures at the terminal ends of the site's swales (at the western boundary of the site). The marshes are situated immediately east of the California Northern Railroad levee, which represents a barrier/impedance to drainage flows. Plant species that occur within freshwater marshes on-site include cattails (*Typha* species), bulrush (*Scirpus*), and creeping spikerush. One marsh is bordered by seasonal wetland habitat that experiences periodic inundation.

Freshwater marsh habitat is breeding habitat for frogs, toads, and a variety of insects. The insects can provide an important food source for numerous bird species such as red-winged blackbirds (*Agelaius phoeniceus*). Emergent vegetation provides nesting habitat for other species. Amphibian and invertebrate species likely provide prey for several wildlife species.

Suscol Creek

A relatively small reach of Suscol Creek is located within the project site totaling 0.17 acre and approximately 950 linear feet. The creek bed is largely unvegetated with a sandy, gravelly substrate. The bank slopes are vegetated with both riparian and weedy plants such as willow (*Saliz* spp.), Himalayan blackberry, bull thistle (*Cirsium vulgaris*), horsetail (*Equisetem* spp.), and ryegrass.

SPECIAL-STATUS SPECIES

Many species of plants and animals within California have low population numbers, limited distributions, or both. Such species may be considered "rare" and are vulnerable to extirpation as California's human population grows and the habitats these species occupy are converted to agricultural and urban uses. State and federal laws have provided the California Department of Fish and Game (CDFG) and the U.S. Fish and Wildlife Service (USFWS) with authority and mechanisms for conserving and protecting the diversity of plant and animal species native to California. A number of native plants and animals have been formally designated as "rare", "threatened", or "endangered" under state and federal endangered species legislation. Others have been designated as "candidates" for such listing. Still the CDFG and USFWS have designated others as "species of special concern". In addition, the California Native Plant Society (CNPS) has developed its own set of lists of native plants considered rare, threatened, or endangered. As described below collectively, these plants and animals are referred to as special-status species, and specifically include:

- Plants and/or animals listed, or proposed for listing, as threatened or endangered under the federal Endangered Species Act (FESA);
- Plants and/or animals considered by the USFWS to warrant a proposal for listing as threatened or endangered under FESA (i.e., federal "candidate");
- Plants and/or animals listed, or proposed for listing (i.e., "candidate" species), as threatened or endangered under the California Endangered Species Act (CESA);
- Plants listed as rare or endangered under the California Native Plant Protection Act (CNPPA);
- Plants and/or animals designated as "species of concern" to the USFWS;
- Plants and/or animals designated as "species of special concern" to the CDFG;
- Animals designated as "fully-protected" by various provisions of the California Fish and Game Code;
- Raptors protected by Section 3503.5 of the California Fish and Game Code; and
- Plants identified on Lists 1-4 compiled by the California Native Plant Society.

These species have varying degrees of legal protection. Consistent with the *State CEQA Guidelines,* [12] for the purposes of this analysis, all are considered as either "endangered" or "rare". Using data sources described below, and evaluation of habitats present on-site, a list of potentially occurring special-status species was developed, see **Exhibit 5.2-6**.

As discussed above, the potential for the presence of special-status species, or suitable habitat for such species, was evaluated in the field and using literature review. The *California Natural Diversity Database Rarefind 2* computer program [13] and *State and Federally Listed Endangered, Threatened and Rare Plants of California* [14] and the *Inventory of Rare and Endangered Vascular Plants of California*. [15] were accessed to determine the known populations of special-status plant and/or wildlife species reported on or in the vicinity of the project site.

Plants

There are 12 special-status plants that were considered to have potential to occur on the project site (**Exhibit 5.2-6**). The approximate blooming period for each rare plant species is provided in **Exhibit 5.2-6**. Focused surveys for a number of potentially occurring special-status plant species were

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12 See Section 15380, *State CEQA Guidelines.*

13 *California Natural Diversity Database Rarefind 2,* California Department of Fish and Game, 1997

14 *State and Federally Listed Endangered, Threatened and Rare Plants of California,* California Department of Fish and Game, 1998.

15 *Inventory of Rare and Endangered Vascular Plants of California,* California Native Plant Society, 1994

Exhibit 5.2-6
List of Special-Status Species that may Occur in or near Project Site

Common Name	Scientific Name	Probability of Occurrence	Federal Status [a]	State Status [a]	CNPS Status [a]	Habitat Description	Approximate Survey Dates
Plants							
Suisun Marsh aster	*Aster lentus*	*None*	FSC	-	1B	marsh/swamps (brackish or freshwater)	August-November
San Joaquin saltbush	*Atriplex joaquiniana*	*None*	FSC	-	1B	chenopode scrub, valley/foothill grassland	April-September
Big-scale balsamroot	*Balsamorhiza macrolepis* var. *macrolepis*	*None*	-	-	1B	cismontane woodland; valley/foothill grassland (sometimes serpentine)	March-June
Tiburon Indian paintbrush	*Castilleja affinis* ssp. *neglecta*	*None*	FE	CE	1B	grassland (serpentine)	April-June
Suisun thistle	*Cirsium hydrophilum* var. *hydrophilum*	*None*	FE	-	1B	salt marsh	July-September
Soft bird's-beak	*Cordylanthus mollis* ssp. *mollis*	*None*	FE	CR	1B	marsh, swamp (coastal saline)	July-September
Santa Cruz tarplant	*Holocarpha macradenia*	*None*	FC	CE	1B	grassland	June-October
Delta tule pea	*Lathyrus jepsonii* var. *jepsonii*	*None*	FSC	-	1B	freshwater/brackish marsh	May-June
Mudflat quill-plant	*Lilaeopsis masonii*	*None*	FSC	CR	1B	marsh, swamp, riparian (freshwater/brackish)	April-October
Gairdner's yampah	*Perideridia gairdneri* ssp. *gairdneri*	*None*	FSC	-	1B	valley foothhill grasslands, vernal pools	June-October
Marin knotweed	*Polygonum marinense*	*None*	FSC	-	3	coastal salt marsh	June-August
Showy Indian clover	*Trifolium amoenum*	*None*	FE	-	1B	valley foothill grasslands (serpentine soils), open sunny areas, swales	April-June
Fish							
Chinook salmon (winter run)	*Oncorhynchus tshawytscha*	*Unlikely*	FE	CE	-	rivers, streams, creeks	Not Applicable
Central Coast steelhead	*Onchorynchus mykiss*	*Unlikely*	FT	-	-	rivers, streams, creeks	Not Applicable
Delta smelt	*Hypomesus transpacificus*	*Unlikely*	FT	CT	-	Sac-San Joaquin delta	Not Applicable

Exhibit 5.2-6 (continued)
List of Special-Status Species that may Occur in or near Project Site

Common Name	Scientific Name	Probability of Occurrence	Federal Status [a]	State Status [a]	CNPS Status [a]	Habitat Description	Approximate Survey Dates
Fish (cont.) Longfin smelt	*Sopirinchus thaleichthys*	*Unlikely*	FSC	CSC	-	rivers, streams, creeks	Not Applicable
Green sturgeon	*Acipenser medirostris*	*Unlikely*	FSC	-	-	rivers, streams, creeks	Not Applicable
Sacramento splittail	*Pogonichthys macrolepidotus*	*Unlikely*	FT	CSC	-	backwater sloughs	Not Applicable
Tidewater Goby	*Eucyclogobius newberryi*	*Unlikely*	FE	CT		shallow, brackish lagoons	Not Applicable
Amphibians							
California red-legged frog	*Rana aurora draytonii*	*None*	FT	CSC	-	streams, marshes, ponds	February 15-April 30; June-July
California tiger salamander	*Ambystoma californiense*	*None*	FC	CSC	-	vernal pools, wetlands/adjacent grassland	March-May
Reptiles							
Northwestern pond turtle	*Clemmys marmorata marmorata*	*Possible*	FSC	CSC	-	creeks, ponds	April-October
Birds							
Double-crested cormorant	*Phalacrocorax auritus*	*Observed*	-	-	-	snags, trees, cliffs	April-August
Great blue heron	*Ardea herodias*	*Observed*	-	-	-	snags, trees	February-July
Great egret	*Ardea alba*	*Observed*	-	-	-	snags, trees	March-July
Snowy egret	*Egretta thula*	*Observed*	-	-	-	dense marshes, on snags and trees	April-August
Black-crowned night heron	*Nycticorax nycticorax*	*Observed*	-	-	-	dense marshes, trees, shrubbery	February-July
Osprey	*Pandion haliaetus*	*Unlikely*	-	CSC	-	open water w/woodland	any season
White-tailed kite	*Elanus leucurus*	*Observed*	-	CFP	-	woodland, grassland	April-June
Southern bald eagle	*Haliaeetus leucocephalus leucocephalus*	*None*	FT	CE	-	ocean, river, and lake shoreline	any season
Northern harrier	*Circus cyaneus*	*Possible*	-	CSC	-	marsh, grassland	June-July
Sharp-shinned hawk	*Accipiter striatus*	*None*	-	CSC	-	woodland	September-April

Exhibit 5.2-6 (continued)
List of Special-Status Species that may Occur in or near Project Site

Common Name	Scientific Name	Probability of Occurrence	Federal Status [a]	State Status [a]	CNPS Status [a]	Habitat Description	Approximate Survey Dates
Birds (cont.) Cooper's hawk	*Accipiter cooperii*	*Possible*	-	CSC	-	woodland	April-June
Swainson's hawk	*Buteo swainsoni*	*Observed*	-	CT	-	grassland, riparian	March-July
Ferruginous hawk	*Buteo regalis*	*None*	FSC	CSC	-	grassland	November-February
Golden eagle	*Aquila chrysaetos*	*Unlikely*	-	CFP, CSC	-	grassland	November-February
Merlin	*Falco columbarius*	*Observed*	-	CSC	-	woodland, grassland	September-April
American peregrine falcon	*Falco peregrinus anatum*	*None*	FE	CE, CFP	-	cliffs, rocky outcrops	October-March
Prairie falcon	*Falco mexicanus*	*None*	-	CSC	-	grassland	October-February
California black rail	*Laterallus jamaicensis coturniculus*	*Possible*	FSC	CT	-	marsh	year round resident
California clapper rail	*Rallus longirostris obsoletus*	*Unlikely*	FE	CE	-	marsh	year round resident
Mountain plover	*Charadrius montanus*	*None*	FPT	CSC	-	grassland, pasture	October-March
Long-billed curlew	*Numenius americanus*	*None*	-	CSC	-	grassland, pasture	September-March
Burrowing owl	*Athene cunicularia*	*Possible*	FSC	CSC	-	grassland	April-July
Long-eared owl	*Asio otus*	*None*	-	CSC	-	riparian	November-March
Short-eared owl	*Asio flammeus*	*Possible*	-	CSC	-	marsh, grassland	November-March
California horned lark	*Eremophila alpestris actia*	*Likely*	-	CSC	-	grassland, agricultural	year round resident
Loggerhead shrike	*Lanius ludovicianus*	*Likely*	-	CSC	-	grassland, woodland	April-May
Saltmarsh common yellowthroat	*Geothlypis trichas sinuosa*	*Likely*	FSC	CSC	-	salt marsh	year round resident
San Pablo song sparrow	*Melospiza melodia samuelis*	*Likely*	FSC	CSC	-	salt marsh	year round resident

Exhibit 5.2-6 (continued)
List of Special-Status Species that may Occur in or near Project Site

Common Name	Scientific Name	Probability of Occurrence	Federal Status [a]	State Status [a]	CNPS Status [a]	Habitat Description	Approximate Survey Dates
Birds (cont.) Tricolored blackbird	*Agelaius tricolor*	*Possible*	FSC	CSC	-	marsh, grassland	April-June
Mammals							
Small-footed myotis	*Myotis ciliolabrum*	*Unlikely*	FSC	-	-	various woodland/shrubland habitats near water	May-October
Long-eared myotis	*Myotis evotis*	*Unlikely*	FSC	-	-	deciduous or coniferous woodland	May-October
Fringed myotis	*Myotis thysanodes*	*Unlikely*	FSC	-	-	deciduous or coniferous woodland	May-October
Long-legged myotis	*Myotis volans*	*Unlikely*	FSC	-	-	deciduous or coniferous woodland	May-October
Yuma myotis	*Myotis yumanensis*	*Likely*	FSC	-	-	riparian woodland	May-October
Townsend's big-eared bat	*Corynorhinus townsendii*	*Possible*	FSC	CSC	-	structures, woodland	May-October
Pallid bat	*Antrozous pallidus*	*Possible*	-	CSC	-	structures, woodland	May-October
Salt-marsh harvest mouse	*Reithrodontomys raviventris*	*Unlikely*	FE	CE	-	saline emergent marsh	any season

a Status Codes

FE	Federally listed, Endangered	CR	California listed, Rare.
FT	Federally listed, Threatened.	CFP	California Department of Fish and Game Fully Protected Species
FPE	Formally Proposed for federal listing as Endangered.	CSC	California Department of Fish and Game Species of Special Concern.
FPT	Formally Proposed for federal listing as Threatened.	1A	California Native Plant Society/Presumed extinct
FC	Candidate for federal listing as Threatened or Endangered	1B	California Native Plant Society/Rare or Endangered in California and elsewhere
FSC	U.S. Fish and Wildlife Service Species of Concern	2	California Native Plant Society/Rare or Endangered in California, more common elsewhere
CE	California listed, Endangered.	3	California Naitve Plant Society/More Information Needed
CT	California listed, Threatened.	4	California Native Plant Society/Plants of Limited Distribution

Source: ECORP Consulting, Inc.

conducted on April 17, 20, and August 19, 1998, and on May 18, and August 9, 1999. Plant species were identified with *The Jepson Manual: Higher Plants of California*. [16] Four potentially occurring species are federally listed as endangered, and are protected pursuant to the federal Endangered Species Act (FESA): Tiburon Indian paintbrush (*Castilleja affinis* ssp. *neglecta*), Suisun thistle (*Cirsium hydrophilum* var. *hydrophilum*), soft bird's-beak (*Cordylanthus mollis* ssp. *mollis*), and showy Indian clover (*Trifolium amoenum*).

Santa Cruz tarplant (*Holocarpha macradenia*) and Tiburon Indian paintbrush are listed as endangered in California. These species are subject to regulation pursuant to the California Endangered Species Act. Soft bird's-beak and mudflat quill-plant (*Lilaeopsis masonii*) are listed as rare in California and are protected by the Native Plant Protection Act.

The potentially occurring special-status plants that are federal species of concern and are on the CNPS list 1B are Suisun Marsh aster (*Aster lentus*), San Joaquin saltbush (*Atriplex joaquiniana*), Delta tule pea (*Lathyrus jepsonii* var. *jepsonii*), and Gairdner's yampah (*Perideridia gairdneri* ssp. *gairdneri*). Marin knotweed (*Polygonum marinense*) is a federal species of concern and is on the CNPS list 3. Big-scale balsamroot (*Balsamorhiza macrolepis* var. *macrolepis*) is on CNPS list 1B.

A rare plant survey of the area previously known as Somky Ranch, which encompassed all but the most southern portion of the project site, was conducted during 1996. [17] The survey concluded that Suisun marsh aster, San Joaquin saltbush, soft birds-beak, Delta tule pea, mudflat quill-plant, and showy Indian clover were not present on that portion of the project site.

Marsh Plants

The freshwater marsh habitats on-site may provide suitable habitat for Suisun Marsh aster, soft bird's-beak, Suisun thistle, mudflat quill-plant, Marin knotweed, and Delta tule pea. A survey was conducted on August 19, 1998, to determine the presence or absence of those species that bloom in late summer (i.e., all except the Delta tule pea). These species were not observed, and are presumed absent from the project site. The May 18, 1999, survey determined the absence of the Delta tule pea.

A species of knotweed (*Polygonum)* similar in appearance to Marin knotweed (a federal species of concern) was identified on-site during 1998. The taxonomic identification of this species as *P. arenastrum* (not considered a special-status plant) was determined during August 1999.

Grassland Plants

The grassland habitat may represent potential habitat for San Joaquin saltbush, big-scale balsamroot, Tiburon Indian paintbrush, Santa Cruz tarplant, showy Indian clover, and Gairdner's yampah. However, suitable habitat for these species was not expected to be present, given historic land uses/disturbances. The May 1999 survey determined the absence of big scale balsamroot, Tiburon Indian paintbrush, and showy Indian clover, and focused surveys were conducted August 18, 1999, to determine the absence of San Joaquin saltbush, Santa Cruz tarplant, and/or Gairdner's yampah.

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16 *The Jepson Manual: Higher Plants of California*, *op. cit.*

17 *Rare Plant Survey of Somky Ranch*, Jake Ruygt, 1996

Summary

In summary, Suisun Marsh aster, soft bird's-beak, Suisun thistle, mudflat quill-plant, Delta tule pea, big scale balsamroot, Tiburon Indian paintbrush, showy Indian clover, Santa Cruz tarplant, San Joaquin saltbush, Marin knotweed, and Gairdner's yampah were not identified during appropriately focused surveys during 1998 and 1999, and are presumed absent from the project site.

ANIMALS

Based upon a literature search and evaluation of habitats present on-site, several special-status animal species were considered to have the potential to occur on the project site. As indicated in **Exhibit 5.2-6**, this list includes 12 plants, seven fish, two amphibians, one reptile, 29 birds, and eight mammals. Unlike the area included in the *2000 Draft EIR*, there are no vernal pools within the project site. Seasonal wetlands and swales on the property do not represent suitable habitat for listed vernal pool branchiopod crustaceans (e.g. vernal pool fairy shrimp). The Napa Sanitation District currently uses the site for discharge of treated water from its adjacent water treatment facility. The regular application of water during summer and fall months is not conducive to the life cycle of these species, which require dry conditions during their dormant cyst stage.

Fish

A list of sensitive fish species that may be present in, but would not be affected by the proposed project, was developed through a review of California Department of Fish and Game (CDFG) Natural Diversity Data Base (NDDB) records for the Cuttings Wharf quadrangle and Napa County, and from other sources. [18] According to this review, potential habitat exists for a number of special-status fish species. However, many of these species are migratory species that utilize the Sacramento-San Joaquin Estuary as a corridor to upstream spawning grounds. Suscol Creek represents potential habitat for seven special-status fish species. Tidewater goby (*Eucyclogobius newberryi*) and winter-run Chinook salmon (*Oncorhynchus tshawytscha*) are federally listed endangered species. Central Coast ESU steelhead (*O. mykiss*), Delta smelt (*Hypomesus transpacificus*), and Sacramento splittail (*Pogonichthys macrolepidotus*) are federally-listed threatened species. Winter-run Chinook salmon are also listed as endangered in California, and Delta smelt is listed as threatened in California. Longfin smelt (*Sopirinchus thaleichthys*) and green sturgeon (*Acipenser medirostris*), are federal species of concern. Longfin smelt and Sacramento splittail are listed as California species of special concern.

Amphibians

Suscol Creek may provide habitat for the California red-legged frog (CRLF) (*Rana aurora draytonii*) a federally listed threatened species and state species of special concern. Suitable habitat is present within the relatively undisturbed portions of the creek. Surveys were conducted according to *Guidance on Site Assessment and Field Surveys for California Red-Legged Frogs* [19] during the appropriate period (May 1 - November 1) during 1999. Diurnal surveys were conducted on July 11

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18 *Opportunities and Constraints Analysis: The Resort at Napa Valley – Draft*, LSA Associates, Inc. 1998.

19 *Guidance on Site Assessment and Field Surveys for California Red-legged Frogs*, U. S. Department of the Interior, Fish and Wildlife Service, February 18, 1997.

and August 4, 1999. Nocturnal surveys were conducted on July 8 and July 29, 1999. No California red-legged frogs were identified, and the species is presumed absent from the site.

In addition, between July 11, 2003 and July 17, 2003, ECORP Consulting conducted protocol-level CRLF surveys and simultaneous northwestern pond turtle (NWPT) surveys within the Devlin Road Extension project site (including a portion of the Central Watercourse).[20] A total of four site surveys were conducted, per U.S. Fish and Wildlife Guidance on Site Assessment and Field Surveys for the CRLF (dated February 18, 1997). No CRLF (of any life stage) were encountered during this survey investigation. The presence of breeding CRLF on the project site (which included a portion of the Central Watercourse) was determined unlikely given the shallow and seasonal nature of the aquatic habitat.

Reptiles

The northwestern pond turtle (NWPT) (*Clemmys marmorata marmorata*) is currently not listed and protected pursuant to either the California or federal Endangered Species Act, but it is considered a California Department of Fish and Game species of special concern and U.S. Fish and Wildlife Service species of concern. Pond turtles are typically found in ponds, marshes, and still or slow moving creeks and streams. The marshes and Suscol Creek within the project site represent potentially suitable habitat for northwestern pond turtles. As mentioned above, protocol-level NWPT surveys were conducted on the adjacent Devlin Road Extension project site (which included a portion of the Central Watercourse) between July 11, 2003 and July 17, 2003. No NWPT were encountered during the survey, and the presence of northwestern pond turtles within the project site was determined improbable given the lack of basking surfaces and adequate water depth to provide refuge.

Birds

Potentially occurring special-status birds within the project site include potentially nesting species and non-nesting species. The non-nesting species are further subdivided into winter residents (i.e., present during non-nesting season but migrates to nesting grounds elsewhere), migrants (i.e., present for short periods during migration to or from nesting grounds), or locally nesting species that do not have suitable nesting habitat on-site.

A spring bird survey was conducted for the site in 2001. A total of 54 bird species were detected on the site evaluated in the *2000 Draft EIR* during one or more of the three visits to the site. Most of the species detected are habitat generalists, or species that prefer grassland or other open habitat types. Species detected at eight or more of the 15 survey stations include the mallard (*Anas platyrhynchos*), killdeer (*Charadrius vociferous*), tree swallow (*T. verticalis*), cliff swallow (*Petrochelidon pyrrhonota*), barn swallow (*Hirundo rustica*), song sparrow (*Melospiza melodia*), red-winged blackbird (*Agelaius phoeniceus*), and house finch (*Carpodacus mexicanus*). Although not detected at eight or more of the survey stations, bushtits (*Psaltriparus minimus*), marsh wrens (*Cistothorus palustris*), European starlings (*Sturnus vulgaris*), savannah sparrows (*Passerculus sandwichensis*), and Western meadowlarks (*Sturnella neglecta*) were relatively abundant at two or more of the survey locations. Several (ten) of the species detected were observed in flight only, and may not use on-site habitat during the season surveyed. These include many of the wetland species (e.g., double-crested

[20] This work was done in conjunction with the preparation of the *June 2003 Montalcino at Napa Recriculated Draft Environmental Impact Report*.

cormorant (*Phalacrocorax auritus*), great blue heron (*Ardea herodias*), caspian tern (*Sterna caspia)*), which appeared to be coming or going to wastewater treatment ponds adjacent to the site.

Three of the special-status birds which have the potential to occur or forage on-site are listed pursuant to the federal Endangered Species Act: the threatened southern bald eagle (*Haliaeetus leucocephalus leucocephalus*), endangered American peregrine falcon (*Falco peregrinus anatum*), and endangered California clapper rail (*Rallus longirostris obsoletus*). The mountain plover (*Charadrius montanus*) is currently proposed for federal listing as threatened.

Five birds with potential to occur or forage are state-listed as threatened or endangered and protected pursuant to the California Endangered Species Act. The endangered species are southern bald eagle, American peregrine falcon (*Falco peregrinus anatum*), and California clapper rail (*Rallus longirostris obsoletus*). The threatened species are Swainson's hawk (*Buteo swainsoni*) and California black rail (*Laterallus jamaicensis coturniculus*). The Fish and Game Code of California designates other "fully protected" birds in §3511. The "fully protected" species include raptors such as white-tailed kite (*Elanus leucurus*), southern bald eagle, American peregrine falcon (*Falco peregrinus anatum*), and golden eagle (*Aquila chrysaetos*).

The potentially occurring birds that are both federal species of concern and state species of special concern are ferruginous hawk (*Buteo regalis*), burrowing owl (*Athene cunicularia*), San Pablo song sparrow (*Melospiza melodia samuelis*), saltmarsh common yellowthroat (*Geothypis trichas sinuosa*), and tricolored blackbird (*Agelaius tricolor*).

Those species that are state species of special concern are osprey (*Pandion haliaetus*), northern harrier (*Circus cyaneus*), sharp-shinned hawk (*Accipiter striatus*), Cooper's hawk (*Accipiter cooperii*), merlin (*Falco columbarius*), prairie falcon (*Falco mexicanus*), long-billed curlew (*Numenius americanus*), long-eared owl (*Asio otus*), short-eared owl (*Asio flammeus*), California horned lark (*Eremophila alpestris actia*), and loggerhead shrike (*Lanius ludovicianus*).

The CDFG also recognizes colonial nesting species. These species are not listed and are not protected pursuant to either federal or State Endangered Species Acts, are not considered federal species of concern or state species of special concern, and are not considered "fully protected" pursuant to §3511. However, because they are colonial nesters, they are considered "special-status species" by the CDFG. The five colonial nesters that have potential to occur on the project site are double-breasted cormorant (*Phalacrocorax auritus*), great blue heron (*Ardea herodias*), great egret (*Ardea alba*), snowy egret (*Egretta thula*), and black-crowned night heron (*Nycticorax nycticorax*).

Those species with potential to winter on the project site are sharp-shinned hawk, merlin, prairie falcon, long-billed curlew, long-eared owl, and short-eared owl. The non-native grassland represents potential wintering habitat for mountain plover. Swainson's hawks have only recently been observed in Napa County on a regular basis, and there are no prior documented nesting records for Napa County. However, during the April and May 2005 special-status species assessment, Swainson's hawks were observed foraging on-site. According to the North Bay Birds, an email discussion group of bird sightings and distribution of birds in Sonoma, Marin, Napa, Lake, and Solano Counties, Swainson's hawks have been observed breeding and nesting near the Devlin Road and Soscol Ferry Road intersection. The trees on-site and the grassland (spray fields) community represent suitable Swainson's hawk nesting and foraging habitat, respectively.

According to the California Natural Diversity Data Base, southern bald eagles have wintered at Lake Hennessey (Napa County), approximately 20 miles to the north of the project site. The Napa River is nearby and to the west of the project site, and may be considered potential foraging habitat. However,

the potential for occurrence on-site is considered unlikely due to the current use of the project site and the close proximity of the Napa County Airport. Suitable American peregrine falcon and golden eagle nesting habitat is, similarly, not present within the project boundaries, but these species may forage in the area at any season, particularly in winter. The potential for foraging by American peregrine falcons is considered very low.

The marshes on-site represent marginally suitable habitat for clapper rail, as the emergent vegetation covers a relatively small area and that is influenced to a greater degree from freshwater sources, as opposed to saltwater, and potentially suitable nesting habitat for the black rail. Burrowing owls may nest in the non-native grassland, on earthen berms, and in other upland areas. The grassland is potential nesting habitat for California horned lark. Other potential nesting species include white-tailed kite, osprey, northern harrier, Cooper's hawk, loggerhead shrike, San Pablo song sparrow, and tricolored blackbird.

In addition to all five of the colonial nesting species (i.e., double-crested cormorant, great blue heron, great egret, snowy egret, and black-crowned night heron), two white-tailed kites (California fully-protected) and a merlin (California species of special concern) were observed on site during the April 1998 site investigations. Black-crowned night herons were observed within the freshwater marsh at the southern portion of the site. It was not determined whether these individuals were nesting within the marsh at that time. The two white-tailed kites were observed within a row of eucalyptus trees in the southeastern portion of the site. A nest could not be located, but both kites were displaying courtship behavior on April 17, 1998. Site use by the other species is assumed to have been limited to foraging.

The salt marsh common yellowthroat (state species of special concern and federal species of concern) may have been heard calling within the southernmost freshwater marsh on April 20, 1998. The subspecies *Geothlypis trichas sinuosa* is a year-round resident within salt marsh habitats around San Francisco Bay.[21] However, the Western yellowthroat *Geothlypis trichas occidentalis*, which is a common species throughout Northern California, away from San Francisco Bay, could not be ruled out. Their call notes are indistinguishable in the field.

Mammals

Potentially occurring mammals for the project site include a variety of bats and the salt-marsh harvest mouse.

Seven potentially occurring special-status bat species are federal species of concern or state species of special concern. The bats that are federal species of concern are small-footed myotis (*Myotis ciliolabrum*), long-eared myotis (*Myotis evotis*) fringed myotis (*Myotis thysanodes*), long-legged myotis (*Myotis volans*), Yuma myotis (*Myotis yumanensis*), and Townsend's big-eared bat (*Corynorhinus townsendii*). Pallid bat (*Antrozous pallidus*) and Townsend's big-eared bat are listed as state species of special concern. Potential bat roosting areas include large trees and man-made structures.

A bat habitat assessment and presence survey was conducted for the Devlin Road Extension project area, adjacent to the proposed project site, on August 6, 2003. While there was some potential roost habitat on-site (abandoned shacks), no roosting bats or bat signs were documented on-site.

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21 *The Distribution of the Birds of* California, Joseph Grinnell and Alden Miller, 1944.

The salt-marsh harvest mouse (*Reithrodontomys raviventris*) is currently formally listed as an endangered species and protected pursuant to both California and federal Endangered Species Acts. This species occupies pickleweed (*Salicornia* spp.) saltmarsh communities in the San Francisco Bay region. The marshes within the project site do not have pickleweed, so the habitat is, at best, marginally suitable for salt-marsh harvest mouse. However, they may utilize adjacent upland areas for cover during high tides. One CNDDB record of salt-marsh harvest mouse from the Napa River is located less than one-half mile from the site.

Summary

Determinate surveys for rare plants and special-status birds have been conducted within, or directly adjacent to, the project site as discussed above. Suscol Creek represents potential habitat for seven special-status fish species; however, Suscol Creek and the Central Watercourse would be outside of the construction area for the proposed project due to proposed setbacks as mandated by Napa County. Chapter 18.108 *Conservation Regulations* of Napa County's zoning code, specifies required setbacks for intermittent/perennial streams. According to this portion of the zoning ordinance "Construction, of main or accessory structures, earthmoving activity, grading or removal of vegetation or agricultural uses of land as defined by Section 18.08.040, shall be prohibited within the stream setback areas established, etc." The setbacks for Suscol Creek and the Central Watercourse within the project site would be 45 feet. The proposed project would not require a determination on federally listed fish species.

Although the on-site occurrence of the California red-legged frog was previously considered possible, the determinate field surveys, conducted according to USFWS-promulgated protocol during July and August of 1999, to determine presence/absence of this species were negative. In addition, the surveys conducted in July 2003 on the adjacent Devlin Road Extension site were also negative; therefore, the species is presumed absent from the project site. Ongoing consultation with the USFWS will determine whether updated determinate surveys for potential special-status species will be required.

USFWS has indicated in previous informal consultations that there is not adequate habitat at the site for the salt marsh harvest mouse. Further, the marsh (the only potentially-suitable habitat) for this species would not be impacted by the proposed project. Surveys for the salt marsh harvest mouse cannot be conducted without prior approval of either USFWS or CDFG, and are not planned.

Formal Section 7 Consultation with USFWS or the National Marine Fisheries Service is not expected to be required for the proposed project.

Biological Resources – Significance Criteria

The biological resources analysis uses criteria derived from the *State CEQA Guidelines* and typical professional practices to determine the significance of impact. According to these criteria, a potential impact of the proposed project would be considered significant if it:

- Has a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service;

- Has a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or the U.S. fish and Wildlife Service;

- Has 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;

- Interferes 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;

- Conflicts with any Napa County policies or ordinances protecting biological resources; or

- Conflicts with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Biological Resources – Impacts and Mitigation Measures

There are several aspects of the proposed *Montalcino at Napa Golf Course* project that are especially relevant to the analysis of biological resources. These are as follows:

- Buffers off of streams and/or features designated on the Cuttings Wharf, California 7.5-minute quadrangle as "blue-line", would adhere to standards set by Napa County.[22] It is proposed to setback development from both the Central Watercourse and Soscol Creek 45 feet from the top of bank.

- It is also proposed to setback development 25 feet from the edge of the existing wetlands, except for the golf cart path area located between golf course holes 2 and 3, where the setback would be approximately 20 feet.[23]

- Split-rail wood fencing, and signage designating the preserved areas, would be installed around sensitive wetland areas.

- No improvements are planned for the existing culverted crossings over the Central Watercourse or the wetland swales located north of the Central Watercourse, which would affect the channel/swale banks. The existing crossings would be part of the golf cart path network and paved with asphalt. As a safety measure and to keep golfers out of the natural drainage features, split rail fencing would be installed.

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22 Section 18.104 (Conservation Regulations) of the County Zoning Ordinance establishes setbacks for intermittent/perennial streams.

23 Section 18.104 only has setbacks from defined "creeks" which are by definition or either blue line streams as shown on USGS maps, or a water course with a defined channel greater than four feet in depth and 3:1 banks and containing riparian vegetation including tree species. Based on that definition the area in question would not meet the County definition of a stream and would not be subject to any County setback.

- The project would create approximately eight acres of new wetlands.

- Three ponds would be located within the golf course and would total approximately 11 acres. One of the three ponds would be used as a storage reservoir for the Napa Sanitation District; the other two ponds would be stormwater detention basins for the golf course.

Impact 5.2-1 Conversion of Non-Native Grassland and Rural Residential Landscaping
This would be a less-than-significant impact.

The proposed project would result in the loss of 193 acres of non-native grasslands as follows:

- Approximately 193 acres of non-native grassland would be converted to golf course and scenic/collection ponds.

In addition to the loss of non-native grassland an additional 2.1 acres of rural residential landscaping (adjacent to golf course holes 3, 5, 6, 10, and 12) would be converted. Approximately 13 acres of grassland would be preserved within the buffer areas adjacent to on-site wetlands and streams. [24] Due to the low botanical value of these communities dominated by non-native plant species, the conversion of 193 acres of non-native grassland (and an additional 2.1 acres of rural residential landscaping) to development would not be considered a significant impact.

Mitigation Measure 5.2-1 No mitigation would be required.

Impact 5.2-2 Construction-Related Impacts to Riparian Habitat Due to Intrusion
This would be a significant impact.

Significant impacts to the mixed riparian woodland and willow riparian communities could occur during construction activities as a result of trampling of vegetation, staging of equipment, placement of materials, and/or dumping of debris.

Mitigation Measure 5.2-2 To mitigate construction-related impacts to riparian habitat the following measure shall be implemented:

- Temporary high visibility fencing shall be used for the duration of construction activities occurring within 200 feet of riparian habitat. To prevent inadvertent impacts from encroachment into this community, fencing should be placed 50 feet away from the outside edge of riparian vegetation and/or the dripline of riparian trees (except where project improvement plans require construction within that 50-foot buffer). Where project improvement plans require construction activities to occur within that 50-foot buffer, fencing should be placed at the limits of the required construction activity. Placement of the fencing should be determined by a qualified biologist prior to construction and monitored at least once a month during the construction period to assure the success of this action.

Significance After Mitigation Implementation of Mitigation Measure 5.2-2 would reduce construction-related impacts to riparian habitat to a less-than-significant level.

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[24] Pendergraft e-mail of July 28, 2005

Responsibility and Monitoring Temporary barrier to be implemented by project applicant with monthly monitoring (during construction activities within 200 feet of the creek) by applicant reported to the Napa County Conservation, Development, and Planning Department.

Impact 5.2-3 Long-Term Operation-Related Impacts to Riparian Habitat Due to Intrusion

This would be a less-than-significant impact.

Significant impacts to the mixed riparian woodland and willow riparian communities could occur after project development as a result of trampling of vegetation by pedestrians and/or golfers accessing the areas near Suscol Creek. However, the proposed project incorporates an undeveloped setback of 45 feet from the top of bank of Suscol Creek to prevent disturbance to riparian areas. In addition, a split-rail fence would be installed at the 45-foot buffer boundary and signs would be posted identifying the area as natural habitat, to further reduce on-going impacts to the riparian area.

Mitigation Measure 5.2-3 No mitigation would be required.

Impact 5.2-4 Modification to the Banks of Waters Regulated by the State of California

This would be a less-than-significant impact.

No impact to waters of the state would result from development of the golf course. However, modifications to the banks of the Central Watercourse may occur, due to possible grading and/or paving of the existing crossings. In addition, safety railing may need to be installed where necessary.

In the event that improvements become necessary that would affect the bed or banks of the Central Watercourse, or any existing drainage features, notification of the California Department of Fish and Game (CDFG) and issuance of a Streambed Alteration Agreement from CDFG would be required. Any conditions stipulated in the Streambed Alteration Agreement would be incorporated into the project design.

Mitigation Measure 5.2-4 No mitigation would be required.

Impact 5.2-5 Construction-Related Impacts to Downslope Wetlands Due to Intrusion

This would be a significant impact.

Significant impacts to the wetland communities downslope of the grading envelope could occur during construction activities and after project development as a result of trampling of vegetation, staging of equipment, placement of materials, and dumping of debris. In addition, the lease agreement for the project site with the Napa County Sanitation District requires that applicant to take a one-time application of biosolids, in the amount of approximately 100 dry tons per acre during construction. The wetland communities involved include the freshwater marsh, drainage swales, and seasonal wetlands.

Mitigation Measure 5.2-5 To mitigate construction related impacts to downslope wetlands, the following measure shall be implemented:

- Temporary high visibility fencing shall be used 50 feet away from the outside edge of the wetland habitat for the duration of construction activities within 200 feet of the potentially effected wetland habitats, in order to prevent inadvertent impacts from encroachment into this community. Where project improvement plans require construction activities to occur within that 50-foot

buffer, fencing shall be placed at the limits of the required construction activity. Placement of the fencing should be determined by a qualified biologist prior to construction and monitored at least once a month during the construction period to assure the success of this action.

Significance After Mitigation Implementation of Mitigation Measure 5.2-5 would reduce constructed related impacts to downslope wetlands to a less-than-significant level.

Responsibility and Monitoring Temporary barrier is to be implemented by project applicant with monthly monitoring (during construction activities within 200 feet of the wetlands) by applicant reported to the Napa County Conservation, Development, and Planning Department. The Napa County Conservation, Development and Planning Department would determine the success of this measure.

Impact 5.2-6 Long-Term Operation-Related Impacts to Wetlands Due to Intrusion

This would be a less-than-significant impact.

Significant impacts to wetlands could occur after project development as a result of trampling of vegetation by pedestrians and/or golfers accessing the areas. However, the proposed project incorporates an undeveloped setback of 25 feet from the edge of wetlands to prevent disturbance to the areas (except for the golf cart path area located between golf course holes 2 and 3, where the setback would be approximately 20 feet). In addition, a split-rail fence would be installed at the 25-foot buffer boundary in areas where disturbance is most likely to occur and signs would be posted identifying the area as natural habitat, to further reduce on-going impacts.

Mitigation Measure 5.2-6 No mitigation would be required.

Impact 5.2-7 Permanent Removal of Trees Within the Grading Envelope

This would be a significant impact.

Significant impacts may result from the removal of trees located in the grading envelope. Although removal of oak trees is not planned, a significant number of rural residential landscape trees, including eucalyptus would be lost to the development of the golf course adjacent to golf course holes 3, 5, 6, 10, and 12.

Mitigation Measure 5.2-7 To mitigate the impact due to the removal of trees within the grading envelope the following measures shall be implemented:

- A tree survey depicting the locations, species and diameter breast height (dbh), of all trees in the project boundaries that are not within the riparian corridor, shall be conducted by a qualified arborist or biologist. Existing trees, especially native oak trees, provide aesthetic value and should be incorporated into the landscape plan for the development. The applicant has incorporated existing oaks into the golf course design.

  In addition, removal of trees shall be avoided while implementing the proposed project. Where avoidance is not practicable, trees over eight inches that are removed should be replaced by a qualified landscape specialist in conjunction with the implementation of project landscaping. The replacement trees should be native species planted in suitable habitat areas on-site at a ratio equal to twice the diameter of the tree. The number of trees used to replace each tree can vary, under the conditions that the combined sum of the diameter of the replacement trees equals twice the diameter of the tree removed and that replacement trees have a minimum diameter of two inches.

Suitable planting areas for oak trees would be locations where summer watering of associated landscape plants and frequent limbing of the trees would not take place. The trees shall be monitored at least three times a year in the spring summer and fall seasons by a qualified specialist to determine the success of the treatment, and trees that die shall be replaced promptly.

Significance After Mitigation Implementation of Mitigation Measure 5.2-7 would reduce impacts due to the removal of trees within the grading envelope to a less-than-significant level.

Responsibility and Monitoring The Napa County Conservation, Development and Planning Department would regulate all tree removal and determine the success of this measure.

Impact 5.2-8 Construction-Related Disturbance to Remaining Oak Trees

This would be a significant impact.

Although no oak trees are planned for removal on the project site, during construction and implementation of the proposed project, damage to oak trees could occur. During construction, impacts could include die-off of the existing oak trees from damage to the roots during grading, storage of materials, or landscaping activities. Areas were oak trees could be temporarily impacted would be adjacent to golf course holes 3, 5, 6, 10, and 12.

Mitigation Measure 5.2-8 To mitigate the impact due to construction related disturbance to oak trees the following measure shall be implemented:

- Place orange plastic fencing around the outer edge of the dripline of existing oak trees for the duration of construction of the proposed project and avoid soil disturbance within the dripline of the trees. Placement of the fencing shall be determined by a qualified biologist prior to construction and monitored at least once a month during the construction period to assure the success of this action.

Significance After Mitigation Implementation of Mitigation Measure 5.2-8 would reduce impacts due to construction related disturbance to oak trees to a less-than-significant level.

Responsibility and Monitoring The Napa County Conservation, Development and Planning Department will determine the success of this measure.

Impact 5.2-9 Long-Term Operation-Related Disturbance to Remaining Oak Trees

This would be a significant impact.

Watering within the dripline of oak trees during the normal dry season, and excessive limbing, could result in mortality of oak trees from root rot and other diseases.

Mitigation Measure 5.2-9 To mitigate the impact due to the long-term operation-related disturbance to remaining oak trees the following measure shall be implemented:

- Revise the landscape master plan so that vegetation that needs summer watering is not planted under the dripline of existing oak trees. Align the development such that limbing of the oak trees is minimized.

Significance After Mitigation Implementation of Mitigation Measure 5.2-9 would reduce impacts due to the long-term operation-related disturbance to remaining oak trees to a less-than-significant level.

Responsibility and Monitoring The project applicant would be responsible to implement this measure. The Napa County Conservation, Development and Planning Department would determine the success of this measure.

Impact 5.2-10 Impacts to Freshwater Marsh Occupying Species

This would be a significant impact.

The May 2001 Bird Survey did not confirm the presence of nesting special-status bird species potentially associated with the freshwater marsh community (e.g., California black rail, black-crowned night heron, and tricolored blackbird). No impacts are anticipated to the freshwater marsh, and a buffer of 25 feet is incorporated into the proposed project; therefore, no significant permanent impacts are anticipated to potential breeding habitat for these species. However, potential habitat could be significantly temporarily impacted by adjacent construction

Mitigation Measure 5.2-10 To mitigate temporary impacts to freshwater marsh occupying species the following measure shall be implemented:

- Pre-construction bird surveys shall be conducted prior to construction grading, during the appropriate activity period for each species.

  Where a non-listed species is identified in the impact area, construction activities should be scheduled to occur outside of the breeding season and/or individual(s) should be relocated away from the impact area according to agency protocols (if any). If monitoring of construction activities is required (by those agency protocols), it shall be conducted by a qualified biologist and reported to the appropriate agency (i.e., that agency with expressed interest in the subject species).

  Where a listed species would be effected, appropriate permitting would be pursued with the agency (or agencies) having regulatory authority over it. Mitigation measures stipulated in the appropriate permitting instrument (i.e., a Management Agreement with the California Department of Fish and Game) would be imposed. If monitoring of construction activities is required (by a permitting instrument), it will be conducted by a qualified biologist and reported to the appropriate agency (i.e., that agency with expressed interest in or regulatory authority over the subject species).

Significance After Mitigation Implementation of Mitigation Measure 5.2-10 would reduce impacts to freshwater marsh occupying species to a less-than-significant level.

Responsibility and Monitoring To be implemented by project applicant with permit approval (for listed species) of the appropriate resource agency (i.e., that agency with regulatory authority over the subject species). If no permit is required, determination of active breeding status and/or implementation of relocation procedures to be conducted by a qualified biologist in consultation with the appropriate resource agency (i.e., that agency with expressed interest in or regulatory authority over the subject species).

Impact 5.2-11 Long-Term Operational Drainage Impacts to Special-Status Fish/Aquatic Species
This would be a significant impact.

The proposed *Montalcino at Napa Golf Course* project would not impact either Suscol Creek, the Central Watercourse, or any wetland feature; therefore, no direct impact to special-status fish and aquatic animals is anticipated. However, significant impacts to special-status fish and aquatic animals associated with wetlands and the riparian habitats associated with Suscol Creek may result from decreased water quality due to contaminated runoff originating from the golf course.

Mitigation Measure 5.2-11 To mitigate impacts to freshwater marsh occupying species the following measure shall be implemented:

- Same as Mitigation Measure 5.3-4 (Site and Downstream Water Quality).

Significance After Mitigation Implementation of Mitigation Measure 5.2-11 would reduce impacts to freshwater marsh occupying species to a less-than-significant level.

Responsibility and Monitoring Same as for Mitigation Measure 5.3-4.

Impact 5.2-12 Construction-Related Drainage Impacts to Special-Status Species Occupying Aquatic Habitats
This would be a significant impact.

The proposed project is not expected to directly impact any wetlands and/or waters on-site. However, decreased water quality due to contaminated and or sediment laden runoff originating from construction areas may impact special-status fish and aquatic animals associated with wetlands and the riparian habitats.

Mitigation Measure 5.2-12 To mitigate construction-related drainage impacts to special-status species occupying aquatic habitats the following measure shall be implemented:

- Same as Mitigation Measure 5.3-1.

Significance After Mitigation Implementation of Mitigation Measure 5.2-12 would reduce construction-related drainage impacts to special-status species occupying aquatic habitats to a less-than-significant level.

Responsibility and Monitoring Same as for Mitigation Measure 5.3-1.

Impact 5.2-13 Removal/Disturbance of Active Nests of Colonial Nesting Birds
This would be a significant impact.

The removal of trees associated with rural residential landscaping within the grassland and along the eastern edge of the project site, may result in significant impacts to colonial nesting birds such as double-breasted cormorant, great egret, or great blue heron as a result of the destruction of nests or disturbance to nests during construction. The proposed project would not remove trees within the riparian buffer zone.

Mitigation Measure 5.2-13 To mitigate impacts due to removal/disturbance of active nests of colonial nesting birds the following measure shall be implemented:

- Prior to grading and tree removal, a qualified biologist shall conduct pre-construction surveys to determine the presence or absence of active nests of colonial nesting species. If present, the habitat or trees shall not be removed until the end of the breeding season, as determined in consultation with CDFG.

Significance After Mitigation Implementation of Mitigation Measure 5.2-13 would reduce impacts due to removal/disturbance of active nests of colonial nesting birds to a less-than-significant level.

Responsibility and Monitoring To be implemented by the applicant and reported to Napa County. The Napa County Conservation, Development and Planning Department would determine compliance and success of this measure.

Impact 5.2-14 Removal/Disturbance of Active Raptor Nests

This would be a significant impact.

Nests of raptors, including special-status species birds such as Swainson's hawk, osprey, Northern harrier, Cooper's hawk, white-tailed kite, burrowing owl, short-eared owl, and loggerhead shrike may be present on the project site. Active raptor nests are protected from disturbance under the Migratory Bird Treaty Act (Regulation 50 CFR 10) and provisions of the California Fish and Game Code. Significant direct impacts to nesting raptors may occur from removing active nests, which could result from tree removal (i.e., eucalyptus trees at the eastern edge of the project site) and or grading activities where ground nesting species (e.g., burrowing owls) dwell.

The potential for occurrence of southern bald eagle, American peregrine falcon and golden eagle nesting habitat on-site is considered unlikely, due to the lack of suitable nesting habitat and/or agricultural land-use of the project site, although the site may be considered potential foraging habitat.

Mitigation Measure 5.2-14 To mitigate impacts due to removal/disturbance of active raptor nests the following measure shall be implemented:

- Prior to grading and/or tree removal, a qualified biologist should conduct pre-construction surveys to determine the presence or absence of active raptor nests. If present, the habitat or trees should not be removed until the end of the breeding season, and an appropriate setback buffer from construction activities be defined, as determined in consultation with CDFG.

Significance After Mitigation Implementation of Mitigation Measure 5.2-14 would reduce impacts due to removal/disturbance of active raptor nests to a less-than-significant level.

Responsibility and Monitoring To be implemented by the applicant and reported to Napa County. The Napa County Conservation, Development and Planning Department would determine compliance and success of this measure.

Impact 5.2-15 Conversion of Non-Native Grassland Wildlife Habitat

This would be a significant impact.

The conversion of 193 acres of non-native grassland habitat (to golf course and water quality treatment ponds/wetlands) would eliminate a substantial area of cover and a portion of the prey base of

many wildlife species. Habitat loss is one of the most significant threats to the remaining populations of several special-status bird species, including Swainson's hawk. The loss of suitable foraging habitat for those species requiring open grassland habitat would be a significant impact. Swainson's hawk has recently been seen foraging and potentially nest-building adjacent to the project site and, therefore, is a special-status species that could be significantly impacted by the loss of non-native grassland habitat. Based on previous information from the California Natural Diversity Database, the closest, documented Swainson's hawk nest is five to ten miles from the proposed project site.

Mitigation Measure 5.2-15 To mitigate potential impacts due to the conversion of non-native grassland habitat, the following measure shall be implemented:

- A qualified biologist shall conduct a pre-construction survey to determine the presence or absence of Swainson's hawk nests on the project site. If nesting is determined, an adequate buffer zone around the active nest should be established in consultation with CDFG. The buffer zone shall be maintained for the duration of the nesting season, typically February through August, and monitored weekly to assure compliance and success of this action.

- The applicant shall consult with the CDFG to determine whether potential impacts on Swainson's hawk nesting or foraging habitat would be considered significant and shall prepare a project-specific Swainson's hawk Mitigation Plan if required by CDFG prior to site development. A qualified biologist shall be retained to develop a plan that addresses on-site protection and/or replacement of foraging habitat for Swainson's hawk and generally complies with CDFG's *Staff Report Regarding Mitigation for Impacts to Swainson's Hawks (Buteo swainsoni) in the Central Valley of California*. The objective of the Mitigation Plan would be to implement measures that assure protection for the Swainson's hawk "by maintaining or creating adequate and suitable foraging habitat in areas of existing and potential nest sites and along migratory routes within the state". [25] In accordance with the staff report, mitigation for impacts to foraging habitat shall contain one of the the following:

  Impact ratios at 1.5:1 for foraging habitat within one mile of a nest tree, 0.75:1 for one to five miles away from a nest tree, and 0.5:1 for five to ten miles away from a nest tree and fee title acquisition and/or conservation easement over suitable agricultural lands, and a management endowment; or

  The applicant shall propose alternative mitigation strategies that provide "equal or greater protection of the species and which also expedite project environmental review or issuance of a CESA Management Authorization". [26]

Significance After Mitigation Implementation of Mitigation Measure 5.2-15 would reduce potential impacts due to the conversion of non-native grassland habitat to a less-than-significant level.

Responsibility and Monitoring To be implemented by the applicant, in coordination with CDFG. A copy of the fully executed Mitigation Plan approved by CDFG shall be submitted to the Napa County

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25 *Staff Report Regarding Mitigation for Impacts to Swainson's Hawks (Buteo swainsoni) in the Central Valley of California*, California Department of Fish and Game, 1994.

26 *Ibid.*

Conservation, Development and Planning Department prior to the issuance of any construction permit. CDFG should determine compliance and success of this measure.

Impact 5.2-16 Disturbance to Wintering Birds in Grassland Community
This would be a less-than-significant impact.

Although not expected to nest there, two special-status species associated with the grassland community, mountain plover and long-billed curlew, may winter on the project site. If grading/construction occurs during winter, these birds are expected to be able to relocate. No significant impacts to these species are anticipated.

Mitigation Measure 5.2-16 No mitigation would be required.

Impact 5.2-17 Disturbance to Active California Horned Lark Nests in Grassland Community
This would be a significant impact.

Although it was not sighted during the May 2001 Bird Survey, the California horned lark has potential to nest in the grassland habitat on the project site. The removal of 193 acres of this habitat may have significant direct impacts to this species, if nesting activity is determined to be ongoing on site.

Mitigation Measure 5.2-17 To mitigate potential impacts due to disturbance to active California horned lark nests in grassland community the following measure shall be implemented:

- A qualified biologist shall conduct a pre-construction survey to determine the presence or absence of nesting activity. If nesting is determined, an adequate buffer zone around the active nest where construction will be avoided shall be established in consultation with the California Department of Fish and Game. The buffer zone should be maintained for the duration of the nesting season, typically March through July, and monitored weekly to assure compliance and success of this action. The California Department of Fish and Game should be consulted regarding additional mitigation measures for this species.

Significance After Mitigation Implementation of Mitigation Measure 5.2-17 would reduce potential impacts due to disturbance to active California horned lark nests in grassland community to a less-than-significant level.

Responsibility and Monitoring To be implemented by the applicant and reported to Napa County. The Napa County Conservation, Development and Planning Department should determine compliance and success of this measure.

Impact 5.2-18 Disturbance to Active Bat Maternity Roosts
This would be a significant impact.

Significant impacts to potentially occurring special-status bats may occur from removal of snags and structures. The species potentially impacted are small-footed myotis, long-eared myotis, fringed myotis, long-legged myotis, Yuma myotis, Townsend's big-eared bat, California mastiff bat, and pallid bat.

Mitigation Measure 5.2-18 To mitigate impacts due to disturbance to active bat maternity roosts the following mitigation shall be implemented:

- Do not remove the snags and structures during the maternity season for these bats, June through August. If the removal must be conducted during this period, conduct pre-construction surveys to determine the presence or absence of these species. If determined to be present, remove the bats utilizing standard non-invasive exclusion methods, implemented by a qualified biologist.

Significance After Mitigation Implementation of Mitigation Measure 5.2-18 would reduce impacts due to disturbance to active bat maternity roosts to a less-than-significant level.

Responsibility and Monitoring To be implemented by the applicant and reported to Napa County. The Napa County Conservation, Development and Planning Department will determine compliance and success of this measure.

Impact 5.2-19 Construction-Related Impacts to Northwestern Pond Turtles

This would be a less-than-significant impact.

No removal of habitat for the Northwestern pond turtle would occur on the project site. Forty-five-foot buffers would be established from the top of bank of Suscol Creek and the Central Watercourse, and 25-foot buffers would be established off of the edge of other wetlands on-site; therefore, no direct significant impacts to the northwestern pond turtle are expected to occur.

Mitigation Measure 5.2-19 No mitigation would be required.

Impact 5.2-20 Airport Zone Consistency - Waterfowl Use of the Project Site and Increased Risk of Collision with Aircraft

This would be a significant impact.

Collisions with birds can be dangerous to planes. Birds can be drawn to certain bodies of water, or areas for feeding such as fresh landfills or large grassy areas. These areas are referred to as "attractive uses", and the Federal Aviation Administration (FAA) recommends a 10,000 foot buffer from airports to attractive uses.

The proposed *Montalcino at Napa Golf Course* project would include the creation of approximately 180 acres of landscaped lawn. As mentioned above, this would likely increase the attraction of some species of birds (e.g., Canada geese, mallards, gulls) to the area in comparison to the current land use. In *Wildlife Hazard Management at Airports, A Manual for Airport Personnel* (Manual), [27] Chapter 5.8 "Golf Courses, Landscaping, and Other Land Use Considerations", it states that "turf grass areas can be highly attractive to a variety of hazardous wildlife species", and suggests that plant varieties that are attractive to hazardous wildlife (such as millet or other large-seed producing grass) be avoided. In Chapter 9 "Wildlife Control Strategies and Techniques at Airports", the use of bird repellents on turf grass is discussed for addressing this issue. According to the Manual, repellent techniques are a key component of any wildlife hazard management plan. Acclimation of birds to most repellent devices or techniques is a major problem; however, this can be minimized by techniques further outlined in the Manual.

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[27] *Wildlife Hazard Management at Airports, A Manual for Airport Personnel*, Federal Aviation Administration and U.S. Department of Agricultural, July 2005.

In addition, the proposed project would include three ponds within the golf course that would total approximately 11 acres. One of the three ponds would be used as a storage reservoir for the Napa Sanitation District; the other two ponds would be stormwater detention basins for the golf course. Approximately eight acres of new wetlands would also be created. These ponds and wetlands would be considered an attractant to hazardous wildlife. It should, however, be noted, that currently, large areas of marshland and open water surround the Napa County Airport. For example, west of the project site and northwest of the airport the Napa Sanitation District maintains several treatment ponds. Currently, Napa Sanitation District has an air canon that sounds every minute or so (sounds like a gun going off) to drive off birds from its two holding ponds west of the project site. [28] West of the airport is the Napa River Estuary and southwest of the airport, directly under the departure path are the Cargill Salt ponds. The salt ponds have been acquired by the Department of Fish and Game and are being converted to a wetland (bird sanctuary).

Due to the proximity of the Napa County Airport, and the orientation of the project site to the approach/departure zone, the construction of the proposed golf course (including the on-site ponds and wetlands) has been identified as a significant concern by the Federal Aviation Administration. [29] In general, the concern centers on the construction of "wildlife attractants", as defined in FAA Advisory Circular No. 150/5200-33A, *Hazardous Wildlife Attractants on or Near Airports*.

The FAA advisory circular regarding wildlife attractants has been revised since preparation of the *2000 Draft EIR*. [30] There was a change to the language under section 2-7.a. (previously section 3-9), regarding golf courses. Whereas, the earlier version of the circular stated that "Golf courses may be beneficial to airports because they provide open space that can be used for noise mitigation or by aircraft during an emergency" and the "FAA recommends that airport operators exercise caution and consult with a wildlife damage management biologist when considering proposals for golf course construction or expansion on or near airports", the new version of the circular expressly recommends against construction "within the separations identified in Sections 1-2 through 1-4".

Sections 1-2 through 1-4 identify the following separation distances:

1-2. Airports serving piston-powered aircraft....FAA recommends a separation distance of 5,000 feet at these airports for any of the hazardous wildlife attractants mentioned in Section 2.

1-3. Airports serving turbine-powered aircraft....FAA recommends a separation distance of 10,000 feet at these airports for any of the hazardous wildlife attractants mentioned in Section 2.

1-4. Protection of Approach, Departure, and Circling Airspace...FAA recommends a separation distance of 5 statute miles between the farthest edge of the airport's AOA and the hazardous wildlife attractant, if the attractant could cause hazardous wildlife movement into or across the approach or departure airspace.

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28 Nichols • Berman communication with Marsha Ramsey, HCV Napa Associates, August 2005.

29 Letter to John McDowell, Napa Conservation, Development and Planning Department from Joseph R. Rodriguez, Supervisor, Environmental Planning and Compliance Section, Federal Aviation Administration, August 1,2005.

30 The May 1, 1997, 150/5200-33 circular (on which the *2000 Draft EIR* impact was evaluated) was updated on July 27, 2004.

Although there is no change to the separation distances between the original 150/5200-33 circular (on which the *2000 Draft EIR* impact analysis was based) and the 150/5200-33A circular, there was a change to the language under 2-7.a (previously 3-9). Basically, the earlier version recommended caution and consultation, but the new version expressly recommends against construction (as stated above).

The County's *Airport Land Use Compatibility Plan* and Zoning Ordinance also discuss the location of ponds near airports. [31] For example in the *Airport Land Use Compatibility Plan* ponds are cited as an example of a use not normally acceptable in compatibility zones B, C, and D. In the Airport Compatibility Combination Zoning District ponds are listed as uses not normally acceptable in Zones D, C, and B. Uses not normally acceptable are those that raise concerns related to size, density of use, mobility, noise sensitivity or propensity to attract birds. Such uses require a use permit and are required to be referred to the County's Airport Land Use Commission for a compatibility determination prior to final approval.

The construction of the proposed golf course (including the three ponds and the wetlands) would be "wildlife attractants" which could increase probability of collision between waterfowl and aircraft. It should be noted that the project site is currently used as a site for disposal of recycled water and this use along with the existing wetlands are currently bird attractants. In addition, by evaluating a radius of 5,700 feet surrounding the Napa County Airport, which included the project site, it was determined that the proposed project would only increase the wetland/waters surrounding the airport by approximately 1.4 percent. Never the less, the construction of new "wildlife attractants" and the potential for an increase in the number of birds in the area would be a significant impact.

It is possible that if the golf course was designed correctly, so that that it would not pose a hazard to aircraft, a golf course at the proposed project location would be a good land use. [32]

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31 Conformance of the proposed golf course with the *Airport Land Use Compatibility Plan* and the *Zoning Ordinance* is evaluated in ***Chapter 4.0 Conformance with Public Plans and Zoning***.

32 John McDowell, Napa County communications with Joe Rodriguez, FAA and Wanda Kennedy, Napa County Airport Manager, August 12, 2005.

Mitigation Measure 5.2-20 To reduce impacts due to waterfowl use of on-site water features and increased risk of collision with aircraft the following measure shall be implemented:

- In consultation with the U.S. Department of Agriculture (USDA), Wildlife Damage Unit, FAA, and the Napa County Airport, the applicant shall prepare a Wildlife Hazard Management Plan for implementation at the project site. The Wildlife Hazard Management Plan shall generally comply with the criteria established in the FAA's *Wildlife Hazard Management at Airports, A Manual for Airport Personnel*. The plan shall be designed to discourage waterfowl use of the site, and shall include techniques ranging from repellent and harassment techniques to capture and relocation. Previous consultation with the USDA Wildlife Damage Unit yielded referral to a similar program for the Teal Bend Golf Course, located near Sacramento International Airport. Elements of the program implemented at Teal Bend, and anticipated for inclusion at the proposed *Montalcino at Napa Golf Course* project include:

    - Establishment of specific action thresholds for Canada geese, American coots, gulls, and other identified hazardous species. Threshold levels, triggering harassment of these species, should be established for each.

    - Groundskeeping personnel should be educated in appropriate monitoring of population thresholds and appropriate application of harassment techniques to achieve discouragement of each species.

    - Harassment techniques identified may include:

        - chasing birds from the site;
        - noise generators;
        - visual devices;
        - chase dogs;
        - live trapping;
        - approved chemical repellents; and/or
        - temporary draining of water features.

Significance After Mitigation It is Napa County's determination that the implementation of the Wildlife Hazard Management Plan as required by Mitigation Measure 5.2-20 would reduce airport compatibility issues to a less-than-significant level.

Responsibility and Monitoring The project applicant would be responsible to implement this mitigation measure. The Napa County Planning, Conservation and Development Department would be responsible to ensure that these measures are implemented.

Impact 5.2-21 Airport Zone Consistency- Tree Height Restrictions

This would be a less-than-significant impact.

Portions of the project site are within the *Airport Land Use Compatibility Plan's* approach / departure zones B and C. Generally, height restrictions of 35 feet are imposed in the approach / departure zones. Although no structures are proposed for the project site it is possible that trees planted on the project site could reach over this height at maturity. The proposed project's landscape plan, however, states that trees would be limited to those with a mature height of 50 feet and to be maintained to a maximum of 35 feet. Therefore, this would be a less-than-significant impact.

Mitigation Measure 5.2-21 No mitigation would be required.

5.3 HYDROLOGY

5.3 Hydrology – The Setting

LOCAL SETTING

Site topographic, hydrologic and land use conditions were re-assessed during a walking survey conducted by Clearwater Hydrology (the SEIR hydrologist) on August 2, 2005. The survey included observation of channel characteristics along the Central Watercourse, its tributary drainages and Suscol Creek, as well as general site topography. Sheehy Creek, which is located just to the south of the project site, was also observed where it parallels the site's southern boundary fence. The Central Watercourse is a tributary to Sheehy Creek. Land uses and general topography within the project site remained unchanged from the conditions described in the *2000 Draft EIR*.[1] The watersheds for the two creeks and watercourse are mapped in **Exhibit 5.3-1**. No new clearing or grading was observed. At the time of the 2005 survey, the area north of the Central Watercourse and the southeastern portion of the site were being spray irrigated by the Napa Sanitation District. Napa Sanitation District spray irrigation practices are discussed in detail in the *2000 Draft EIR*, along with an in-depth description of the watersheds that direct flow to the site drainageways.

The August 2005 survey revealed no changes in either the hydraulic character or geometry of the on-site natural drainages. All of the roadway storm drains and ditches that convey upslope runoff to the site drainageways also remained unchanged, except that water flowing to the Central Watercourse passes through an additional 48 inch corrugated metal pipe (CMP). The additional culvert is under the new Devlin Road extension. No new significant erosion or instability was observed in either the Central Watercourse or Suscol Creek.

Hydrology – Significance Criteria

Based on the *State CEQA Guidelines* and other commonly accepted standards, the project would have a significant impact on storm drainage or water quality if it would:

- Violate any water quality standards or waste discharge requirements;
- 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 that would not support existing land uses or planned uses for which permits have been granted);

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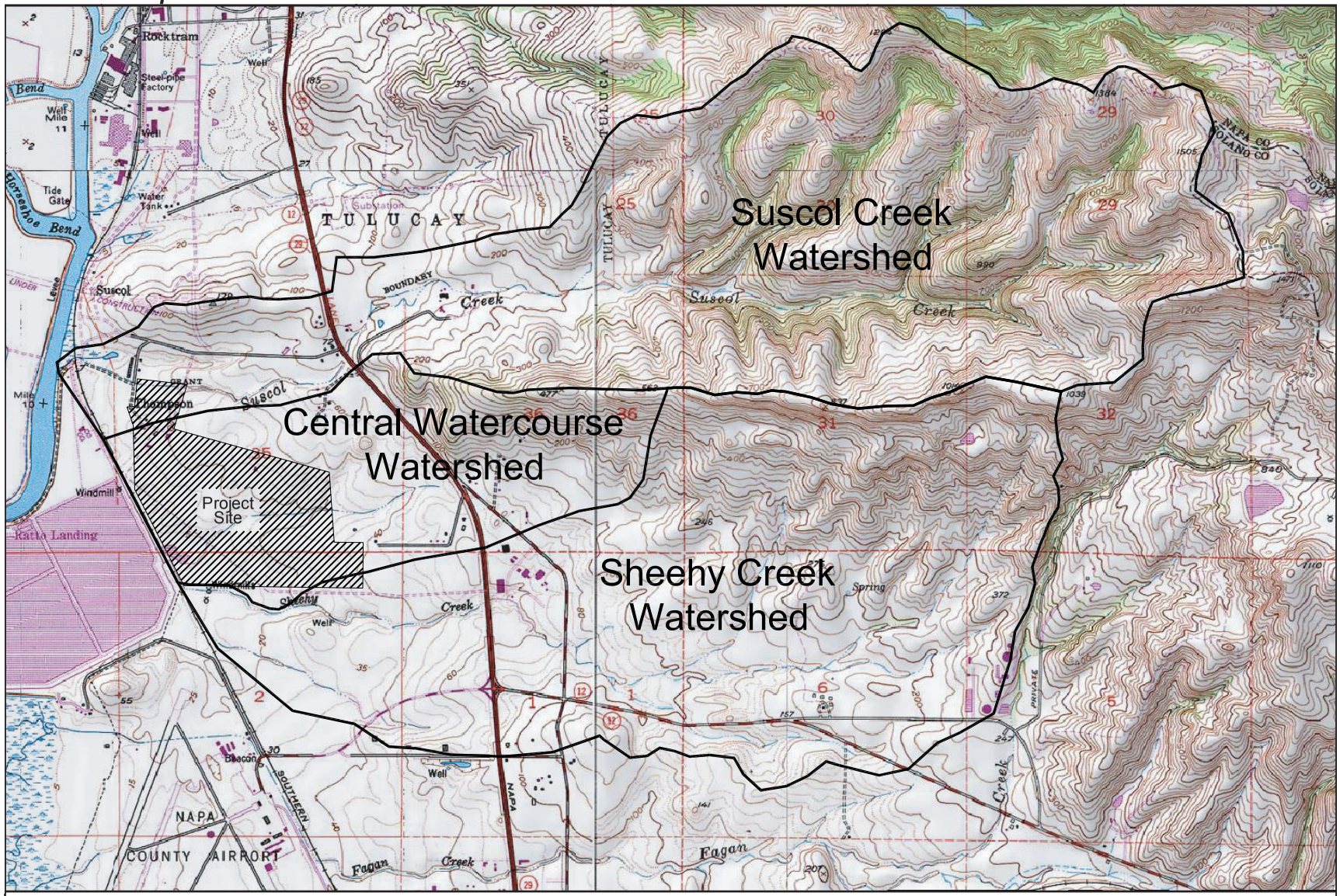
1 *Montalcino at Napa Draft Environmental Impact Report*, Napa County, February 2000.

Exhibit 5.3-1
Watershed Map



Source: National Geographic Topo! and Clearwater Hydrology, August 2005.

- Substantially alter the drainage pattern of the site or area, including through the alteration of the course of a stream or river in a manner that would result in substantial erosion or siltation on- or off-site;

- 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 that would result in flooding on- or off-site;

- Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff;

- Substantially degrade water quality;

- Place housing within the 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood delineation map;

- Place within a 100-year flood hazard area structures that would impede or redirect flood flows;

- Expose people or structures to significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam; and / or

- Result in inundation by seiche, tsunami, or mudflow.

Hydrology – Impacts and Mitigation Measures

EIR PEER REVIEW OF THE ADDENDUM TO THE STORM DRAINAGE MANAGEMENT PLAN

The project applicant's civil engineer, Riechers Spence & Associates, prepared a revision to the previously approved Storm Drainage Management Plan for the Montalcino Resort to include the proposed golf course. [2] This plan demonstrates that proposed project stormwater facilities for the proposed golf course could successfully mitigate for both the increases in peak stormwater flows and the water quality impacts created by the addition of the golf course and associated use of fertilizers, pesticides, and herbicides. Clearwater hydrology (the SEIR hydrologist) conducted a peer review of the Addendum to the Storm Drainage Management Plan, including the plan hydrologic analysis and preliminary engineering design for the proposed stormwater management facilities. The review included discussions with the principal designers with Riechers, Spence & Associates. [3]

The Addendum to the Storm Drainage Management Plan includes three major components:

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2 *Addendum to Montalcino at Napa Valley Storm Drainage Management Plan*, Riechers Spence and Associates, July 1, 2005.

3 Clearwater Hydrology conversations with Alan Spence, P.E., Principal, and Kris Kamersol, Civil Engineer, Riechers, Spence & Associates, August 2005.

- A storm drain system;

- Two stormwater detention ponds, which would perform dual detention and water quality treatment functions; and

- Constructed wetlands to perform water quality treatment functions.

The proposed *Montalcino at Napa Golf Course* site plan (see **Exhibit 3.0-3**) does not show any grading contours or the location of storm drains. The site plan does, however, show the location of the detention ponds, created wetlands, and existing natural water features (i.e. wetlands and drainages). The two detention ponds would serve as golf course features designed with enough surcharge storage to attenuate the increased 100-year peak flow due to the reduced time of concentration from storm drainage piping of golf course runoff. Calculations from the Storm Drainage Management Plan calculated the area needed to drain to the detention ponds, for the appropriate attenuation of the 100-year post-development peak flow rate to that of the pre-development flow rate, as 15 acres. The Storm Drainage Management Plan proposes that portions of the project site currently draining to Suscol and Sheehy Creeks be redirected (likely through the combination of grading and drain routing) to the Central Watercourse. Drainage to the Central Watercourse would not be piped directly to the drainage, but would filter through constructed wetlands and/or drain over land directly to the watercourse.

While the detention ponds as sized would incorporate surcharge storage, no design information was provided as to what specific area of the golf course would drain to the ponds, design of the drainage system leading to the ponds, or how pond outlet works (i.e. spillway or dewatering pipes) would be configured. This supplemental design information is required to verify that post-development peak flow rates would be maintained equivalent to pre-development levels. Since the operating level of the ponds (i.e. for aesthetic function) would be different than the maximum floodwater storage level, the outlet works design would determine the rate of pond drawdown following the passage of the on-site flood peak. Such information would need to be provided to the Napa County Public Works Department prior to final project approval. Similarly, pond cross-sections and profiles showing inboard and outboard slopes, embankment and spillway elevations, downstream/outlet energy dissipation, connection to the natural drainageways and other design features would need to be included in the submittal to the Napa County Public Works Department. Finally, a detention pond maintenance plan would need to be incorporated into the final design submittal.

In addition to the ancillary information required for the detention ponds, design information on the storm drainage system and the created wetlands would also need to be provided to the Napa County Department of Public Works. Such information would be similar to that of the detention ponds; including storm drain inlet elevations and pipe outlet elevations, wetland cross-sections and profiles showing side slopes, embankment and spillway elevations, and outlet works. Design information on the connection of the constructed wetlands to the Central Watercourse is also necessary to ensure inlet and outlet works are designed to minimize the potential of erosion, and thus, mobilization of sediment into the Central Watercourse. Included in the detention pond maintenance plan would be a section regarding the monitoring and maintenance of the constructed wetlands.

Water Quality Assessment

Under the Napa Sanitation District's National Pollution Discharge Elimination System (NPDES) permit, NO. CA0037575, the Waste Discharge Requirements (WDRs) for the wastewater

treatment plant prohibit summer effluent discharges to the Napa River (May 1st to October 31st) except in emergencies. During the wet season treated wastewater is discharged directly into the Napa River (November 1st to April 30th) as guided by the permit. Since January 1997, site irrigation has been accomplished using tertiary treated wastewater. Such waters are listed as "Title 22, unrestricted use" waters under the California Code of Regulations for reclaimed water. Aside from potable uses, which are prohibited, these treated waters are approved for contact recreation and pose no threat to aquatic life.[4] Consequently, the irrigation of land within the project site, primarily in the western portion of the Central Watercourse Watershed, should have a minimal effect on overall water quality in that drainage. The proposed *Montalcino At Napa Golf Course* would be irrigated with tertiary treated wastewater.

Golf courses pose a threat to water quality during the construction phase when the potential for sediment mobilization exists, and throughout the life of a course due to typically intensive use of fertilizers, pesticides, and herbicides. In order to regulate stormwater discharge from the proposed golf course during construction, the RWQCB would require the applicant to obtain an NPDES General Construction Activity Permit. A Water Quality Management Plan, which addresses and provides guidance to threats posed by the operation of a golf course, is an effective tool for minimizing water quality degradation when properly implemented.

Due to the proximity of the site to the bottomlands around San Pablo Bay, the soils are fine and do not have a high permeability rate. Treatment of golf course runoff with Best Management Practices (BMPs) utilizing infiltration, may be used, but the limitations of such methods needs to be recognized. BMPs that take advantage of the existing site characteristics (i.e. site layout) and use vegetation to help treat and settle pollutants out of stormwater are best suited for the proposed project.

The proposed site plan (see **Exhibit 3.0-3**) does not show any proposed grading or final elevations of the course. The design does incorporate setbacks around existing wetlands and streams to buffer these features from construction activities, golfers, and polluted runoff. Constructed wetlands are placed throughout the golf course to filter stormwater before entering the Central Watercourse. Two detention ponds would control peak flow rates while providing some water quality benefits. The golf course should be graded as to direct runoff from all maintained portions of the course through a detention pond or constructed wetland. Mitigation Measure 5.3-4 below provides further detail on the design of the constructed wetlands to maximize water quality treatment benefits**.**

Although not part of this project proposal, golf course maintenance facilities pose many threats to water quality. Many easily incorporated BMPs can greatly increase water quality from maintenance facilities associated with the operation of golf courses. Most of these BMPs are source control methods. Typical methods include covering areas where contaminants may be spilled or stored outdoors and connecting drains directly to the sanitary sewer where vehicles are washed. Mitigation Measure 5.3-4 below provides further details on source control BMPs.

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4 Clearwater Hydrology conversation with Tim Healy, Civil Engineer, Napa Sanitation District, April 1999.

Impact 5.3-1 Construction Disturbance -- Site Erosion and Sedimentation

Project implementation would create extensive land disturbance during active construction of the golf course, and for one to two years thereafter, prior to site revegetation. Raindrop impact and site runoff could cause soil erosion and downstream sedimentation in both constructed site water features and downstream receiving waters, including the undisturbed Central Watercourse and the wetland pond at the watershed outlet. This would be a significant impact.

Construction operations typically generate elevated sediment yields in site runoff during the winter rainy season. These elevated yields decrease slowly until full revegetation of the disturbed areas is achieved, one to two years following the cessation of construction. Sedimentation in constructed water features could increase maintenance frequency and costs. Also, eroded fine sediments could increase the turbidity of water in the ornamental water features. Excessive sedimentation in the lower reaches of the Central Watercourse, including the existing wetland pond, could result in a progressive reduction in pond depth. This could have a detrimental impact on amphibian and other aquatic species.

Mitigation Measure 5.3-1 To mitigate the potential erosion and sedimentation impacts associated with project construction, the following measures shall be implemented.

- As a condition of Use Permit approval, obtain a NPDES General Construction Activity Permit from the RWQCB. This permit is required of all construction projects totaling one acre or more. As part of the permit and post-construction agency monitoring process, the applicant shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) in accordance with guidelines set forth by the RWQCB.

  The SWPPP shall include design details and construction specifications for all site drainage controls and other water quality mitigations. In addition the SWPPP shall contain the implementation schedule, methods, and locations of erosion control features, and be designed to prevent sediment loads greater than ten percent of background levels during construction.

  The SWPPP shall specify the use of siltation basins during construction. In addition, bare areas created by the removal of vegetation shall be stabilized and seeded with an erosion control mix prior to October 15th of each construction year.

  Typical site erosion control measures, also referred to as BMPs, are outlined in the California Storm Water Best Management Practice Handbooks for Construction Activity. [5] In addition to practices discussed above, BMPs which could be implemented as a part of the SWPPP include:

  - Seeding and protection of bared soils against raindrop impact and detachment by overland runoff through application of a sterile, broadcasted rice straw, or other approved mulch.

  - Vegetated buffers and drainage swales to filter sediments and adsorbed contaminants from site runoff.

  - Isolation and disposal of waste construction materials.

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5 *California Storm Water Best Management Practice Handbook*, Stormwater Quality Task Force, March 1993.

Significance After Mitigation Implementation of Mitigation Measure 5.3-1 would minimize the site erosion and downstream sedimentation resulting from grading and construction activities to a less-than-significant level.

Responsibility and Monitoring The project applicant would be responsible to obtain the General Construction Activity Permit from the RWQCB and to implement the BMPs outlined in the project SWPPP. The RWQCB would inspect the project site over the construction period and at unspecified intervals after project completion, until the site is fully revegetated. This inspection regime normally continues for two or three years following the cessation of construction. If violations of the permit conditions are revealed during the agency inspections, the RWQCB would alert the applicant and the applicant would be required to correct the violations to the satisfaction of the Board.

Impact 5.3-2 Site Drainage Patterns

Project implementation would include grading along the southern property boundary that would divert runoff from approximately 7.3 acres of the Sheehy Creek Watershed to the Central Watercourse Watershed. Grading near Suscol Creek in the northwestern corner of the site would also divert approximately 7.3 acres of the Suscol Creek Watershed to the Central Watercourse Watershed. Both of these impacts would be less-than-significant.

The Storm Drainage Management Plan incorporates a diversion of surface drainage that would stem from proposed grading of the southern and northwestern portions of the project site. Additional runoff from the diverted acreage would be re-directed to the Central Watercourse Watershed. The project civil engineers have incorporated this diverted runoff into the stormwater detention design for the Central Watercourse Watershed. Therefore, the local alteration of surface drainage patterns would not create a significant impact with regard to on-site or downstream flooding in the Central Watercourse Watershed. The diversion would also have no direct impact on the Sheehy Creek or Suscol Creek channel due to the minor diversion in consideration to the size of the two watersheds (Suscol Creek Watershed is approximately 3.2 square miles; the Sheehy Creek Watershed is approximately 3.0 square miles). However, the grading would cause a large-scale land disturbance, which could contribute to increased erosion and downstream siltation within the lower reaches of the Central Watercourse channel. Since this erosion potential associated with this impact is related to general construction activities and would affect the entire developed portion of the project site, it is addressed under *Impact 5.3-1 – Construction Disturbance – Site Erosion and Sedimentation*.

Mitigation Measure 5.3-2 No mitigation would be required.

Impact 5.3-3 On-Site and Downstream Flooding

Construction of a golf course storm drain system and diversion of additional acreage to the Central Watercourse Watershed would increase local runoff volumes and peak flow rates in the Central Watercourse Watershed. Incorporation of the proposed stormwater detention system into the project, as sized in the Storm Drainage Management Plan, would attenuate peak stormwater flows to pre-project levels. Moreover, buildings associated with the golf course would be constructed in the previously approved Montalcino Resort site and would maintain a safe distance from the Special Flood Hazard Areas designated by FEMA. Due to these factors, the project's impact on on-site and downstream flooding would be less-than-significant.

In the context of stormwater quantity, implementation of the project's Storm Drainage Management Plan would provide sufficient capacity to detain and release stormwater runoff during the mandated 100-year design rainstorm. According to dam failure inundation maps on file with the Napa County Flood Control District, the dam failure inundation map for the Millikin

Reservoir (the only pertinent flooding source) predicts flooding to extend roughly 2,000 feet east of the California Northern Railroad tracks and just along the narrow drainageway corridor. [6] All buildings associated with the Montalcino Resort would be located outside of the FEMA-designated Special Flood Hazard Areas, for both the 100-year and 500-year flood events.

The Napa County Floodplain Management Ordinance (#627 as amended) regulates the construction of buildings and associated grading within the 100-year floodplain. The enforcing mechanism utilized by the Napa County Flood Control District is the grading or building permit that must be acquired for construction in its jurisdiction. The ordinance prohibits the construction of buildings or placement of fills in the active 100-year floodway, as delineated in the Flood Insurance Rate Maps (FIRMs) published by FEMA (see **Exhibit 5.3-2**).

Some golf course and wetland construction would encroach into the mapped flood hazard area at the Central Watercourse Watershed outlet. Golf course holes 8, 14, 15, 16, and 17 would have portions within the 100-year floodwater boundary. No final grading plan for the golf course was available for review, so the exact volume of fill required to construct the golf course greens and fairways is unknown. Any grading done within the 100-year floodplain would be acceptable if it is shown to benefit the movement of floodwaters or have no affect on floodwaters (e.g. upstream flood elevations). [7]

Mitigation Measure 5.3-3 No mitigation would be required.

Impact 5.3-4 Site and Downstream Water Quality

Golf course irrigation and maintenance, including seasonal fertilizer, herbicide and pesticide application could yield residual concentrations of these harmful substances into the Central Watercourse drainageways and the wetland pond located near the watershed outlet. This would be a significant impact.

The Storm Drainage Management Plan incorporates several on-site water features (such as stormwater detention ponds and constructed wetlands) that, if properly implemented, could substantially reduce the concentrations of golf course contaminants in site stormwater runoff. However, proper implementation and maintenance of these features would be essential to the success of the water quality mitigation objectives. Wherever mitigation measures require ongoing maintenance, the potential for future impacts to water quality would persist.

The application of irrigation and turf amendments to the golf course greens and fairways poses a threat of water quality degradation. The proposed constructed wetlands spaced throughout the golf course sub-watersheds could remove some of these contaminant residues from local runoff. However, if an effective golf course management plan is not implemented following project construction, the constructed wetland features may not be sufficient to reduce the contaminant load prior to reaching the downstream site outlet during wet years. Also, nutrients in golf course runoff during wet years could reach the dual-purpose golf course detention ponds and create algae growth problems.

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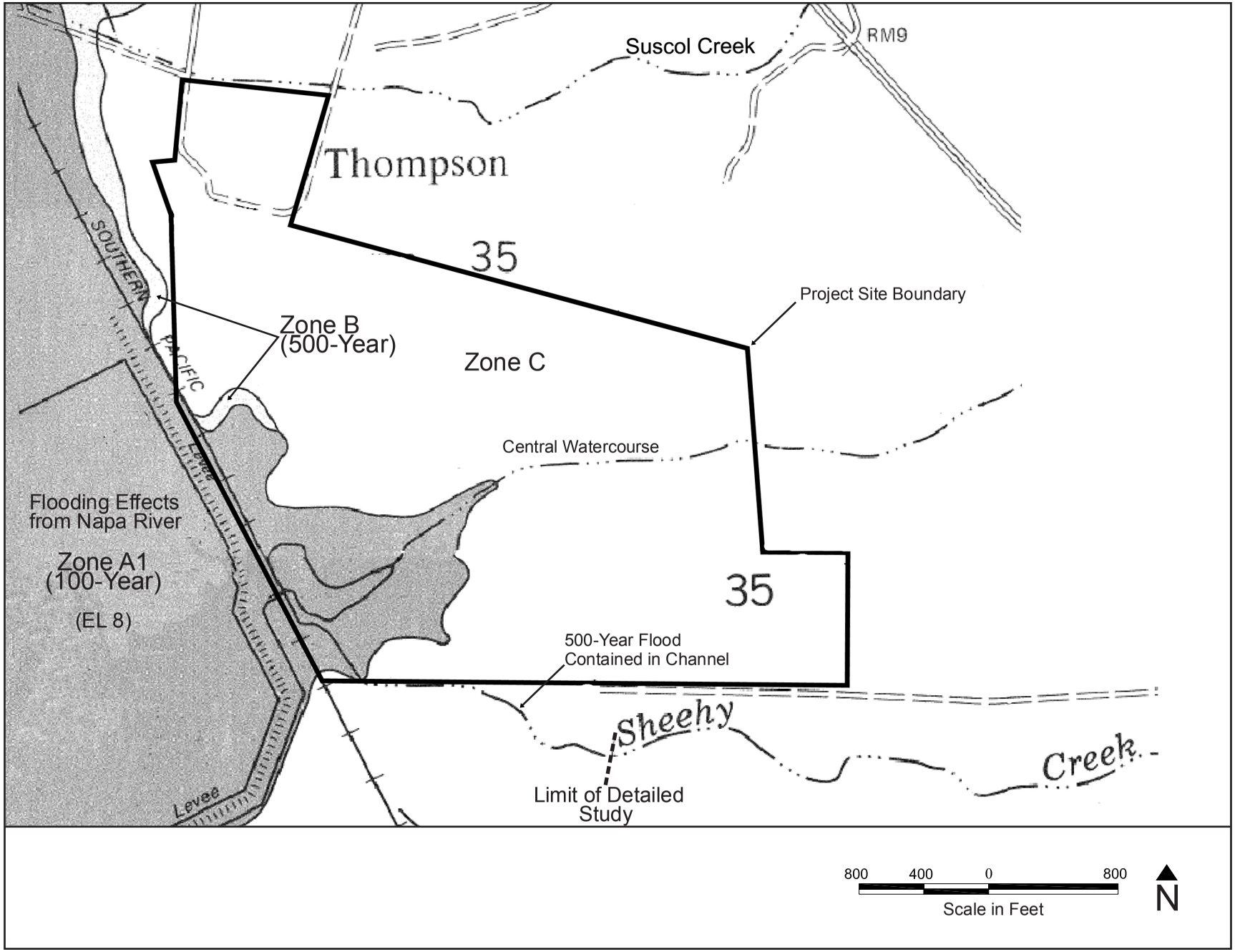
6 Clearwater Hydrology conversation with Larry Bogner, P.E., Napa County Department of Public Works, Ocober 2002.

7 Clearwater Hydrology conversation with Larry Bogner, P.E., *op. cit.,* August 2005.

Exhibit 5.3-2
Flood Hazard Zones



Source: Flood Insurance Rate Map for Napa County (FEMA 1989), Clearwater Hydrology, and Nichols•Berman, August, 2005.

Mitigation Measure 5.3-4 To minimize the impact of project construction on site and downstream water quality, the following measures shall be implemented:

- Mitigation Measure 5.3-1 (Construction Disturbance)

- Incorporate a golf course management plan into the project SWPPP and implement Plan measures. The plan shall contain specific maintenance procedures designed to minimize both the production of site runoff due to reclaimed water irrigation in wet years (i.e. when antecedent soil moisture is high and irrigation requirements generate small volumes of surface runoff) and the longevity and availability of residual contaminants in applied chemical amendments. Appropriate BMPs for golf course maintenance facilities shall also be incorporated into the plan.

- As a condition of Use Permit approval provide final constructed wetland locations, surface areas, and storage volumes such that these volumes meet the storage requirements as determined by the area of golf course each constructed wetland is intended to serve.

- Incorporate constructed wetlands into the golf course design features (delineated as proposed constructed wetlands on **Exhibit 3.0-3**) to treat stormwater and irrigation runoff. Design of the wetlands shall be in accordance with guidelines outlined in the California Storm Water Best Management Practice Handbook, (Municipal) for constructed wetlands including:

    - Each wetland surface area should be one to two percent of the contributing watershed area.

    - The wetland should be from six to 24 inches deep, or appropriate for the wetland species selected.

    - A qualified wetland ecologist should select plant species and prepare the planting schedule for installation in wetland.

    - Grade wetlands to limit short circuiting caused by channel formation.

    - Construct stable outlet weirs and receiving swales to limit erosion during high flow events. Geosynthetic mesh and otherwise unreinforced outlets could be utilized, if properly designed. Receiving swales shall be designed under guidelines cited in the California Storm Water Best Management Practice (Municipal) Handbook for 'Biofilters'.

- Implement source control BMPs to eliminate water quality contaminants originating from golf course maintenance facilities. Typical source control BMPs are outlined in the California Storm Water Best Management Practice Handbooks for Industrial/Commercial activities. [8] Source control BMPs include:

    - Labeling drains that drain to San Pablo Bay to eliminate non-stormwater discharges.

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8 *California Storm Water Best Management Practice Handbook, op. cit.*

- Cover areas such as equipment wash area and maintenance areas. Direct drainage to a drain that is connected to the sanitary sewer for proper treatment.

- Construct the fueling area to prevent the run-on of stormwater. Cover fueling area and drain to a central sump that will be pumped as required for appropriate disposal.

Significance After Mitigation Implementation of Mitigation 5.3-4 would apply the current best management practices available for reducing site erosion and for treating stormwater runoff, therefore, the project impact on site water quality would be reduced to a less-than-significant level.

Responsibility and Monitoring The applicant would be responsible for incorporating all stormwater and erosion control measures into the project SWPPP and submitting it to the Napa County Department of Public Works as part of the County's Site Improvement Plan review. Erosion control measures for potential construction-related impacts are typically required for the duration of project construction and one to two years thereafter, or as long as the site is vulnerable to erosion. The applicant would be responsible for maintaining erosion control structures and other measures until the site is fully revegetated.

5.4 CULTURAL RESOURCES

5.4 CULTURAL RESOURCES

Cultural Resources – The Setting

This section addresses potential impacts to cultural resources as a result of the proposed *Montalcino at Napa Golf Course* project. As a part of the preparation of this section, a technical report was prepared which is on file with Napa County. [1]

ETHNOGRAPHIC BACKGROUND

Prior to the Euroamerican occupation of California, the project area was most likely the territory of the Wappo. Some scholars consider the area to have been the southwestern boundary of Patwin territory, but this assertion is still questioned. [2] "Wappo" is a name derived from the Spanish term "guapo," which means "brave." This name was most likely given to the Wappo during the Mission Period as the group was well known for their strong resistance to Spanish and Mexican expeditions of conquest and colonization within their territory. Although the Wappo name for themselves is unknown, the western Wappo who lived along the Russian River in Alexander Valley called themselves "Mishewal," which is the name still used by the present-day Mishewal-Wappo of Alexander Valley.

The Wappo settlement system was semi-sedentary with large permanent or semi-permanent villages that were situated near fresh water sources and in environments with diverse and abundant resources. In the areas surrounding the large villages, seasonal camps were distributed near specific resources. These camps were often task-specific sites. "Primary village sites were occupied continually throughout the year and other sites were visited in order to procure particular resources that were especially abundant or available only during certain seasons". [3] It has also been suggested that larger towns were occupied during the winter and the population dispersed to smaller camps during the summer months. [4]

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1 *Extended Archaeological Survey for the Montalcino Resort Project, Napa Valley, Napa County, California,* Pacific Legacy, Inc., August 2005.

2 Cultural Resources Overview of the Airport North Industrial Area, Napa County, California. Report S-2435 on file at the Northwest Information Center, Sonoma State University, Rohnert Park, California, S. Baker, et al, 1980.

3 Archaeology of CA-NAP-159, St. Helena, California. Report S-17145 on file at the Northwest Information Center, Sonoma State University, Rohnert Park, California, V.R. Beard and T.M. Origer, 1995.

4 Wappo Ethnography. *University of California Publications in American Archaeology and Ethnology* 36(3), H.E. Driver, 1936.

PREHISTORIC BACKGROUND

Based largely upon the work of Heizer [5] and his students as well as other cultural resources investigations in the Bay Area, Fredrickson [6] and Fredrickson and Bennyhoff [7] developed a cultural sequence for the North Coast Ranges. As proposed by Fredrickson, [8] the sequence of temporal change consists of four major chronological periods: the Early Lithic Period, the Paleo-Indian Period, the Archaic Period, and the Emergent Period. The Archaic and Emergent Periods are further subdivided. The Archaic Period consists of a Lower, Middle, and Upper, and the Emergent Period consists of a Lower and Upper. With the exception of the Early Lithic Period, each period is distinguished by at least one corresponding cultural pattern.

Within the North Coast Ranges, the first demonstrated entry of humans was during the Paleo-Indian Period (10,000 BC to 6000 BC). This period remains little understood, but Fredrickson [9] has hypothesized that the period was characterized by lacustrine sites with a probable hunting emphasis and no evidence of milling technology. Trade and exchange was probably on an individual basis. The primary social unit was likely the extended family. Resources were likely acquired through mobility rather than trade.

The Paleo-Indian Period was followed by the Lower Archaic Period (6000 BC to 3000 BC). An increased emphasis on plant foods can be inferred by the abundant appearance of milling stones. The appearance of milling technology may also indicate less emphasis on hunting as individuals became more familiar with the local plant resources. Most artifacts during this period were manufactured of local materials and trade was limited.

The Lower Archaic Period in the North Coast Ranges is associated with the Borax Lake Pattern. Due to the low occurrence of sites associated with the Borax Lake Pattern in the Napa Valley, it remains difficult to characterize this culture. However, milling stones and handstones are prevalent. These artifacts are often found in association with concave-base and stemless projectile points. Wide-stemmed points occur in smaller numbers.

While the Paleo-Indian and the Lower Archaic Periods are poorly understood at this time, the Middle Archaic Period (3000 BC to 500 BC) is represented by better chronologically-controlled assemblages that allow for more inferences concerning prehistoric lifeways. This period is characterized by the

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5 The Archaeology of the Napa Region. *University of California Anthropological Records* 12(6):225-358, R.F. Heizer, editor, 1953.

6 Early Cultures of the North Coast Ranges, Report S-7888 on file at the Northwest Information Center, Sonoma State University, Rohnert Park, California, D.A. Fredrickson, 1973 and Cultural Diversity in Early Central California: A View from the North Coast Ranges. *Journal of California Anthropology* 1(1):41-54, D.A. Fredrickson, 1974.

7 A Delta Intrusion to the Bay in the Late Middle Period in Central California. In *Toward a New Taxonomic Framework for Central California Archaeology*, edited by R.E. Hughes, pp.7-13. Archaeological Research Facility, University of California, Berkeley, J.A. Bennyhoff, 1968.

8 Early Cultures of the North Coast Ranges,. *Op. Cit.* and Cultural Diversity in Early Central California: A View from the North Coast Ranges. *Op. Cit.*

9 Archaeological Taxonomy in Central California Reconsidered. In *Toward a New Taxonomic Framework for Central California Archaeology*, edited by R.E. Hughes, pp.91-103. Archaeological Research Facility, University of California, Berkeley, D.A. Fredrickson, 1992.

introduction of the mortar and pestle, which has been used to infer the development of an acorn-based economy. Increased sedentism developed during this period and was accompanied by population growth and expansion.

The cultural patterns show significant continuity from the Middle Archaic to the Upper Archaic Periods. Mortars and pestles dominate the groundstone assemblage. Stone tools are predominately shouldered bifaces and bipoints as well as Excelsior and leaf-shaped points. Fredrickson [10] has suggested a hunting emphasis during this period due to the prevalence of projectile points found at CA-LAK-261. This pattern also shows an increase in *Olivella* beads, abalone ornaments, and incised bone artifacts.

In the ensuing Emergent Period (AD 900 to AD 1800), prehistoric cultures in California "reached levels of sociocultural complexity usually considered correlates of agricultural societies". [11] The Emergent Period is divided into a Lower Emergent Period (AD 900 to AD 1500) and an Upper Emergent Period (AD 1500 to AD 1800). During the Lower Emergent Period, bow and arrow technology was introduced and rapidly replaced the dart and atlatl. Territorial boundaries became well established. Regularized exchange networks flourished. The Upper Emergent Period witnessed the continued growth and elaboration of the exchange system as well as the development of some degree of specialization.

Corner-notched points without serrations became more common towards the Historic Period. Well-shaped mortars and pestles are prevalent. Larger shouldered bifaces, bipoints, and leaf-shaped points are absent. Bone awls are common and probably indicate increased production of basketry. Associated with basketry, the hopper mortar became more prevalent. Tubular tobacco pipes are also quite common. There is also an increase in beads and ornaments made from shell, stone, and bone. This coincides with an increase in trade items from greater distances.

HISTORICAL BACKGROUND

The project site was originally part of Soscol, the National Rancho of Mission San Francisco Solano in present-day Sonoma. In 1834, the California missions were secularized and Mariano Guadalupe Vallejo, the Commander at the San Francisco Presidio, was charged with overseeing the distribution of Mission Solano's holdings to the neophyte Native American population, including Soscol Rancho. Vallejo retained the rancho as part of his personal holdings. He employed local California Indians as farmhands and allowed them to reside throughout the vast territory. Vallejo formed an alliance with the Patwin Indians, with whom he fought the Satiyomi Campaigns against Wappo Indians. In 1835, the Battle of Suscol was fought within rancho territory and most likely in the vicinity of the subject parcel. [12]

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10 Early Cultures of the North Coast Ranges, *Op. Cit.*

11 *Ibid.*

12 A Cultural Resource Inventory of the Napa Airport Master Environmental Assessment Area, Napa County, California. Report S-22041 on file at the Northwest Information Center, Sonoma State University Rohnert Park, California, K. Flynn, 1983.

In 1851, Vallejo sold 320 acres of the rancho to William Neely Thompson for $3,840 ($12/acre) in lieu of a cash payment for lumber sold by Thompson to Vallejo.[13] Thompson purchased an additional 300 acres of adjacent land, which contained the failed Soscol town site platted by Vallejo. In 1852 or 1853, Simpson Thompson, the brother of William Neely Thompson, took charge of the property in order to establish an orchard and nursery on the land.

The Thompson property was improved with plantings of fruit, vegetables and grains imported from the eastern United States and, by 1856, the plantings yielded substantial profits for the Thompson family.[14] The success of the Thompson orchards and nursery, also known as the Thompson Gardens, was based on Simpson's decision to utilize a deep plow / dry soil pulverization method rather than traditional field irrigation techniques. By 1860, Federal Census Records list 57-year-old Simpson Thompson and his sons, 32-year-old Thomas and 27-year-old James, as occupying the property along with five laborers. By 1870, Simpson Thompson's real estate holdings were valued at $40,000 and his personal worth was valued at $10,000. James M. Thompson's real estate holdings were valued at $30,000 and his personal worth was valued at $3,000.

By 1878, when publishers Smith and Elliott[15] produced their historical sketchbook of Napa County, the Thompson property was described as:

> *Laid off into convenient fields, having regard for the convenience of cultivation and stock raising. Two hundred and twenty five acres of this farm is devoted to orchard, vineyard and garden; 250 acres to grain, and 300 acres to meadow land reclaimed from the tules of the overflowed tidelands of the Napa river, which are now among the most valuable and productive. Some idea of the size of these orchards may be gained from the following list of trees: 6,000 cherry, 5,000 apple, 5,000 pear, 2,000 peach, 1,500 plum, 500 apricot, 500 almond, 150 English walnut, 200 quince, 50 black walnut, 20 fig, [and] olive, orange, lemon & pomegranate.*

By the time of the 1880 Federal Census, Simpson Thompson employed at least 14 workers. In 1899, James M. Thompson, son of Simpson Thompson, filed a land subdivision map for the Soscol Ranch property in order to sell lots ranging in size from approximately seven acres to 50 acres. The subdivision included a 60.28 acre lot that contained a residence and three barns. This lot encompassed the property under evaluation as part of this report.

The subdivision envisioned by James Thompson did not appear to become reality as the tracts of land were purchased by the Somky Family in the early 1900s. The historical record is sparse concerning the Somky Family and their land use of the subject parcel and the surrounding area. The primary source of information is derived from an interview with Mary Somky, the last Somky to live at the location.[16]

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13 *Historical and Descriptive Sketchbook of Napa, Sonoma, Lake and Mendocino: Comprising Sketches of Their Topography, Productions, History, Scenery, and Peculiar Attractions*. Reporter Publishing House, California., C.A. Menefee, 1873.

14 *Illustrations of Napa County California with Historical Sketch.* Smith & Elliott, Oakland, California, 1878.

15 *Ibid.*

16 A Cultural Resource Inventory of the Napa Airport Master Environmental Assessment Area, Napa County, California. *Op. Cit.*

Mary Somky's father purchased the property most likely to operate a farm and ranch. The Somky surname was not located in the 1900, 1910, 1920 or 1930 United States Federal Census Records for Napa County. The Somkys maintained the property as a working ranch until approximately 1966 when it was acquired by the Napa Sanitation District. The Napa Sanitation District granted Mary Somky life tenancy over the Somky House and the surrounding four acres. Mary Somky lived in the Somky House until approximately 1985.

SITE SPECIFIC BACKGROUND

CA-NAP-860/H lies within a 438-acre parcel of land owned by the Napa Sanitation District. The site is located just east of the Napa River and southwest of the intersection of Highways 29 and 121. The site includes the Somky House and associated outbuildings constructed in the early to middle twentieth century, a prehistoric midden deposit consisting of a moderately dense scatter of lithic debitage, tool fragments, groundstone and faunal remains, and the archaeological remains of the Thompson Estate developed in the middle of the nineteenth century. CA-NAP-860/H has been previously referenced in three cultural resources studies. [17]

As part of a cultural resources inventory of the Napa County Airport, Flynn [18] conducted an extensive surface survey to which CA-NAP-860/H lay on the periphery. Flynn [19] characterized the site as a highly sensitive prehistoric area containing an occupation mound, which is also the current location of the Somky House. This mound also was the former location of the Thompson Estate, which included a main house and several outbuildings. The prehistoric deposit consisted of a dark midden soil with shellfish remains, burned and worked bone fragments, groundstone implements, and shell beads. [20] The historic component of the site associated with the Thompson Family included a stone foundation thought to represent the original Thompson residence. Other historic structures associated with the Somky Family, such as barns, sheds, and garages, were also situated on top and near the prehistoric deposit. [21] Neither the historic or prehistoric resource was formally recorded as part of this survey.

Origer [22] conducted a field survey of a pipeline route bordering the railroad tracks south of Suscol Creek and west of CA-NAP-860/H. Though CA-NAP-860/H was not located within the project area

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17 A Cultural Resource Inventory of the Napa Airport Master Environmental Assessment Area, Napa County, California. *Op. Cit.,* A Cultural Resource Evaluation of the Montalcino Resort at Napa Valley, Napa, and Napa County, California. Archaeological Resource Service Project 99-09 on file at the Northwest Information Center, Sonoma State University, Rohnert Park, California., K. Flynn, 1999, and A Cultural Resources Study for the Napa Carneros Pipeline Project, Napa County, California. Report S-16063 on file at the Northwest Information Center, Sonoma State University, Rohnert Park, California, T.M. Origer, 1994.

18 A Cultural Resource Inventory of the Napa Airport Master Environmental Assessment Area, Napa County, California. *Op. Cit.*

19 *Ibid.*

20 *Ibid.*

21 *Ibid.*

22 *Ibid.*

of the survey, his study included the formal recording of the resource.[23] The prehistoric deposit consisted of chert and obsidian tools and waste flakes, groundstone implements, and midden soil.[24] A Late Period projectile point was noted on the surface of the site. Since the site was outside of the proposed pipeline corridor, the site was only cursorily examined. However, Thompson[25] paced the site, and drew a scaled sketch map of the resource.

As part of the cultural resources inventory for the *2000 Draft EIR*, Flynn[26] returned to CA-NAP-860/H for a surface evaluation. In her re-examination of CA-NAP-860/H, Flynn[27] re-confirmed that a large and complex prehistoric midden deposit exists in and around the Somky House. She observed dark midden soils in the areas where artifactual remains were found in 1983. Flynn[28] was unable to conduct an intensive survey of the site due to locked gates and unauthorized access to sections of the site. Furthermore, Flynn[29] noted that the Somky House had endured considerable degradation and the area around the prehistoric deposit was overgrown and difficult to access.

Based on these previous studies of CA-NAP-860/H, the prehistoric deposit was characterized as a dark midden soil (organic) containing flaked stone, bone, shell, and groundstone. The historic component includes the Somky House and remnants of the Thompson Estate. Though soil content, constituents, historic structures, and associated debris have been noted, the site has not been thoroughly examined. Previous studies have failed to extensively characterize the site boundaries, constituents, and depth of the deposit although most agree regarding the importance of the prehistoric and architectural components of the site.

As a part of the preparation of this SEIR an archaeological study was undertaken by Pacific Legacy Inc. to determine the depth, extent and character of the prehistoric component of CA-NAP-860/H. This study entailed surface survey, mapping and the excavation of 18 auger bores. The majority of the surface finds were obsidian debitage and shell fragments, primarily bay mussel (*Mytilus edulis)*. A few scattered fragments of basalt and chert debitage were noted as well. Three diagnostic artifacts were collected during surface inspection. These included one projectile point fragment of the Stockton Serrated series, one small serrated and corner-notched projectile point, and a complete abalone (*Haliotis* sp.) pendant. Subsurface exploration of this resource indicated cultural materials to a depth of 160 cm below surface. These materials consisted of obsidian debitage and artifacts, bone fragments, shell fragments, groundstone fragments, charcoal, and historic materials, such as nails,

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23 Site Record for CA-NAP-860/H (P-28-000001). On file at the Northwest Information Center, Sonoma State University, Rohnert Park, California, N. Thompson, 1994.

24 A Cultural Resources Study for the Napa Carneros Pipeline Project, Napa County, California. Report S-16063 on file at the Northwest Information Center, Sonoma State University, Rohnert Park, California, T.M. Origer, 1994.

25 *Ibid.*

26 A Cultural Resource Evaluation of the Montalcino Resort at Napa Valley, Napa, Napa County, California. Archaeological Resource Service Project 99-09 on file at the Northwest Information Center, Sonoma State University, Rohnert Park, California., K. Flynn, 1999.

27 *Ibid.*

28 *Ibid.*

29 *Ibid.*

glass, ceramics, and metal. There appears to be a denser concentration of prehistoric materials in the southwestern portion of the site. Based on surface manifestations and limited subsurface excavation, it is likely the prehistoric site contains an Emergent Period component. While not formally evaluated, it is highly likely that the prehistoric component is eligible for the California Register of Historical Resources (CRHR) under Criterion 4. [30]

The historic component of the site includes the Thompson Estate and the Somky Ranch. The remnants of the Thompson Estate are primarily archaeological and include a dry-laid stone foundation. Several trees extant on the property also appear to date to the Thompson occupation. The Somky Ranch consists of many extant buildings, including the Somky House. In addition to the archaeological remains of the prehistoric component and the historic component associated with the Thompson occupation, several extant buildings, small-scale features, and trees were also identified and recorded. A concrete-plastered brick fountain remains on the property and was pictured in Smith and Elliott [31] as belonging to the Thompson Estate. Several imported conifers as well as a line of holly-leafed cherry trees are also extant on the property and appears to be pictured in Smith and Elliott. [32] Walnut, eucalyptus, and olive trees of possibly historic age were also noted and recorded, but their association is unclear.

Several of the extant structures on the site are also of historic age, most notably the Somky House. These structures are associated with the occupation of the property by the Somky Family. An analysis of the Somky House was completed by Urbana Preservation and Planning under contract to Pacific Legacy. The Somky House was determined eligible for the California Register of Historical Resources (CRHR) under Criterion 3 (Architecture/Design) as representative of vernacular rural architecture from the American Foursquare and Free Form subtypes of the Colonial Revival style. [33]

Cultural Resources – Significance Criteria

The cultural resources analysis uses criteria from the *State CEQA Guidelines.* According to these criteria, the project would have a significant cultural resources impact if it:

- Caused a substantial adverse change in the significance of a historical resource;
- Caused a substantial adverse change in the significance of an archaeological resource; or
- Disturbed any human remains, including those interred outside formal cemeteries.

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30 The four criterion for eligibility for inclusion in the California Register of Historical Resources are listed in the significance criteria portion of this section.

31 *Illustrations of Napa County California with Historical Sketch.* Smith & Elliott, Oakland, California.

32 *Ibid.*

33 The complete *Historical Resource Analysis Report* of the Somky Property/Thompson's Soscol Ranch by Urbana Preservation & Planning is included as Appendix A in the *Extended Archaeological Survey for the Montalcino Resort Project, Napa Valley, Napa County, California,* Pacific Legacy, Inc., August 2005.

The definitions of substantial adverse change, historical resource, and archaeological resource are defined below:

Substantial adverse change is defined as:

- Physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired; or

- Demolition or material alteration in an adverse manner of those physical characteristics of a historical resource which convey its historical significance and justify its inclusion in or eligibility for inclusion in the California Register of Historical Resources (CRHR), inclusion in a local register, or identification in a historical resources survey.

Historical resource is defined as:

- A resource listed in or determined to be eligible by the State Historical Resources Commission for listing in the California Register of Historical Resources (mandatory significance);

- A resource included in a local register of historical resources or identified as significant in a historical resource survey unless the preponderance of evidence suggests it is not significant (presumptive significance); or

- A historical resource still may be considered significant in the absence of a Federal, State, or local listing if substantial evidence demonstrates its significance (discretionary significance). This includes any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California. Generally, a resource shall be historically significant if it:

    1. Is associated with events which made a significant contribution to the broad patterns of California's history and cultural heritage.

    2. Is associated with the lives of people important in our past.

    3. Embodies the distinctive characteristics of a type, period, region, or method of construction, represents the work of an important creative individual, or possesses high artistic values.

    4. Has yielded or may be likely to yield information important in prehistory or history.

Archaeological Resource

The *State CEQA Guidelines* state that CEQA applies to effects on archaeological sites and direct that, when a project would impact an archaeological site, the lead agency should first determine whether the site is a historic resource as defined immediately above or whether it meets the definition of a "unique archaeological resource" contained in Section 21083.2 of the Public Resources Code. "Unique archaeological resource" refers to an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability it:

- Contains information needed to answer important scientific research questions and there is a demonstrable public interest in that information;

- Has a special and particular quality such as being the oldest or best available example of its type; and / or

- Is directly associated with a scientifically recognized important prehistoric or historic event or person.

Cultural Resources – Impacts and Mitigation

Construction of the proposed *Montalcino at Napa Golf Course* project would likely include ground disturbing activities that could result in the loss of integrity of cultural deposits, the loss of information and the alteration of site setting to the prehistoric component of CA-NAP-860/H that may be potentially eligible for listing on the CRHR. Thus, degradation of the prehistoric component would be considered a substantial adverse change, if the resources were considered eligible for the CRHR, or if the resources were unique archaeological resources. The fieldwork for the prehistoric component of CA-NAP-860/H was not designed to provide the data needed to assess the significance of the cultural resources in the project site, that is, whether they are historical or archaeological resources as defined in CEQA. However, CA-NAP-860/H may contain information important in understanding prehistory. Therefore, the only possible criterion under which the site might be considered eligible for the CRHR is Criterion 4.

Limited field investigations at the prehistoric component of CA-NAP-860/H show that the site has been disturbed to varying degrees by historic period. The prehistoric component still has a substantial amount of depth (ca. 160 cm) and extensive horizontal and vertical distribution of materials. CA-NAP-860/H produced a wide variety of materials given that only 18 auger bores were completed. The materials include obsidian and chert debitage, formed tools, faunal remains, shell artifacts and groundstone. Combined, the suite of materials recovered from the site suggest the site has the data potential to address regional research issues. It is likely that further research would result in the conclusion that the prehistoric component of CA-NAP-860/H is eligible for inclusion in the CRHR, and is a significant historical or archaeological resource as defined in the *State CEQA Guidelines*.

The Somky House appears to be locally eligible for listing on the California Register of Historical Resources under Criterion 3 (Architecture/Design), and additionally, appears eligible for designation as a Napa Landmark under the Napa County Municipal Code's Landmark Designation Criteria. As such the Somky House appears to meet the definition of a historical resource pursuant to section 15064.5 of the *State CEQA Guidelines*. Although not a part of the proposed *Montalcino at Napa Golf Course* project, the Napa Sanitation District proposes to sell the Somky House for relocation off of the project site.

There is always the potential for buried or otherwise obscured resources which have not been identified in cultural resources studies completed for the proposed *Montalcino at Napa Golf Course* project. The prehistoric and protohistoric indicators of prior cultural occupation by Native Americans include artifacts and human bone, as well as soil discoloration, shell, animal bone, sandstone cobbles, ashy areas, and baked or vitrified clays. Prehistoric materials may include:

- Human bone – either intact burials or isolated bones–including teeth or fragmentary pieces of bone;

- Habitation debris, including occupation or ceremonial structures as inferred from rock rings/features, distinct ground depressions, and differences in sediment compaction (e.g., house floors);

- Artifacts, including: chipped stone objects like flakes, projectile points and bifaces; groundstone objects like manos, metates, mortars, pestles, grinding stones, and pitted hammerstones; and shell and bone artifacts like ornaments and beads (Note: ornaments and beads were often buried with deceased individuals and must be considered as potentially indicative of human remains); and

- Various features, including: hearths (with oxidized soil, fire-cracked rock and baked or vitrified clay); artifact caches; faunal and shellfish concentrations (which permit dietary reconstruction); and distinctive changes in sediment composition and stratigraphy indicative of prehistoric activities.

There is the potential for historic period cultural materials associated with the Thompson and the Somky occupation of the project site. Objects and features often associated with Historic period activities can include:

- Structural remnants or portions of foundations (e.g., bricks, cobbles/boulders, stacked field stone, and postholes);

- Trash pits, privies, wells, and associated artifacts/deposits;

- Isolated clusters of manufactured artifacts (e.g., glass bottles, metal cans, and manufactured wood items); and

- Human remains.

Impact 5.4-1 Impact to the Prehistoric Component of CA-NAP-860/H
Grading and construction activity associated with the proposed Montalcino at Napa Golf Course project may impact CA-NAP-860/H. This would be a significant impact.

The prehistoric component of CA-NAP-860/H has not been formally evaluated as a historical resource defined by CEQA or determined eligible for the CRHR. However, extended survey of the site by Pacific Legacy as a part of the preparation of this SEIR suggests that the site will meet the eligibility criteria for listing on the CRHR. If the site is found to be a historical resource per CEQA or determined eligible for the CRHR then ground disturbing or other construction related activities could remove or destroy cultural deposits. Potential indirect impacts to cultural resources, primarily vandalism, could result from the increased access to and use of the general area during construction and operation. Site altering disturbances could result in the loss of integrity of cultural deposits, the loss of information, and the alteration of site setting which would be a significant impact.

Mitigation Measure 5.4-1 Either of the following mitigation plans would reduce impacts to CA-NAP-860/H.

(a) The proposed *Montalcino at Napa Golf Course* project should be revised so the prehistoric component of CA-NAP-860/H remains undisturbed.

(b) If avoidance is not feasible and the resource cannot be avoided, then mitigation shall involve evaluation and data recovery of the resource. Further research, field documentation and/or excavation would be required to evaluate the eligibility of the resource for the CRHR. In the case

of prehistoric archaeological sites, evaluation may be completed by examining existing records and reports, detailed recording, and/or excavation to determine data potential of the site. If evaluation results in finding the site to be a historical resource per CEQA or eligible for the CRHR, impacts to resource can be reduced to less-than-significant levels through data recovery.

Data recovery shall include the development of an archaeological treatment plan by an archaeologist who meets the Secretary of the Interior's Standards for Archaeology. The treatment plan will provide a research design that will guide the assessment, recovery, and interpretation of data from CA-NAP-860/H. This treatment plan must adequately provide for the recovery of scientifically consequential information from the site.

The consulting archaeologist shall produce reports detailing the results of the investigations for the evaluation and the data recovery (if required). Reporting format and contents shall follow State Office of Historic Preservation ARMR guidelines and the Secretary of Interior's Standards for Archaeological Documentation. The report shall provide explicit conclusions addressing the needs for which the work was undertaken. Supplemental archaeological site records shall be prepared, with two additional site record copies transmitted to the Northwest Information Center of the California Historical Resources Information System.

Significance after Mitigation Implementation of either Mitigation Measure 5.4-1(a) or 5.4-1(b) would reduce the impact to a less-than-significant level.

Responsibility and Monitoring Prior to the issuance of a grading permit the applicant would be responsible to either redesign the golf course layout (Mitigation Measure 4.5-1(a)) or retain a consulting archaeologist to conduct an evaluation of the site with regard to its potential eligibility for listing on the CRHR (Mitigation Measure 4.5-1(b)). The findings of the site evaluation would need to completed prior to construction activities in or around CA-NAP-860/H.

Impact 5.4-2 Potential Subsurface Resources

While no discernible impacts to archaeological resources or human remains, other than CA-NAP-860/H, are anticipated, the possibility cannot be precluded that prehistoric cultural deposits and features are present below the ground surface and could be damaged during land alteration activities. This would be a potentially significant impact.

Future ground disturbing activities may reveal previously unidentified buried or otherwise obscured archaeological deposits. Such disturbance may result in the loss of integrity of cultural deposits and the loss of information if these deposits do exist. Potential buried cultural remains include prehistoric and/or historic resources.

Mitigation Measure 5.4-2 The following mitigation measures would be required to mitigate potential significant impacts related to cultural resources:

- Workers involved in ground disturbing activities shall be trained in the recognition of archaeological resources (e.g., historic and prehistoric artifacts typical of the general area), procedures to report such discoveries, and other appropriate protocols to ensure that construction activities avoid or minimize impacts to potentially significant cultural resources.

- In the event that archaeological artifacts or cultural soil deposits are encountered during future grading, excavating, or other land alterations, stop all work in the immediate vicinity of the find until the discovery area can be evaluated by an archaeologist. Depending on the extent and cultural composition of the discovered materials, it may be advisable to have subsequent

excavation monitored by an archaeologist who would be ready to record, recover, and / or protect significant cultural materials from further damage.

- In the event that human skeletal remains are discovered anywhere on the site, discontinue work in the vicinity of the discovery and contact the Napa County Coroner. If skeletal remains are found to be prehistoric Native American (not modern), the Coroner shall call the Native American Heritage Commission in Sacramento within 24 hours who will identify the person(s) it believes to be the "Most Likely Descendant" of the decreased Native American. The Most Likely Descendant would be responsible for recommending the disposition and treatment of the remains. The most likely descendant may make recommendations to the landowner or the person responsible for the excavation work for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98.

Significance after Mitigation Implementation of Mitigation Measure 5.4-2 would reduce potential impacts to a less-than-significant level.

Responsibility and Monitoring The applicant would be responsible for including this measure in the contracts of all contractors engaged in applicant-implemented construction. Implementation would be monitored by the consulting archaeologist(s) retained to evaluate artifacts, determine whether or not discovered resources meet CEQA significance criteria, and, if needed, identify the additional measures required to mitigate impacts on cultural resources. In the event that prehistoric archaeological resources are discovered, local Native American organizations should be consulted and involved in making resource management decisions. All applicable State and local requirements concerning the handling and disposition of archaeological finds should be strictly enforced.

Impact 5.4-3 The Somky House

With relocation the original setting and historic context of the Somky House would be lost. This would be a significant impact. There is a possibility that the house would not be relocated, in that situation demolition of the Somky House could occur. This would be a significant impact.

The Somky House appears individually eligible for inclusion on the California Register of Historical Resources under Criterion 3 (Architecture/Design), and for designation as a Napa County Landmark under the criteria of the Napa County Municipal Code. Because the building appears eligible for listing on the California Register of Historical Resources, the Somky House has been determined to meet the definition of a historical resource set forth in section 15064.5 of the *State CEQA Guidelines*.

Although not a part of the proposed *Montalcino at Napa Golf Course* project, the Napa Sanitation District proposes to sell the Somky House for relocation off of the project site. The intent is that the Somky House would be relocated for the purpose of restoration and preservation. One possibility is that the house would be moved over District-owned land to a barge on the Napa River, which would then transport the house to an existing site in Benicia. [34] As part of the relocation project, the Somky House is proposed for rehabilitation.

Since the Somky House is not slated for demolition, the relocation would not have a material impact on the Somky House, an identified historical resource. Although the Somky House would not be materially impaired by the proposed relocation project, its original setting and historic context would

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[34] Draft agreement between the Napa Sanitation District and Joy Properties for the sale and relocation of the Smoky House, undated.

be lost as a result of the relocation. The relocation would reduce the building's significance as an example of rural vernacular architecture, however not to such an extent that it would no longer physically convey its identified architectural significance. This would be a significant impact.

There is a possibility that the planned relocation of the Somky House by the Napa Sanitation District would not occur. In this situation construction of the proposed *Montalcino at Napa Golf Course* project would result in the demolition of the house.

Mitigation Measure 5.4-3 The following mitigation measures would be required to mitigate significant impacts related to the Somky House.

(a) If the proposed relocation of the Somky House by the Napa Sanitation District does not occur the proposed *Montalcino at Napa Golf Course* project shall be revised so that the house remains undisturbed.

(b) If the proposed relocation of the Somky House by the Napa Sanitation District does occur the following measures shall be implemented:

- Prior to relocating the Somky House the following measures shall be completed:

  Existing measured drawings for the building;

  A house relocation plan; and,

  A Historic Structure Report that documents the history, significance, and character-defining features of the Somky House, identifies material and structural deficiencies, and makes recommendations for rehabilitation and repairs according to *The Secretary of the Interior's Standards for the Treatment of Historic Properties* and *Guidelines for Rehabilitation*.

- In order to create a permanent record of the Somky House and its historic physical environment, the project sponsor shall provide documentation before and after the house relocation following a modified version of the standards set forward in the National Park Service's Historic American Buildings Survey (HABS) documentation program. The documentation should be deposited with the Napa County Historical Society and the California State Office of Historic Preservation CHRIS Northwest Information Center located at Sonoma State University. The following items are recommended as part of the modified HABS documentation package:

  Existing measured drawings;

  Brief property history and significance statement; and

  35mm black and white photographs of the Somky House in 4x6, 5x7, or 8x10 format both in the original historic location, and in the new location.

- Rehabilitation of the Somky House shall follow *the Secretary of the Interior's Standards for the Treatment of Historic Properties (The Standards)* and *Guidelines for Rehabilitation.*

Significance after Mitigation Implementation of either Mitigation Measure 5.4-3(a) or 5.4-3(b) would reduce impacts to the Somky House to a less-than-significant level.

Responsibility and Monitoring For Mitigation Measure 5.4-3(a) prior to the issuance of a grading permit the applicant would be responsible to redesign the golf course. For Mitigation Measure 5.4-3(b) the Napa Sanitation District would be responsible to implement and monitor this mitigation measure.

6.0 ALTERNATIVES TO THE PROPOSED PROJECT

6.0 ALTERNATIVES

An EIR conceivably can analyze an infinite number of alternatives or variations on alternatives. However, CEQA directs EIRs to analyze a reasonable range of alternatives to the project or project location which would feasibly attain most of the basic project objectives but would avoid or substantially lessen any of the significant effects of the project. The analysis of a range of alternatives is governed by a "rule of reason" for alternatives which could feasibly attain the basic objectives of the project. It similarly is prudent to present feasible alternatives. In order for the analyses to be meaningful for readers, the alternatives must be distinct and readily discernible. This also is necessary to distinguish between their effects and determine the environmentally preferred alternative.

The range of alternatives to be included in an EIR should focus on those which are feasible and capable of attaining the basic objectives of the project. The project applicant's objectives for the project are provided in ***Section 3.2 Proposed Project***.

A number of alternatives have already been evaluated in the certified EIR.

6.1 NO PROJECT / NO BUILD ALTERNATIVE

As discussed in ***Chapter 3.0 Description of the Proposed Project*** the project site is currently used for the disposal of treated and reclaimed wastewater and biosolids. The No Project / No Build Alternative assumes that no development would occur on the project site and there would be no changes to existing conditions on the project site, thus maintaining the status quo. Thus the No Project / No Build alternative for the proposed *Montalcino at Napa Golf Course* project would be the equivalent of the *2002 Revised Master Plan* evaluated in the *Montalcino at Napa Recirculated Draft Environmental Impact Report* (*2003 Recirculated Draft EIR*). Potential environmental impacts of the No Project / No Build Alternative are discussed in ***Chapter 4.0 Environmental Setting, Impacts, and Mitigation Measures*** and ***Chapter 5.0 Review of 2002 Revised Montalcino at Napa Project*** in the *2003 Recirculated Draft EIR*.

6.2 ON-SITE ALTERNATIVES

The certified EIR has considered several on-site alternatives to the proposed *Montalcino at Napa Golf Course* project. Alternative golf course designs have been considered together with the Montalcino Resort.

The original *Montalcino at Napa* proposed project analyzed in the *Montalcino at Napa Draft Environmental Impact Report* (*2000 Draft EIR*) included a golf course in generally the same location as the current proposed *Montalcino at Napa Golf Course* (see Exhibit 3.2-1 in the *2000 Draft EIR*). One difference is that the original golf course site extended across Suscol Creek up to Soscol Ferry Road. A second difference is that the parcel of land that includes the Somky House was excluded from the golf course site. Potential environmental impacts of the original *Montalcino at Napa* proposed project are discussed in ***Chapter 5.0 Environmental Setting, Impacts and Mitigation Measures*** in the *2000 Draft EIR*.

The *Montalcino at Napa Responses to Comments on the 2000 Draft Environmental Impact Report and the Recirculated Draft Environmental Impact Report* (*2003 Response to Comments*) contains an

analysis of a *Revised Master Plan* (see Exhibit 1 in Appendix C of the *2003 Response to Comments)* submitted by the project applicant plus two additional on-site alternatives (a *Mitigated Design Alternative* [see Exhibit 2 in Appendix C of the *2003 Response to Comments*] and a *Reduced Development Alternative* [see Exhibits 6 and 7 in Appendix C of the *2003 Response to Comments*]). Potential environmental impacts of the *Revised Master Plan* are discussed on pages 3 through 6 and pages 21 through 24 in Appendix C of the *2003 Response to Comments*. Potential environmental impacts of the *Mitigated Design Alternative* are discussed on pages 9 through 16 and pages 21 through 24 in Appendix C of the *2003 Response to Comments*. Potential environmental impacts of the *Reduced Development Alternative* are discussed on pages 17 through 21 and pages 21 through 24 in Appendix C of the *2003 Response to Comments*.

The golf course design in the *Revised Master Plan* incorporated mitigation measures recommended in the *2000 Draft EIR*. The most important change was in regard to the Central Watercourse which is proposed to be retained but realigned in this alternative. The golf course design and location in the *Reduced Development Plan* is essentially the same as in the original *Montalcino at Napa* proposed project.

The golf course design and location in the *Mitigated Design Alternative* differs from the original *Montalcino at Napa* proposed project and the golf course design in this Draft SEIR. In the *Mitigated Design Alternative* the golf course does not cross Suscol Creek; in fact the golf course stops south of the Somky House. Similar to the original *Montalcino at Napa* proposed project the golf course in the *Mitigated Design Alternative* would avoid the Somky House. The *Mitigated Design Alternative* would use a portion of the Montalcino Resort site for the golf course. As a result the *Mitigated Design Alternative* includes a smaller hotel project (255 rooms and suites) than the approved Montalcino Resort (379 rooms and suites).

6.3 OFF-SITE ALTERNATIVES

A number of off-site alternatives were considered in the *2000 Draft EIR* (see pages 6.0-8 through 6.0-14). These included:

Area A – About 387 aces predominantly occupied by the Napa Hospital that has a General Plan designation of Public Institutional. Area A is located east of State Route 121 and adjacent to the southeastern part of the City of Napa. The site is owned by the state of California.

Area B – Approximately 359 acres predominately occupied by the Syar quarry that has a General Plan designation of Industrial. Area B is located adjacent to the southern border of Area A and east of State Route 121.

Area C -- A 210-acre site predominately occupied by the Napa Pipe Corporation that has a General Plan designation of Industrial. Area C is located west of State Route 121 and adjacent to the west side of the Napa Valley corporate Park, and north of State Route 12/29.

In response to comments on the *2003 Recirculated Draft EIR* County staff reviewed the alternative sites analyzed in the *2000 Draft EIR* and determined that the alternative sites remain infeasible for the revised Montalcino Resort project (see Response to Comment I-7 in the *2003 Response to Comments*).

6.4 FINDINGS

In summary, several on-site golf course design alternatives to the proposed *Montalcino at Napa Golf Course* have been evaluated as follows:

- *2002 Revised Master Plan* evaluated in the *2003 Recirculated Draft EIR*
- Original *Montalcino at Napa* proposed project evaluated in the *2000 Draft EIR*
- *Revised Master Plan* evaluated in the *2003 Response to Comments*
- *Mitigated Design* Alternative evaluated in the *2003 Response to Comments*
- *Reduced Development* evaluated in the *2003 Response to Comments*

The certified EIR has evaluated a reasonable range of alternatives to the proposed *Montalcino at Napa Golf Course* project and therefore it is not necessary to evaluate additional alternatives in this Draft SEIR. Alternative golf course layout designs have been evaluated as a part of the original *Montalcino at Napa* proposed project and as part of the *Mitigated Design* alternative. The No Project / No Build alternative for the proposed *Montalcino at Napa Golf Course* project is the equivalent of the *2002 Revised Master Plan* evaluated in the *2003 Recirculated Draft EIR.*

Similar to the evaluations in the certified EIR there is no feasible off-site alternative that would feasibility attain most of the applicant's objectives. For example, an off-site alternative would not meet the project applicant's objective to have a golf course a part of the previously approved Montalcino Resort and a "part of" the main hotel site. Furthermore, an off-site alternative would not allow the project applicant to neither integrate the golf course into the overall Montalcino Resort project design nor take advantage of planning and lay-out of the main hotel site afforded by having the golf course adjacent to the hotel site.

6.5 ENVIRONMENTALLY SUPERVIOR ALTERNATIVE

On the basis of the discussion of the proposed *Montalcino at Napa Golf Course* project and the on-site alternatives considered in the certified EIR, this Draft SEIR finds that the No Project / No Build Alternative (the *2002 Revised Master Plan* evaluated in the *2003 Recirculated Draft EIR*) would be the environmentally superior alternative as it would avoid the environmental impacts associated with construction and operation of the proposed project.

The *State CEQA Guidelines* (section 15126[d]) states that if the environmentally superior alternative is the No Project Alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives. Both the *Mitigated Design* Alternative and the proposed *Montalcino at Napa Golf Course* would be superior to the other on-site alternatives (the original *Montalcino at Napa* and the *Reduced Development* Alternative). The *Mitigated Design* Alternative would be superior to the proposed *Montalcino at Napa Golf Course* project because it would avoid the prehistoric component of CA-NAP-860/H and the Somky House. However, since the *Mitigated Design* Alternative would require a part of the hotel site and result in a smaller resort it would not meet the project applicant's objectives to add a golf course to the approved Montalcino Resort and to take advantage of the planning and site design opportunities provided with the location of the golf course adjacent to the hotel site. Therefore, the proposed *Montalcino at Napa Golf Course* project with the incorporation of the mitigation measures in this Draft SEIR is the environmentally superior alternative.

A comparison of the environmental merits of those issues evaluated in this Draft SDEIR is provided below:

AGRICULTURAL RESOURCES

The original *Montalcino at Napa*, the *Revised Master Plan*, and the *Reduced Development* Alternative each would have access from Soscol Road. The construction of the main entrance road and the Golf Maintenance Building would result in the conversion of a small amount (approximately 1.7 acres) of an existing vineyard to a non-agricultural use. The *2002 Revised Master Plan*, the *Mitigated Design Alternative* and the proposed *Montalcino at Napa Golf Course* would not convert agricultural land to a non-agricultural use.

BIOLOGICAL RESOURCES

The *2002 Revised Master Plan* would have the least impacts on biological impacts due to the least extent of grading and associated loss of habitat. Each of the other alternatives would result in the conversion of non-native grassland wildlife habitat resulting in the significant impact to the Swanson's hawk. Each of the other alternatives would also result in the construction of a golf course (including on-site ponds and wetlands) which could increase the probability of collision between waterfowl and aircraft. Both the proposed *Montalcino at Napa Golf Course* and the *Mitigated Design* Alternative would be superior to the other alternatives in regard to impacts to the site's Central Watercourse, isolated seasonal wetlands, and riparian habitat at Suscol Creek.

HYDROLOGY

The *2002 Revised Master Plan*, the *Mitigated Design* Alternative and the proposed *Montalcino at Napa Golf Course* would avoid disturbance to the Central Watercourse. In the *Revised Master Plan* the Central Watercourse would be retained but realigned. Due to less ground disturbance the *2002 Revised Master Plan* would result in the least amount of site erosion and sedimentation due to construction activities. Due to the golf course design and the elimination of the Soscol Road access the *2002 Revised Master Plan*, the *Mitigated Design* Alternative and the proposed *Montalcino at Napa Golf course* project would not have the potential impacts to Suscol Creek associated with the other alternatives.

CULTURAL RESOURCES

Due to the avoidance of the Somky House each of the alternatives, the *2002 Revised Master Plan*, the original *Montalcino at Napa*, the *Revised Master Plan*, the *Mitigated Design* Alternative and the *Reduced Development* Alternative would be superior to the proposed *Montalcino at Napa Golf Course* project. Similarly, each of these alternatives would avoid impacts to the prehistoric component of CA-NAP-860/H.

7.0 OTHER SECTIONS REQUIRED BY CEQA

7.0 OTHER SECTIONS REQUIRED BY CEQA

7.1 GROWTH-INDUCING IMPACTS

Growth inducing impacts are evaluated in Impact 5.1-4 of the *2000 Draft EIR*. It was found that the proposed *Montalcino at Napa* project would remove obstacles to growth, set a precedent for similar future projects, and help lead to enlarged public services. These were identified as significant impacts. The proposed *Montalcino at Napa Golf Course* project would result in impacts similar to those discussed in the *2000 Draft EIR*. However, with the elimination of the need for a General Plan Amendment the growth inducing impacts would be reduced in magnitude from the *2000 Draft EIR*.

7.2 CUMULATIVE IMPACTS

Cumulative impacts refer to two or more individual effects that, when considered together, are considerable or which compound or increase other environmental impacts. The individual effects may be changes resulting from a single project or a number of separate projects. The cumulative impacts from several projects is the change in the environment that results from the incremental impacts of the project (in this situation the *Montalcino at Napa Golf Course*) when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor, but collectively significant, projects taking place over a period of time (Section 15355 of the *State CEQA Guidelines*).

In this context, cumulative impacts are those that, if added to the impacts of the *Montalcino at Napa Golf Course,* would increase the severity or the significance of impacts of the *Montalcino at Napa Golf Course.* By requiring an evaluation of cumulative impacts, CEQA attempts to minimize the potential that large-scale environmental impacts would be ignored due to the project-by-project nature of the project-level analyses contained in EIRs.

The project site occupies portions of two drainage basins – Suscol Creek and Sheehy Creek. The golf course is primarily located in the lower reach of the Sheehy Creek drainage, with the creek located immediately to the south of the project site. The Central Watercourse running through the project site is a tributary of Sheehy Creek. A portion of the project site, in the vicinity of golf course holes 4 and 5, is located within the Suscol Creek drainage. Based on the areas of analysis in this Subsequent EIR it was determined that the drainage basins of Suscol Creek and Sheehy Creek would be the appropriate area for consideration of biological resources and hydrology cumulative projects.

As discussed in ***Chapter 3.0 Description of the Proposed Project,*** the proposed golf course would be an expansion of the approved Montalcino Resort. The Montalcino Resort is located on 71.8 acres immediately east of the golf course site. It is anticipated that 65.3 acres would be disturbed with 18.4 acres of impervious surfaces. Along with the construction of the Montalcino Resort Napa County has determined that improvements to Devlin Road would be required. The Montalcino Resort and the Devlin Road improvements are fully described in the *2003 Recirculated Draft EIR*.

As discussed above, the geographic area of concern for biological resources and hydrology is the Suscol Creek and Sheehy Creek drainage basins. In addition to the Montalcino Resort and Devlin Road projects, **Exhibit 7.0-1** lists both recently constructed projects and anticipated future projects in the two drainage basins.

Exhibit 7.0-1
Cumulative Projects

Project	***Acreage***	***Notes***
	Suscol Creek Drainage	
A. *Demptos Cooperage Expansion* expand existing warehouse	3.58 acre site, 0.25 acre disturbed/new impervious	Building permit issued, construction not started.
B. *All American Mini Storage Exp*. expand mini storage	12.62 acre site, 5 acres disturbed/new imperious	Use permit pending, application inactive
C. *Soscol Ferry Warehouse Concept*	11.5 acre site, 7 acres disurbed/5 acres new imperious	No application, possible new project prior to 2010
D. *Highway 221/29 Flyover new interchange*	10 acre site, 10 acres disturbed/3 acres new impervious	Planned improvement in next ten years
	Sheehy Creek Drainage [a]	
1. *Nova Group Grading* unauthorized grading	38 acre site, 10 acres distributed	Soil imported summer 2005.
2. *Devlin Road New Office Concept*	21.79 acre site, 10 acres disturbed/7 acres new impervious	No application, possible new project prior to 2015
3. *Busby Industrial Condo's #2* industrial warehouse	5 acre site, 5 acres disturbed/3 acre new impervious	Under construction
4. *Gateway Mixed Use* office/commercial	12.6 acre site, 12.6 acres disturbed/9.5 acres new impervious	Pending hearings
5. *Elaine Bell Catering* service commercial	1.43 acre site, 1.43 acres disturbed/1.15 new impervious	In for building permit
6. *IBEW Office* office building	1.25 acre site, 1.25 disturbed/1 acre new impervious	Approved but no building permit submitted
7. *Morgan Shooting Range* service commercial	2.51 acre site, 2.51 disturbed/2.1 new impervious	Approved but no building permit submitted.
8. *Busby Industrial Condo's #1* industrial warehouse	2.19 acre site, 2.19 acres disturbed/1.85 acres new impervious	Under construction nearing completion
9. *Gateway Unit #4 Subdivision* industrial subdivision	40.6 acre site, 5 acres disturbed/1 acre new impervious	Approved tentative map new street and lots for future industrial development

Exhibit 7.0-1 (Continued)
Cumulative Projects

Project	***Acreage***	***Notes***
10. *Future Gateway Projects Forecast within Gateway*	120 acres total vacant, 40 acres of potential in next 10 years, assumes 40 acres disturbed/30 acres new impervious	Staff forecast.
11. *Barrel Ten Quarter Circle #2* wine warehouse	5.15 acre site, 5.15 acres disturbed/4 acres new impervious	Pending hearings
12. *Napa Valley Crossroads* spec. warehouse	15 acre site, 15 acres disturbed/12 acres new impervious	Pending hearings
Projects Constructed Between January 2000 and July 2005		
Suscol Drainage		
E. *Napa Wine Estates* vineyard planting	15.6 acres planted	2003/04
F. *Chalone* vineyard planting	12 acres planted	2003/04
Sheehy Drainage		
13. *Hillman Tobacco* warehouse/mini storage	4.82 acres disturbed/4 acres impervious	2003
14. *Napa Wine Estates* vineyard planting	3.62 acres planted	2003/04
15. *Complete Welders* manufacturing	0.6 disturbed/0.4 acre impervious	2003
16. *Lab by Design* manufacturing	1 acre disturbed/0.75 acre impervious	2004
17. *Basin Street 79K* warehouse/manufacturing	5.1 acres disturbed/4.2 acres impervious	2003
18. *Basin Street 52K* office	3.3 acres disturbed/2.6 acres impervious	2004
19. *Napa Wine Coop Expansion* warehouse	2.41 acres disturbed/2 acres impervious	2003
20. *Domaine Napa* winery	6.31 acres disturbed/5 acres impervious	2001

Exhibit 7.0-1 (Continued)
Cumulative Projects

Project	***Acreage***	***Notes***
21. *Pro Labs* manufacturing	2.52 acres disturbed/2 acres impervious	2001
22. *Sheriff's Facility* public/institutional	2.5 acres disturbed/2 acres impervious	2004
23. *Eagle Vines Golf Course* small part of course	100 acres disturbed/1 acre impervious	2005

a. Projects 3 through 12 are all within the Gateway Business Park, an industrial subdivision originally started in the late 1980's and rough graded in the 1990's including the installation of streets and local storm drain. In the late 1990's Sheehy Creek, which runs through the northern portion of the business park, was realigned and restored.

Source: Napa County Conservation, Development and Planning Department, August 2005.

The geographic area of concern for agricultural resources and cultural resources is all of Napa County.

Agricultural Resources

Impact 7.2-1 Cumulative Loss of Agricultural Land
Implementation of the proposed Montalcino at Napa Golf Course project would result in a less-than-significant impact in regard to the loss of agricultural land. The proposed project's contribution to the cumulative loss of agricultural land therefore would be less than considerable.

The geographic area of concern for agricultural land is all of Napa County. Cumulative development in Napa County (including development in the five cities plus the unincorporated area of Napa County) may result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as shown on the most current maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use. Such development would also result in pressures on adjacent agricultural lands for future development. As discussed in Impact 5.1-1 the proposed project would not result in the loss of agricultural land. The proposed project's contribution would not be cumulatively considerable and therefore cumulative impacts to agricultural land would be less-than-significant.

Mitigation Measure 7.2-1 No mitigation would be required.

Biological Resources

Impact 7.2-2 Cumulative Loss of Suitable Habitat for Swainson's Hawk
The cumulative loss of suitable habitat for Swainson's hawk would be a significant cumulative impact.

The potential impacts of any development on resources tend to be site specific, and the overall cumulative effect would depend on the degree to which significant vegetation and wildlife resources were protected. This includes preservation of populations of special-status animal species (such as the Swainson's hawk). There would be a cumulative reduction in the amount of foraging habitat for Swainson's hawk with the conversion of existing non-native grassland or agricultural cover to urban uses from cumulative projects. The proposed *Montalcino at Napa Golf Course* project would make a cumulatively considerable contribution to the cumulative loss of foraging habitat for the Swainson's hawk.

Mitigation Measure 7.2-2

- Individual project applicants shall consult with the CDFG to determine whether potential impacts on Swainson's hawk nesting or foraging habitat would be considered significant and shall prepare a project-specific Swainson's Hawk Mitigation Plan if required by CDFG prior to site development. The mitigation plans shall be consistent with the CDFG's *Staff Report Regarding Mitigation for Impacts to Swainson's Hawks (Buteo swaison) in the Central Valley of California.* Recommended mitigation for impacts to foraging habitat should be based on the following ratios: 1.5:1 for foraging habitat within one mile of a nest tree, 0.75:1 for one to five miles away from a nest tree, and 0.5:1 for five to ten miles away from nest tree.

Significance After Mitigation Implementation of Mitigation Measure 7.2-2 would reduce potential impacts due to loss of suitable habitat for Swainson's hawk to a less-than-significant level.

Responsibility and Monitoring To be implemented by individual project applicants in coordination with California Department of Fish and Game.

Impact 7.2-3 Cumulative increase in Wildlife Use Due to On-site Water Features
Construction of additional detention ponds and other water features in close proximity of the Napa Airport would result in a significant cumulative increase in wildlife. This would be a significant cumulative impact.

Within the vicinity of the Napa Airport, the approved Montalcino Resort would include detention ponds or other water features. Other cumulative development listed in **Exhibit 7.0-1** may also include detention ponds or other water features. Projects located within the boundaries of the *Airport Land Use Compatibility Plan* would be subject to review by the Napa County Airport Land Use Commission. The proposed *Montalcino at Napa Golf Course* project would make a cumulatively considerable contribution to the cumulative impact of increased wildlife use due to additional "attractive uses".

Mitigation Measure 7.2-3

(a) A Wildlife Hazard Management Plan shall be prepared for the *Montalcino at Napa Golf Course* and the Montalcino Resort.[1] The program shall be prepared in consultation with the U.S. Department of Agriculture, Wildlife Damage Unit and comply with the criteria established in the FAA's *Wildlife Hazard Management at Airports, A Manual for Airport Personnel*.

(b) Individual projects reviewed by the Airport Land Use Commission shall be reviewed to determine if an increase in wildlife would be considered significant and require preparation of a Wildlife Hazard Management Plan.

Significance After Mitigation It is Napa County's determination that the implementation of the Wildlife Hazard Management Plan as required by Mitigation Measure 7.2-3 would reduce airport compatibility issues to a less-than-significant level.

Responsibility and Monitoring The project applicant would be responsible for implementing Mitigation Measure 7.2-3(a). The Napa County Airport Land Use Commission would be responsible for implementing Mitigation Measure 7.2-3(b). The Napa County Planning, Conservation and Development Department would be responsible for ensuring that these measures are implemented.

Hydrology

Impact 7.2-4 Cumulative Site Erosion and Sedimentation
Implementation of the proposed project, in conjunction with other projects in the area would result in grading and construction that could increase downstream erosion and sedimentation. This would be a significant cumulative impact and the proposed project would make a cumulatively considerable contribution.

New development in either the Sheehy Creek Watershed or Suscol Creek Watersheds would involve grading, roadway, and building construction. New development in conjunction with recently completed projects could expose soil to increased rates of erosion during project construction and the revegetation period for one to two years following construction. Between January 2000 and July 2005, 27.6 acres of vineyards were planted in the Suscol Creek Watershed. During this same period 132.18 acres of land were disturbed for vineyard planting, building construction, golf course (Eagle Vines Golf Course) improvement, and associated infrastructure construction in the Sheehy Creek Watershed. Of the approximately 132 acres, 23.95 acres were covered with an impervious surface. Future projects in the Suscol Creek Watershed would amount to 22.25 newly disturbed acres (13.25 acres impervious) and 172.95 acres of newly disturbed ground in the Sheehy Creek Watershed (90.96 acres impervious).

Surface water runoff could remove particles of fill or excavated soil from the disturbed areas or could erode soil down gradient, if flows are not controlled. Increased peak flows can lead to increased scour in natural channels, promoting bed and bank erosion and increasing the sediment load delivered

[1] The conditions of approval (condition number 15) for the Montalcino Resort (Use Permit No. 98177 – UP) already require preparation of a comprehensive wildlife management plan to address the potential hazard of wildlife/aircraft conflicts associated with the storm water retention pond landscape feature.

downstream. Sedimentation can lead to the obstruction of culverts, increasing localized flooding, and the filling of wetlands, lowering their functions and values to flora and fauna.

Mitigation Measure 7.2-4

- Individual projects shall obtain a NPDES General Construction Activity Permit from the RWQCB. This permit would be required of all construction projects totaling one acre or more. As part of the permit and post-construction agency monitoring process, individual applicants should prepare and implement a SWPPP in accordance with guidelines set forth by the Board. Note that for the proposed project, this is required under Mitigation Measure 5.3-1.

- On-site detention of increased stormwater quantities from added impervious surface should be maintained at predevelopment levels (i.e., the 100-year post-development peak flow rate should be maintained at the 100-year pre-development level).

Significance After Mitigation Implementation of Mitigation Measure 7.2-4 would reduce impacts to a less-than-significant level.

Responsibility and Monitoring Although implementation of Mitigation Measure 7.2-4 may be the responsibility of other jurisdictions to enforce and monitor, this mitigation would be required under the RWQCB and so would not be voluntary. Napa County has a reasonable expectation that others jurisdictions would abide by their regulatory requirements.

Impact 7.2-5 Cumulative Water Quality

Implementation of the proposed project, in conjunction with other projects in the area would increase stormwater contaminants in surface runoff, potentially reducing water quality. This would be a significant cumulative impact and the proposed project would make a cumulatively considerable contribution.

Development of the proposed project, in conjunction with other projects in the Suscol Creek or Sheehy Creek Watersheds would contribute urban contaminants in surface runoff.

The Napa River and its tributaries are listed as impaired for nutrient, pathogen, and sediment levels. [2] Elevated levels of nutrients including nitrogen and phosphorus have impaired habitat value of the river, resulting in dense algal growth and depletion of dissolved oxygen. Potential nutrient sources include wastewater discharges, faulty septic systems, agricultural and urban runoff, and livestock.

The Napa River and its tributaries are listed as impaired by pathogens in response to elevated levels of fecal bacteria in the river. Fecal bacteria indicate the presence of fecal contamination and associated health risk to users of the river. Potential pathogen sources include municipal stormwater, septic systems, sewer line leakage, pet waste, and livestock.

The Napa River and its tributaries are also listed as impaired for sediment. This listing was made in response to adverse impacts to habitat for listed fish that utilize the river. Sources of sediment loading include urban runoff, agriculture, improper grazing management, and improperly maintained construction sites where best management practices (BMPs) are either not implemented or implemented insufficiently.

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2 San Francisco Regional Water Quality Control Board Website, http://www.waterboards.ca.gov/tmdl/index.html, Total Maximum Daily Loads and the 303(d) List of Impaired Water Bodies, February 2005.

The RWQCB is in the process of developing Total Maximum Daily Loads (TMDLs) for nutrients, pathogens, and sediment in the Napa River. Reports have been prepared documenting the current levels and sources of constituents impairing the Napa River. Adoption of TMDLs for pathogens and sediment are to be established by the RWQCB by April and June 2006, respectively.[3] Nutrient TMDLs for the river are to be established in 2008.

Note that although the isolated project impact on local and downstream water quality would not be significant relative to current federal- or State-mandated water quality criteria, the long-term impacts of non-lethal pollution, such as accumulation of heavy metals and herbicide/pesticide residues in fatty tissue of freshwater and estuarine species are only partially understood. Where applied consciously, relatively simple and inexpensive mitigation measures can minimize the impact of increasing urbanization on area water quality.

Mitigation Measure 7.2-5

- Implement Mitigation Measure 5.3-4

Significance After Mitigation Implementation of Mitigation Measure 7.2-5 would reduce impacts to a less-than-significant level.

Responsibility and Monitoring Although implementation of Mitigation Measure 7.2-5 may be the responsibility of other jurisdictions to enforce and monitor, this mitigation would be required under the RWQCB and so would not be voluntary. Napa County has a reasonable expectation that others jurisdictions would abide by their regulatory requirements.

Cultural Resources

Impact 7.2-6 Cumulative Impact to Cultural Resources
Implementation of the proposed project would not make a cumulatively considerable contribution to cumulative cultural resources impacts. This would be a less-than-significant impact.

The geographic area of concern for cultural resources is all of Napa County. Mitigation measures recommended in ***Section 5.4 Cultural Resources*** would reduce potential adverse impacts of the proposed *Montalcino at Napa Golf Course* project to a less-than-significant level. Impacts to cultural resources are typically limited to the proximity of development, thus growth within Napa County would not compound or increase the severity of impacts to cultural resources from development pursuant to the proposed *Montalcino at Napa Golf Course* project.

Mitigation Measure 7.2-5 No mitigation would be required.

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[3] San Francisco Regional Water Quality Control Board Website, http://www.swrcb.ca.gov/rwqcb2/tmdl_status_rpt_2-05.pdf, Total Maximum Daily Load Program Status Report, February 2005.

7.3 SIGNIFICANT UNAVOIDABLE IMPACTS

This section identifies impacts that could not be eliminated or reduced to an insignificant level by mitigation measures included as part of the proposed project or by other mitigation measures described in the Draft SEIR that could be implemented. Implementation of the proposed *Montalcino at Napa Golf Course* project would not result in any additional significant unavoidable impacts previously described in the certified EIR.

7.4 REVIEW OF MONTALCINO AT NAPA GOLF COURSE PROJECT

As discussed in ***Chapter 1.0 Introduction*** the following potentially significant impacts are evaluated in this Subsequent EIR:

- Agricultural Resources
- Hydrology
- Biological Resources
- Cultural Resources

These impact areas are further analyzed in ***Chapter 5.0 Environmental Setting, Impacts, and Mitigation Measures***.

Review of the proposed *Montalcino at Napa Golf Course* project concluded that the proposed project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects in the following impact areas:

- Land Use and Planning
- Traffic and Circulation
- Air Quality
- Noise
- Aesthetic
- Community Services
- Geology
- Population and Housing

The analyses to support this finding are provided below.

Land Use and Planning

The proposed *Montalcino at Napa Golf Course* would result in similar compatibility with existing land uses in the vicinity (Impact 5.1-1) and airport compatibility (Impact 5.1-3) impacts as identified in the *2000 Draft EIR* and the same mitigations would apply. One aspect of Impact 5.1-3 was increased hazards to flight due to increased use of the site by waterfowl. In the *2000 Draft EIR* it was stated that with the implementation of Mitigation Measures 5.1-3(a), 5.1-(b), 5.1-3(c), and 5.1-3(d) airport compatibility impacts would be reduced to a less-than-significant level. Mitigation Measure 5.1-3(a) required the development of an appropriate waterfowl control program for implementation at the project site. As discussed in ***Section 5.2 Biological Resources***, based on new information the

potential increase in waterfowl use due to the proposed golf course (including the three ponds and the wetlands) and a potential increased risk of collision with aircraft is further analyzed.

The *2000 Draft EIR* identified the loss of agricultural lands (Impact 5.1-2) as a significant unavoidable impact. Because new information has become available this impact is further analyzed in this Draft SEIR (see ***Section 5.1 Agricultural Resources***).

In regard to growth inducing impacts (Impact 5.1-4) the proposed *Montalcino at Napa Course* would result in impacts similar to those discussed in the *2000 Draft EIR*. However, with the elimination of the need for a General Plan Amendment the growth inducing impacts would be reduced in magnitude from the *2000 Draft EIR*.

Traffic and Circulation

No additional vehicular access to the project site is proposed. Access to the proposed golf course is proposed from the adjacent Montalcino Resort. No additional parking is proposed for the golf course. The previously approved Montalcino Resort includes a requirement for the provision of 1,045 parking spaces. It is proposed to utilize these spaces for the golf course.

It is proposed that the golf course would be open to the guests of the Montalcino Resort as well as the general public. Approximately 93 rounds of golf per day are projected for the golf course. [4] Hotel guests are projected to average 85 to 90 percent of the total rounds of golf, with the remaining ten to 15 percent (or approximately 14 players) by the general public.

The *2000 Draft EIR* evaluated the impacts of the proposed golf course along with the Montalcino Resort. Primary access to the Montalcino Resort, including the golf course, was from Soscol Ferry Road. The *2000 Draft EIR* estimated 25 outbound and no inbound trips associated specifically with the golf course during a weekday PM peak traffic hour. The 25-trip estimate is a very conservative projection that would adequately cover employees and any public players leaving the course during this one hour in the afternoon. [5]

The *2003 Recirculated Draft EIR* evaluated the revised *Montalcino at Napa* project. The principal changes to the proposed project were elimination of the golf course and a related change of the primary entrance from Soscol Ferry Road to Devlin Road.

The *2003 Recirculated Draft EIR* identified several significant traffic and circulation impacts as follows:

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4 One round of golf equals one person playing 18 holes of golf. When the course is not busy, it is not uncommon for players to go out single or in groups of two or three. Nichols • Berman communication with Bruce Pendergraft, George W. Girvin Associates, Inc., August 2005.

5 The trip generation for the golf course was made by Crane Transportation Group in consultation with John Ponte of the Napa County Transportation Planning. The trip generation rate was based on Institute of Transportation Engineers trip rate data and is for freestanding golf courses that potentially have a clubhouse and minor restaurant facility, but are not part of an overall resort operation.

Near Term Horizon

Impact 5.2-1 Imola Avenue / Soscol Avenue -- Near term horizon Base Case plus Project intersection impact (Friday PM peak hour)

Impact 5.2-2 SR 12-29/SR 221/Soscol Ferry Road -- Near term horizon Base Case plus Project intersection impact (Friday PM peak hour)

Impact 5.2-3 SR 12-29/Airport Boulevard/Jameson Canyon Road -- Near term horizon Base Case plus Project intersection impact (Friday PM peak hour)

Impact 5.2-4 SR 29/American Canyon Road -- Near term horizon Base Case plus Project intersection impact (Friday PM peak hour)

Impact 5.2-5 SR 12-121/SR 29-121/SR 12-29 -- Near term horizon Base Case plus Project intersection impact (Friday PM peak hour)

Impact 5.2-6 Soscol Ferry Road/Devlin Road Near term horizon Base Case plus Project intersection impact (Friday PM peak hour)

Impact 5.2-7 Devlin Road/Airport Boulevard -- Near term horizon Base Case plus Project intersection impact (Friday PM peak hour)

Impact 5.2-8 Devlin Road Entrance -- Near term horizon Base Case plus Project intersection impact (Friday PM peak hour)

Impact 5.2-9 Devlin Road -- Near term horizon Base Case plus Project roadway impact (Friday PM peak hour).

Long-Term Horizon (2015) Impacts and Mitigation Measures

Impact 5.2-10 Imola / Soscol Avenue -- Long term horizon Base Case plus Project intersection impact (Friday PM peak hour)

Impact 5.2-11 SR 12-29/SR 221/Soscol Ferry Road -- Long term horizon Base Case plus Project intersection impact (Friday PM peak hour).

Impact 5.2-12 SR 12-29/Airport Boulevard/Jameson Canyon Road -- Long term horizon Base Case plus Project intersection impact (Friday PM peak hour).

Impact 5.2-13 Jameson Canyon Road/Kelly Road -- Long term horizon Base Case plus Project intersection impact (Friday PM peak hour).

Impact 5.2-14 SR 29/S. Kelly Road -- Long term horizon Base Case plus Project intersection impact (Friday PM peak hour).

Impact 5.2-15 SR 29/American Canyon Road -- Long term horizon Base Case plus Project intersection impact (Friday PM peak hour).

Impact 5.2-16 SR 12-29/SR 29-121/SR 12-29 -- Long term horizon Base Case plus Project intersection impact (Friday PM peak hour).

Impact 5.2-17 Devlin Road Project Access -- Long term horizon Base Case plus Project intersection impact (Friday PM peak hour).

Impact 5.2-18 Soscol Ferry Road/Devlin Road—Long term horizon Base Case plus Project intersection impact (Friday PM peak hour).

Construction Traffic Impacts

Impact 5.2-19 Near or long term horizon Project construction traffic impacts.

Internal Circulation and Access

Impact 5.2-20 Near or long term horizon Base Case plus Project on-site circulation and access impacts.

With the inclusion of the proposed *Montalcino at Napa Golf Course* project there would be an increase in the Friday PM peak hour outbound trips over that analyzed in the *2003 Recirculated Draft EIR*. It is assumed that golf course related traffic would split evenly north and south along Devlin Road. Even assuming an additional golf course related 25 outbound trips in the Friday PM peak hour none of the already congested intersections along State Route 29 would likely receive more than a two- or three-tenths of one percent increase in traffic due to golf related vehicles. This would result in one new vehicle every five minutes being added to an intersection. Furthermore, it is likely that not all of these newly added vehicles would be associated with capacity-critical operation of an intersection during the PM peak hour. In particular, at the Airport Boulevard/Highway 29/Jameson Canyon Road intersection, all outbound traffic from the golf course desiring to head south on Highway 29 would use a free right turn movement from Airport Boulevard, and thus would not contribute any impact to the critical intersection movements. Therefore, inclusion of the golf course would not result in new significant traffic and circulation impacts nor result in a substantial increase in the severity of the previously identified significant traffic and circulation impacts.

Air Quality

The proposed *Montalcino at Napa Golf Course* would result in similar air quality impacts as identified for the *Montalcino at Napa* proposed project in the *2000 Draft EIR*. Construction period air quality impacts (Impact 5.3-1), operational emissions (Impact 5.3-2), exposure of sensitive receptors to objectionable odors (Impact 5.3-3), and cumulative air quality impacts (Impact 5.3-4) would be the same and the same mitigation measures would still apply.

Noise

The proposed *Montalcino at Napa Golf Course* would result in similar noise impacts as identified for the *Montalcino at Napa* proposed project in the *2000 Draft EIR*. Land use compatibility impacts (Impact 5.4-1), aircraft noise impacts (Impact 5.4-2), traffic noise impacts (Impact 5.4-3), construction noise impacts (Impact 5.4-4), and cumulative traffic noise impacts (Impact 5.4-5) would be the same and no mitigation would be required.

Aesthetic

The proposed *Montalcino at Napa Golf Course* would result in similar aesthetic impacts identified for the *Montalcino at Napa* proposed project in the *2000 Draft EIR*. Visual impacts from the three viewpoints (State Route 29 looking northwest – Impact 5.7-1, State Route 29 looking west – Impact 5.7-2, and State Route 29 looking south – Impact 5.7-3) would be the same and no mitigation would be required. Other visual impacts discussed in the *2000 Draft EIR* (Impact 5.7-4) plus light and glare impacts (Impact 5.7-5) would be the same for the *Montalcino at Napa Golf Course* as discussed in the *2000 Draft EIR*.

Community Services

The project applicant proposes to use reclaimed wastewater from the Napa Sanitation District for golf course irrigation. The lease agreement with Napa Sanitation District requires that a minimum of 400 acre-feet per year of recycled water to be used on the property. It is not proposed that the golf course be served by the City of American Canyon water system. Inclusion of the golf course would not result in new significant water supply (Impact 5.9-1), water treatment and delivery (Impact 5.9-2), or cumulative water impacts (Impact 5.9-3) nor result in a substantial increase in the severity of the previously identified significant water supply impacts.

No buildings are proposed to be constructed on the golf course site. Implementation of the golf course would not result in the generation of additional wastewater nor require the extension of wastewater facilities to the project site. The proposed *Montalcino at Napa Golf Course* would, therefore, have no impact on wastewater facilities.

The proposed project has been reviewed by the Napa County Fire Department (NCFD). The main concern of the NCFD was to ensure that adequate emergency vehicle access would be provided to all areas of the golf course. The NCFD would use some of the golf cart paths for emergency services. The NCFD has determined that the existing culvert crossings over the Central Watercourse and the wetland swales located north of the Central Watercourse are adequate for its needs and would not need to be improved for emergency vehicle access. [6] The proposed *Montalcino at Napa Golf Course* would not result in new significant fire and emergency medical services impacts (Impact 5.9-7) nor result in a substantial increase in the severity of the previously identified significant fire and emergency medical service impacts.

The proposed *Montalcino at Napa Golf Course* would result in similar police protection (Impact 5.9-8), and solid waste (Impact 5.9-10) impacts as discussed in the *2000 Draft EIR* and would not result in a new or substantial increase in the previously identified electricity and gas (Impact 5.9-9) impact.

---

6 Nichols • Berman communication with John McDowell, Napa County Conservation, Development and Planning Department, July 2005. In the event that improvements become necessary that would affect the bed or banks of the existing drainage features, notification of the California Department of Fish and Game (CDFG) and issuance of a Streambed Alteration Agreement from CDFG would be required.

Geology

The proposed *Montalcino at Napa Golf Course* would result in similar geology impacts as identified for the *Montalcino at Napa* proposed project in the *2000 Draft EIR*. Geologic hazards (Impact 5.10-1) and Expansive Soil (Impact 5.10-2) would be the same as discussed in the *2000 Draft EIR*.

Population and Housing

It is estimated that ten full-time employees and four part-time employees would be required for golf course maintenance. The *2000 Draft EIR* estimated a total of 608 employees for the *Montalcino at Napa* proposed project. The proposed *Montalcino at Napa Golf Course* would result in similar population and housing impacts as identified for the *Montalcino at Napa* proposed project in the *2000 Draft EIR*. Housing impacts (Impact 5.11-1) and cumulative housing impacts (Impact 5.11-2) would be similar as discussed in the *2000 Draft EIR*.

It should also be noted the conditions of approval (condition number 3) for the Montalcino Resort (Use Permit No. 98177 – UP) included a commitment regarding the applicant's contribution to affordable housing. This condition includes a contribution of $2,000,000 total to the County's housing Fund. It was estimated that this contribution was approximately $1,500,000 of contribution above that required by the housing fee required by Chapter 5.60 of the Napa County Code.

8.0 REPORT PREPARATION AND PERSONS CONSULTED

8.0 REPORT PREPARATION AND PERSONS CONSULTED

8.1 REPORT PREPARERS

This SEIR was prepared by an environmental study team led by Nichols • Berman under contract to Napa County. The analyses were coordinated with John McDowell, Program Planning Manager, Napa County Conservation, Development and Planning Department.

Nichols • Berman Environmental Planning

Bob Berman
Kari Birdseye
Brent Schroeder

Clearwater Hydrology

Bill Vandivere, P.E.
Brent Zacharia

ECORP Consulting, Inc.

Hal Freeman
Cynthia Herzog

Pacific Legacy

Kevin M. Bartoy, M.A.
John Holson, M.A.
Lauren Rosenthal, B.A.

Urbana Preservation & Planning

Wendy L. Tinsley

8.2 PERSONS AND ORGANIZATIONS CONSULTED

Larry Bogner, P.E., Napa County Department of Public Works

Tim Healy, Napa Sanitation District
John Hoffnagle, Executive Director, the Land Trust of Napa County

Kris Kamersol, Civil Engineer, Riechers, Spence & Associates
Wanda Kennedy, Napa County Airport Manager
Michael Kisko, Land and Water Use Analyst, California Department of Conservation

Greg Martineeli, California Department of Fish and Game

Bryan M. Otake, Meyers Nave

Bruce Pendergraft, George W. Girvin Associates, Inc.

Marsha C. Ramsey, HCV Napa Associates, LLC
Joe Rodriguez, U.S. Federal Aviation Administration

Alan Spence, P.E., Principal Riechers, Spence & Associates

8.3 BIBLIOGRAPHY

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APPENDIX

APPENDIX A
RESPONSES TO NOTICE OF PREPARATION

U.S Department
of Transportation

**Federal Aviation
Administration**

Western-Pacific Region
Airports Division
San Francisco Airports District Office

831 Mitten Road, Suite 210
Burlingame, CA 94010-1300

August 1, 2005

Mr. John McDowell
County of Napa
Conservation, Development and Planning Department
1195 Third Street, Suite 210
Napa, CA 94559

Dear Mr. McDowell:

RE: Permit Application and Initial Study Request for Comments, Montalcino at Napa Golf Course, APN 057-010-037 & 036

Thank you for notifying our office of the proposed improvements for Montalcino at Napa Golf Course Rezoning Plan located in Napa County. We have reviewed the project location for impacts to Federal Aviation Administration (FAA) programs related to aviation safety and efficiency for the Napa County Airport, (APC). The proposed site improvements may be subject to aircraft over flights based on a review of U.S.G.S. topographic maps and the County's Airport Layout Plan. This office recommends the Conservation, Development, and Planning Department review the current airport plans and alternatives included in the Napa County Airport Capital Improvement Program (ACIP). The golf course project must have sufficient detail to confirm distances to the airport runway thresholds. The County is also advised to consult with the California Department of Transportation, Division of Aeronautics (Caltrans) to assure consistency with local, state, and federal land use compatibility requirements for the proposed recreational use improvements.

We encourage the City to evaluate future development based upon the criteria contained in the State of California, *Airports Land Use Handbook*. We direct your attention to the land use compatibility criteria contained in Federal Aviation Regulation (FAR) Part 150, *Airport Noise Compatibility Planning*, Appendix A, Table 1 and Advisory Circular (AC) 150/5200-13, *Hazardous Wildlife Attractants on or Near Airports*, and AC 150/5300-13, *Airport Design*. The placement of water hazards/ponds for the golf course should be evaluated using the guidance contained in AC 150/5200-13. Wetlands mitigation must also be reviewed for potential impacts to the airport traffic pattern. The information we received on July 28, 2005 does not provide sufficient detail to render a determination as to hazards to aviation or compliance with the grant agreement *Airport Sponsor, Part V Assurances*.

The County has an obligation to ensure that zoning or building code enforcement protects the airspace for normal airport operations. In order to remain in good standing with the FAA the County must comply with Assurance Number 21, *Compatible Land Use*.

If you have any questions you may contact me at (650) 876-2778, extension 610.

Sincerely,

Joseph R. Rodriguez
Supervisor, Environmental Planning and Compliance Section

CC: Ms. Sandy Hesnard, Caltrans Aeronautics
Ms. Wanda Kennedy, Airport Manager

DEPARTMENT OF FISH AND GAME
http://www.dfg.ca.gov
POST OFFICE BOX 47
YOUNTVILLE, CALIFORNIA 94599
(707) 944-5500

August 9, 2005

Mr. John McDowell
County of Napa
1195 Third Street, Suite 210
Napa, CA 94559

Dear Mr. McDowell:

Montalcino at Napa Golf Course (98177-UP)
Napa, Napa County
SCH 1999032052
APN 057-010-037 and 057-010-036

The Department of Fish and Game (DFG) has reviewed the Notice of Preparation for the Montalcino at Napa Golf Course to build an 18-hole championship golf course west of Devlin Road and approximately ½ mile south of Soscol Ferry Road, Napa, Napa County.

The Environmental Impact Report (EIR) should address impacts to special status species including federally threatened steelhead (*Oncorhynchus mykiss*) and the state threatened Swainson's hawk (*Buteo swainsoni*). In May 2005, two pairs of Swainson's hawk were seen courting and nest building within the project area. This may be the only known sighting in Napa County and is significant for a threatened species whose populations have been on the decline.

A complete assessment of the flora and fauna within and adjacent to the project area, with particular emphasis upon identifying endangered, threatened, and locally unique species and sensitive habitats, should be provided. Rare, threatened and endangered species to be addressed should include all those which meet the California Environmental Quality Act (CEQA) definition (see CEQA Guidelines, Section 15380). The assessment should identify any rare plants and rare natural communities, following DFG's Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened, and Endangered Plants and Natural Communities (revised May 8, 2000). The Guidelines are available at www.dfg.ca.gov/whdab/pdfs/guideplt.pdf

The EIR should also address the direct and indirect impacts to the watercourses, particularly Soscol Creek. Indirect impacts from fertilizers, pesticides and other chemicals used on the golf course may impact water quality and subsequently impact fish and wildlife resources.

For any activity that will divert or obstruct the natural flow of, or change or use any material from the bed, channel, or bank (which may include associated riparian resources) of any river, stream, or lake, DFG may require a Streambed Alteration Agreement (SAA), pursuant to Section 1600 et seq. of the Fish and Game Code, with the applicant. Issuance of SAAs is subject to CEQA. DFG, as a responsible agency under CEQA, will consider the CEQA document for the project. The CEQA document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for completion of the agreement. A Notification Package for Lake and Streambed Alteration Agreements and Section 1600 et seq. of the Fish and Game Code can be obtained at www.dfg.ca.gov/1600/index.html or by contacting the regional office at (707) 944-5520.

Please be advised this project may result in changes to fish and wildlife resources as described in the California Code of Regulations, Title 14, Section 753.5(d)(1)(A)-(G)[1]. Therefore, a de minimis determination is not appropriate, and an environmental filing fee as required under Fish and Game Code Section 711.4(d) should be paid to the Napa County Clerk on or before filing of the Notice of Determination for this project.

If you have any questions, please contact Mr. Greg Martinelli, at (707) 944-5570 or Mr. Scott Wilson, Habitat Conservation Supervisor, at (707) 944-5584.

Sincerely,

Robert W. Floerke
Regional Manager
Central Coast Region

cc: State Clearinghouse

[1] http://ccr.oal.ca.gov/. Find California Code of Regulations, Title 14 Natural Resources, Division 1, Section 753

SIERRA CLUB
FOUNDED 1892

NAPA COUNTY GROUP
Box 644, Napa CA 94559
<http://redwood.sierraclub.org/napa>

Thursday 18 August 2005

John McDowell
Program Planning Manager
County of Napa
1195 Third Street, Suite 210
Napa, CA 94559

Re: Montalcino at Napa Golf Course NOP

Dear Mr McDowell:

Thank you for the opportunity to comment on the Notice of Preparation for the "Montalcino at Napa Golf Course" project (state clearinghouse number 1999032052). Our comments are intended to minimize or mitigate the project's impact on watercourse and wetland areas, and on rare and endangered species.

Our specific comments are as follows:

1. Review all setback corridors to ensure that the project provides consistency among all unobstructed setbacks to facilitate movement of wildlife. No development shall occur within 150 feet of Suscol Creek, Sheehy Creek and Fagan Creek.
2. Continue to assess the biological impact that this project will have on California Red Legged Frog habitat.
3. Review whether any existing wetlands will be filled. Request provisions that wetlands and stream habitats shall be protected in their natural state for perpetuity.
4. Review and establish whether there are modifications to watercourses. Assess how project will avoid encroachment into the Central Watercourse.
5. Review the watercourse storm drainage management plan for adequacy.
6. Require a permanent open space easement along the Suscol Creek bank and the edge of the development.
7. Review chemicals contained within the treated water and whether harmful chemicals may impact the waterways and wetland, and whether irrigation spraying will impact the waterways and wetland or any endangered species.
8. Request the project seek and receive Napa Fish Friendly Certification, a program of Napa Resource Conservation District.

Sincerely,

Genji Schmeder

Genji Schmeder
vice-chair, Napa County Sierra Club

Earth Defense for the Environment Now
1325 Imola Ave. West PMB 614
Napa, Ca. 94559

Mission Statement: To conserve, protect and defend earth's deep ecology and biodiversity for a sustainable future and high quality of life for all. We will accomplish this through education, advocacy and science.

August 19, 2005

Napa County Planning Department
1995 Third St.
Napa, CA 94559

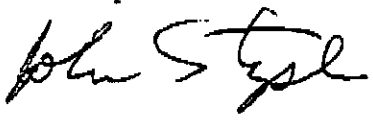
Re: Comments to Montalcino Hotel Golf Course
HCV Napa Associates LLC

1. Upland Robert Mondavi ECP # 99323 and other upland existing vineyard ECPs depend on the wetlands to partially mitigate their sediment flows of their projects. Will any wetlands be filled? Will the wetlands be protected in perpetuity for this function?
2. The Montalcino Hotel provided for a fifty foot setback from Fagan Creek. Why is the set back from Central and Soscol Creek only 45'? No setback has been required or mentioned at all for the adjacent Sheehy Creek which runs just outside the property line.
3. In a Napa Valley Register story dated October 10, 2001, "Chuck Gravett, public member of the Napa Sanitation District board, said that the district owns the proposed golf course property and had hoped to earn a half million dollars by leasing it to the resort and spraying treated wastewater for irrigation. He emphasized the 306-acre parcel is not agricultural land and will not be agricultural land in the future due to clean water laws." How has that assessment changed with this proposed zoning change?
4. Montalcino's previous golf project proposed impoundment in ponds to prevent chemical migration into the State's waterways. Riechers Spence & Associates,

Storm Drainage Management Plan, pg. 1, "Drainage to the central watercourse will not be piped directly to the watercourse, but will filter through constructed wetlands and/or drain over land directly to the water course." Golf courses are much more polluting from chemical run off than most agriculture. How will the run off be kept from introducing a toxic mix of chemical agents into the waterway and wetland and affecting wildlife?

5. From a story in the Register, dated December 28, 2001: Project Director Marsha Ramsey of HCV Napa Valley Partners, the group that plans to develop the Montalcino project, said in a letter to Planning Director Charley Wilson ..."The elimination of the golf course also eliminates the environmental impacts related to that element," Ramsey said. "It also reduces or eliminates several of the adverse impacts that were identified in the (environmental impact report) as being both significant and unavoidable." What are the significant and unavoidable impacts that are different in this golf course proposal v. the previous proposal?
6. Spraying treated water on the course during windy days will introduce deleterious chemicals into the waterways and wetlands. Irrigation spraying should not be permitted on days with more than 5 mph winds.
7. Northern California is considered a hazard flying area due to the excessive number of large birds flying in the air space. Ponds attract large water fowl. Napa County Code, Chapter 18.80.050, ALUCP, Zone C says, "C. Uses not Normally Acceptable... #7. New ponds." and Chapter 18.80.060, Zone D says, "Prohibited Uses. The following uses are prohibited... #7. New ponds." Also FAA Advisory Circular # 150/5200-33(a) ranks geese as the number three out a possible 25 wildlife species that are likely hazards to aircraft. To prevent needless harm to airplanes and wildlife the County Code pond prohibition should be upheld in the flight hazard zones.

EDEN
John Stephens



John McDowell
Napa County
Department of Planning
1195 Third St.
Napa, CA 94559
August 19, 2005

Re: Montalcino Hotel Golf Course Application for Zone Change

1. What is the impact of the golf course on traffic? Item (F.) of the Application for a Zone Change says "Anticipated number of visitors...200 rounds," does not indicate if a limited number of people using the facility. Will the proposed golf course hold tournaments or events (complete with spectators) that will add significant traffic to the local roadways? If so, a traffic element should contain an analysis.
2. Adequately paid workers will more likely afford to live here in Napa and not need to commute to Fairfield and add to Jamison Canyon congestion and air pollution. Will the 14 new employees earn the same as the hotel employees as stated in Conditions of Use #85 for the hotel and thereby not require government housing and other publicly funded assistance? If not, will HCV provide a pro rata additional housing units for its 14 low wage employees?
3. There is a plan to eventually extend the airport runway one-eight-left. The lease for a golf course will prevent that from happening. The County should defend the present Airport Specific Plan which provides for future expansions.
4. The ALUCP (1999) states that ponds are not acceptable use in flight hazard zones. The three ponds at the golf course in Flight Zones C and D are also prohibited by the FAA from being located within 10,000 feet of the runway. If the County decides to approve the project with the ponds it is noted that the FAA has withheld funding for future improvements from other noncompliant airports and has gone so far as to take back committed funds for improvements already completed. It is important to protect the airport from this type of jeopardy.
5. The Airport Compatibility Overlay District Chapter 18.80.010 Intent of classification says, "This combining district classification is intended to: A. Accommodate the orderly growth and development ...B. Apply standards to development in the vicinity of public-use airports which will: ...3. Provide emergency landing opportunities where appropriate...." Will a level emergency road or path be provided in the golf course design in Flight Zone B to provide for emergency landings or will swales and trough and other obstacles be present throughout the entire course?

John Stephens

John Stephens
348 Minahen St.
Napa, CA 94559

CITY of NAPA

PUBLIC WORKS DEPARTMENT
1600 First Street
Mailing Address:
P.O. Box 660
Napa, California 94559-0660
(707) 257-9520
FAX (707) 257-9522

August 18, 2005

John McDowell
Napa County Conservation, Development, & Planning
1195 Third St., Suite 210
Napa, CA 94559

Re: Montalcino Resort at Napa Golf Course, Napa County

Dear Mr. McDowell,

The City of Napa Water Division has reviewed the Permit Application for the subject project. Per our comments dated February 24, 2004 for the Montalcino Resort (see attached), the City of Napa has a 36" asbestos-concrete water main located within the southwest portion of the project. This water main serves as the primary transmission line between the Jameson Canyon Water Treatment Plant and the City's distribution system, and is located within an easement for operating and maintaining the pipeline. As such, the protection of this main during construction activities and the ultimate use within the easement are of great concern to the Water Division.

The Water Division has the same requirements and conditions for the project site as identified on the February 24, 2004 condition letter for the Montalcino Resort. We would greatly appreciate the opportunity to review the grading, landscaping and improvement plans for the project site prior to their approval to ensure our following conditions are met:

- No signs, trees, foundations, or other permanent structures shall be installed within 10 feet of a City water main.
- Applicant shall maintain 3 feet of cover (minimum) and not increase the existing cover by more than 0.5 feet over the existing 36" water main running along the southern property line. If final grades of the project decreases the cover over the main to less than 3 feet, the water main shall be relocated/deepened as necessary at the sole expense of the applicant.

Additionally, the City of Napa Water Division requests that potential impacts to our pipeline be considered in the final design of the project. Considering the type of pipe and the subsurface conditions in the area, construction activities may damage the line. The pipeline was constructed with narrow AC collars at the joints which are extremely susceptible to failure due to differential settlement. Therefore, appropriate protection or restrictions need to be implemented for grading operations. Potential design alternatives to avoid damaging or impacting the pipeline as well as maintaining the City's long term access for maintenance and repair of the pipeline are listed below:

- Structures located within close proximity of the water main (e.g. the maintenance building) should be raised above the grades near the water main to minimize possible water damage from a pipeline rupture.

- The pipeline should be kept on the golf course boundary along the southern edge of the project.

- Significant grading or construction activities near the pipeline may require abandonment of the existing AC pipeline and installation of a new 36" ductile iron pipe, at the Developer's sole expense, along the same alignment. This action would minimize potential damage from grading operations and the new pipeline would be more reliable minimizing the chance of water damage to the property.

Please feel free to contact me at (707) 257- 9341, if you need additional information or have any questions regarding the conditions of approval or the City's facilities and their location within the proposed project.

Sincerely,

Megan E. Thomas, P.E.
Associate Engineer, Water Division

Cc: F. Riesenberg
P. Brun
Scoop/Author

COUNTY of NAPA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

TRENT CAVE, R.E.H.S.
Director

TO: **Napa County Planning Department**
Hillary Gitelman, Planning Director

FROM: Napa County Environmental Management Department,
Christine Secheli, R.E.H.S., Environmental Health Manager

SUBJECT: Use Permit Application for Montalcino at Napa Golf Course
Assessor's Parcel # 57-010-36 and 37
File # P05-0218

DATE: August 18, 2005

We have reviewed the above proposal and recommend approval of the application providing the following are included as conditions of approval:

1. Pursuant to Chapter 6.95 of the California Health and Safety Code, businesses that generate hazardous waste and/or store hazardous materials above threshold amounts shall obtain a permit and file an approved plan with the Department of Environmental Management within 30 days of said activities. If your business does not generate hazardous waste and/or store hazardous materials above threshold quantities, a Hazardous Materials Negative Declaration shall be filed.

2. Any hazardous waste produced on the site including any laboratory wastes, must be stored and disposed of in a manner consistent with Division 20, Chapter 6.5 of the California Health and Safety Code and with Title 22, Division 4, Chapter 30 of the California Code of Regulations.

cc: John Kara, Environmental Health Supervisor
Napa Sanitation District, 935 Hartle Ct., Napa, CA 94559
HCV Napa Associates LLC., 222 Kearny St., Suite 550, San Francisco, CA 94108

NAPA COUNTY FARM BUREAU

August 19, 2005

Mr. John McDowell
Napa County Planning Dept.
1125 Third Street
Napa, CA 94558

Re: Preparation of DEIR for Montalcino Golf Course

Dear John,

Thank you for the Notice of Preparation of a DEIR for the proposed Montalcino Golf Course. Napa County Farm Bureau requests that the study examine the impacts, both direct and indirect, on agriculture. The DEIR should also revisit the housing impacts and reassess the number of employees and ability of the county to provide housing within the expected wage rates of those employees.

I will serve as the contact for NCFB and can be reached at 707-224-5403x13.

Sincerely,

Sandy Elles
Executive Director

811 Jefferson Street Napa, California 94559 Telephone 707-224-5403 Fax 707-224-7836

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION
111 GRAND AVENUE
P. O. BOX 23660
OAKLAND, CA 94623-0660
PHONE (510) 286-5505
FAX (510) 286-5513
TTY (800) 735-2929

Flex your power!
Be energy efficient!

August 23, 2005

NAP029749
NAP-029-R6.2
SCH#1999032052

Mr. John McDowell
Napa County Planning Department
1195 Third Street, Suite 210
Napa, CA 94559

Dear Mr. McDowell:

MONTALCINO GOLF COURSE - NOTICE OF PREPARATION

Thank you for including the California Department of Transportation (Department) in the early stages of the environmental review process for the Montalcino Golf Course project. The following comments are based on the Notice of Preparation (NOP); additional comments may be forthcoming pending final review of the NOP. As lead agency, Napa County is responsible for all project mitigation, including any needed improvements to state highways. The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures. The project's specific traffic mitigation fee should also be identified in the Draft Environmental Impact Report (DEIR). Any required roadway improvements should be completed prior to issuance of the project's building permit. While an encroachment permit is only required when the project involves work in the State Right of Way (ROW), the Department will not issue an encroachment permit until our concerns are adequately addressed. Therefore we strongly recommend that the lead agency ensure resolution of the Department's CEQA concerns prior to submittal of an encroachment permit application. Further comments will be provided during the encroachment permit process; see the end of this letter for more information regarding encroachment permits.

State Route 12 Improvement
The second left-turn lane to the westbound State Route (SR) 12 approach at the SR 29/Airport Boulevard intersection should be installed and operational prior to issuance of the project's building permit.

Fair Share Mitigation
The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring towards the SR 29/SR 121 interchange should be clearly identified.

Methods for calculating the project's equitable mitigation are detailed in Appendix B of the Department's *"Guide for the Preparation of Traffic Impact Studies"*, which should be reviewed during preparation of the Draft Environmental Impact Report. See the following website link for more information:
http://www.dot.ca.gov/hq/traffops/developserv/operationalsystems/reports/tisguide.pdf

Encroachment Permit
Work that encroaches onto the State ROW requires an encroachment permit that is issued by the Department. To apply, a completed encroachment permit application, environmental documentation, and five (5) sets of plans clearly indicating State ROW must be submitted to the address below. Traffic-related mitigation measures should be incorporated into the construction plans during the encroachment permit process. See the website link below for more information.
http://www.dot.ca.gov/hq/traffops/developserv/permits/

Sean Nozzari, District Office Chief
Office of Permits
California DOT, District 4
P.O. Box 23660
Oakland, CA 94623-0660

Please forward copies of the DEIR, including the Mitigation Monitoring and Reporting Plan, and the staff report including project conditions, to the address listed below as soon as they are available:

Patricia Maurice, Associate Transportation Planner
Office of Transit and Community Planning, Mail Station 10D
California DOT, District 4
111 Grand Avenue
Oakland, CA 94612-3717

Please feel free to call or email Patricia Maurice of my staff at (510) 622-1644 or patricia_maurice@dot.ca.gov with any questions regarding this letter.

Sincerely,

TIMOTHY C. SABLE
District Branch Chief
IGR/CEQA

c: Ms. Terry Roberts, State Clearinghouse

STATE OF CALIFORNIA, RESOURCES AGENCY ARNOLD SCHWARZENEGGER, GOVERNOR

DEPARTMENT OF CONSERVATION

DIVISION OF LAND RESOURCE PROTECTION

801 K STREET • MS 18-01 • SACRAMENTO, CALIFORNIA 95814

PHONE 916 / 324-0850 • FAX 916 / 327-3430 • TDD 916 / 324-2555 • WEB SITE conservation.ca.gov

August 22, 2005

John McDowell, Program Planning Manager
Napa County
1195 Third Street, Room 210
Napa, CA 94559

Subject: Notice of Preparation (NOP) of a Draft Subsequent Environmental Impact Report (DSEIR) for Montalcino At Napa Golf Course **SCH# 1999032052**

Dear Mr. McDowell:

The Department of Conservation's Division of Land Resource Protection (Division) monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. The Division has reviewed the above NOP addressing development of an 18-hole championship golf course on 266 acres of irrigated spray fields. The Division recommends including the following information in the DSEIR to characterize the agricultural land resource setting of the project.

Project Impacts on Agricultural Land

- Type (Prime Farmland/Farmland of Statewide Importance), amount, and location of farmland conversion resulting directly and indirectly (growth-inducement) from project implementation.
- Impacts on current and future agricultural operations; e.g., land-use conflicts, increases in land values and taxes, vandalism, etc., on both the site and on adjacent areas.
- Incremental project impacts leading to cumulatively considerable impacts on agricultural land. This would include impacts from the proposed project as well as impacts from past, current and probable future projects.

Impacts on agricultural resources may also be quantified and qualified by use of established thresholds of significance (California Code of Regulations Section 15064.7). The Division has developed a California version of the USDA Land Evaluation and Site Assessment (LESA) Model, a semi-quantitative rating system for establishing the environmental significance of project-specific impacts on farmland. The model may also be used to rate the relative value of alternative project sites. The LESA Model is available on the Division's website noted later in this letter.

Mitigation Measures and Alternatives

The NOP notes that project implementation would result in conversion of Prime Farmland and Farmland of Statewide Importance. The DSEIR should discuss any feasible alternatives to the project's location or configuration that would lessen or avoid farmland conversion impacts. While the direct conversion of agricultural land is often deemed to be an unavoidable impact by California Environmental Quality Act (CEQA) analyses, mitigation measures must nevertheless be considered. If any mitigations for agricultural land conversion were required in the evaluation and approval process for the hotel/resort project, these should also be referenced in the DSEIR.

If mitigation was not required as part of the resort project, the Division recommends the purchase of agricultural conservation easements on land of at least equal quality and size as partial compensation for the direct loss of agricultural land, as well as for the mitigation of growth inducing and cumulative impacts on agricultural land. We highlight this measure because of its growing acceptance, and use by lead agencies as mitigation under CEQA.

Mitigation using conservation easements can be implemented by at least two alternative approaches: the outright purchase of conservation easements tied to the project, or via the donation of mitigation fees to a local, regional or statewide organization or agency, including land trusts and conservancies, whose purpose includes the purchase, holding and maintenance of agricultural conservation easements. Whatever the approach, the conversion of agricultural land should be deemed an impact of at least regional significance and the search for mitigation lands conducted regionally, and not limited strictly to lands within the Napa region.

Information about conservation easements is available on the Division's website, or by contacting the Division at the address and phone number noted at the end of this letter. The Division's website address is:

http://www.conservation.ca.gov/DLRP/

Thank you for the opportunity to comment on the NOP. If you have questions on our comments, or require technical assistance or information on agricultural land conservation, please contact the Division at 801 K Street, MS 18-01, Sacramento, California 95814; or, phone (916) 324-0850.

Sincerely,

Dennis J. O'Bryant
Acting Assistant Director

cc: Napa County RCD
1303 Jefferson Street, #500 B
Napa, CA 94559