



COUNTY of NAPA

OFFICE OF CONSERVATION, DEVELOPMENT & PLANNING

PLANNING COMMISSION

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District #2

Vice-Chairperson
BOB FIDDAMAN
District #3

Chairperson
TERRY SCOTT
District #4

Commissioner
RICHARD JAGER
District #5

+

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Director

PATRICK LYNCH, AICP
Assistant Director

DARRELL MAYES
Building Codes
Administrator

JOHN MCDOWELL
Acting Deputy Director
Planning

R. PATRICK LOWE
Deputy Director
Conservation

LAURA ANDERSON
Commission Counsel

PAMELA MILLER
Commission Clerk

1195 THIRD STREET
SUITE 210

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NAPA, CALIFORNIA
94559

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707-253-4417

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WWW.CO.NAPA.CA.US

DATE OF HEARING: October 4, 2006

AGENDA ITEM # 15

SUMMARY FOR: CONSERVATION, DEVELOPMENT & PLANNING COMMISSION

PROJECT: Farm Management Ordinance #P06-01175-ORD

PROJECT REQUEST: On April 4, 2006 the Board of Supervisors directed staff of the Conservation, Development and Planning Department to prepare necessary amendments to the County Code that would allow for farm management entities to reside and operate within all zoning districts where agriculture is a permitted land use (see attached staff report).

Staff has prepared the necessary amendments to the Napa County Code Sections 18.06.040, 18.16.030, 18.20.030 and 18.105.220 that would legalize existing farm management uses, allow for the expansion of some existing uses, and allow for the establishment and operation of new farm management operations within the unincorporated areas of Napa County by defining farm management as part of "agriculture" under certain conditions. "Farm management uses" would be defined to include the operation, maintenance and storage of farm machinery, equipment, vehicles and supplies that are used exclusively for agricultural cultivation and harvesting, where all machinery, equipment, vehicles, and supplies are leased or owned and operated by the farm manager, whether the manager is an owner, tenant or agricultural contractor and regardless of whether the managed properties are contiguous or under similar ownership. Additionally, to qualify as a farm management use, all of the following must be satisfied (as outlined in proposed Section 18.08.040) as follows:

- At least seventy-five percent of the managed acres must be within Napa County;
- Offices used for farm management shall meet the definition of accessory uses in Section 18.08.020;
- Farm management activities established or expanded after June 30, 2006, alone or in combination with any wineries subject to Section 18.104.220 shall not occupy more than fifteen acres or twenty-five percent of the parcel size, whichever is less;
- No single farm management building or structure newly constructed or expanded after June 30, 2006 shall exceed five thousand gross square feet. Multiple smaller buildings are permitted as long as they conform to the lot coverage standard in listed above;
- Uncovered storage areas shall be screened from pre-existing residences on adjacent parcels and from designated public roads defined in Chapter 18.106. Screening shall generally consist of evergreen landscape buffers;
- All exterior lighting, including landscape lighting, for farm management uses shall be shielded and directed downward, located as low to the ground as possible, and the minimum necessary for security, safety, or operations.

Additionally, motion detection sensors must be incorporated to the greatest extent practical. No flood-lighting or sodium lighting of buildings is permitted, including architectural highlighting and spotting. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards. Prior to issuance of any building permit for construction, two copies of a separate detailed lighting plan shall accompany building plans showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for department review and approval.

- Farm managers shall possess all applicable local, state and federal permits and licenses.

The project would also include adoption of a resolution by the Board of Supervisors that would exempt farm management uses from "investigation fees" for a period of two years. "Investigation fees" are the fines assessed when buildings that are built or modified without permit are brought into code compliance. The two-year exemption from these fines is intended as an incentive for existing farm management uses to bring their buildings up to current fire and life safety (building) codes. During the two-year period, farm managers could apply for permits to legalize existing structures or past modifications and they would be subject to standard fees. Farm managers could also request a code-compliance audit by senior County staff. The audit would provide the farm manager with a list of building and site improvements required to bring their operation into conformance with applicable codes and regulations.

PROJECT BACKGROUND: Currently, Chapter 18 of the County Code (the "Zoning Code") permits farm management uses in commercial and industrial areas of the County, although many uses have long existed in agricultural areas. The proposed ordinance would modify the Zoning Code to permit existing uses to remain as legal uses in agricultural areas, and would permit similar new uses in these areas.

It is estimated that over 50 farm management entities currently operate within Napa County whose activities could qualify as farm management either in whole or in part¹. These farm management entities provide support to existing agricultural land uses (primarily vineyard) that rely upon private farm management services (i.e. those where the land owner does not farm his/her/its own property). It is anticipated the current level of service provided by existing farm management entities would continue with the approval of the proposed project because no immediate or dramatic increase in the amount of land under cultivation would occur, and the same land owners that farm their own properties would continue to do so. For the same reasons, it is not anticipated that an immediate increase in the establishment of new farm management entities and associated new construction would result from the project. Also, it is likely that the existing entities would absorb a majority of new economic growth in the agricultural industry, given the costs associated with starting a new business. Nonetheless, there could be an increase in new farm management entities resulting from the project over a long period of time. By recognizing the existing farm management uses, the proposed ordinance would allow for their expansion, as well as allow for the establishment of new farm management uses as described and defined by the proposed ordinance amendment. The proposed action to waive "investigation fees" for a two year period would stimulate efforts to improve the code compliance of existing businesses.

The legalization of the siting of existing farm management entities by changing the Zoning Code would not obviate the need for users of farm labor and pesticides to be appropriately licensed, or obviate the need for managers/companies to abide by Building and Fire Code provisions. Similarly, requirements regarding storm water runoff, hazardous materials, the conservation regulations, etc. would still have to be met.

¹ Napa County Agricultural Commissioner, 2006

GENERAL PLAN CONSISTENCY: The project is consistent with the spirit and intent of applicable goals and policies of the Napa County General Plan related to agriculture. Farm management uses would be narrowly defined in the proposed ordinance to include operation, maintenance and storage of farm machinery, equipment, vehicles and supplies used exclusively for agriculture. Farm management uses are part and parcel of agriculture in that such activities support agriculture. Agriculture and related activities are considered the highest and best land use within the County. The project supports agriculture by allowing agricultural support systems in the form of farm management entities to reside and operate within the County's active agricultural areas.

CEQA STATUS: Mitigated Negative Declaration Prepared. According to the Mitigated Negative Declaration, the proposed project would have, if mitigation measures are not included, potentially significant environmental impacts in the following areas: Aesthetics. This project does not affect any known site on any of the lists of hazardous waste sites enumerated under Government code section 65962.5

STAFF: Hillary Gitelman, Planning Director and Brian Bordona, Supervising Planner

ENVIRONMENTAL:

Recommend that the Board of Supervisors make the following findings:

1. Find that the Board has read and considered the Mitigated Negative Declaration prior to taking action on said Mitigated Negative Declaration.
2. Find that the Mitigated Negative Declaration is based on the independent judgment by the Board.
3. Find that the Mitigated Negative Declaration was prepared and considered in accordance with the requirements of the California Environmental Quality Act.
4. Find that, as mitigated, there is no substantial evidence in the record as a whole that the project will have a significant effect on the environment because revisions in the project have been made
5. Find that the Secretary of the Planning Commission is the custodian of the records of the proceedings on which the decision is based. The records are located at the Napa County Conservation, Development & Planning Department, 1195 Third Street, Suite 210, Napa, California.
6. Find that considering the record as a whole there is no evidence that the proposed project will have a potential adverse effect on wildlife resources or habitat upon which the wildlife depends.
7. Adopt the attached Mitigation Monitoring Program.
8. Adopt the Mitigated Negative Declaration.

PLANNING: Recommendation to the Board of Supervisors that the Board adopt the proposed ordinance.

Farm Management Ordinance, P06-01175-ORD
Mitigation Monitoring and Reporting Program
October 2006

Potential Environmental Impact	Adopted Mitigation Measure	Implementation	Monitoring	Reporting & Date of Compliance/ Completion
Aesthetics				
<p>IMPACT: Lighting and Glare - The project has the potential to result in the creation of substantial new sources of light or glare, which could adversely affect nighttime views in the area if new structures are proposed. The construction of new farm management related structures could result in a new source of lighting and glare. Mitigation Measure A - 1 would reduce potentially significant impacts associated with light and glare to a level of insignificance.</p>	<p>Mitigation Measure A-1: The proposed project shall be revised to require all exterior lighting, including landscape lighting, to be shielded and directed downward, located as low to the ground as possible, and the minimum necessary for security, safety, or operations and incorporate the use of motion detection sensors to the greatest extent practical. No flood-lighting or sodium lighting of the building is permitted, including architectural highlighting and spotting. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards. Prior to issuance of any building permit for construction, two (2) copies of a separate detailed lighting plan shall accompany building plans showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for Department review and approval.</p>	BOS/CDPD	CDPD FI	Upon final inspection of new structures and the optional investigative process.

Notes: P = Permittee, CDPD = Conservation, Development and Planning Department, RCD = Resource Conservation District, AG = Agricultural Commissioner, WQCB = Water Quality Control Board, CDFG = CA Dept of Fish & Game, CT = CALTRANS, EMD = Environmental Management, PW = Public Works Dept, PE/G = Project Engineer/Geologist, PC = Prior to Project Commencement, CPI = Construction Period Inspections, FI = Final Inspection, OG = Ongoing, BOS = Board of Supervisors, CDPC = Planning Commission



NAPA COUNTY FARM BUREAU

BMAN/FILE

RECEIVED

SEP 21 2006

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT

September 15, 2006

Ms. Hillary Gitelman
Napa County Conservation, Development and Planning Department
1195 Third Street
Napa, CA 94559

RE: Farm Management Zoning Ordinance

Dear Hillary,

The Farm Bureau Board reviewed the draft farm management zoning ordinance and strongly supports the effort to include farm management in the definition of agriculture and clearly allow farm management operations to be sited in the Ag Preserve and Ag Watershed zones.

The Farm Bureau Board recommends two small revisions to the draft ordinance, which are highlighted in blue in the attached document. The first change is relative to the 75% rule and amends the text to refer to "acres farmed" and not "properties". The Agricultural Commissioner is able to track both statistics, but "acres farmed" is a more direct linkage to insuring that the farm management operations are predominately in Napa County.

The second change adds a sentence after 18.08.040 E. 5 stating,

"Notwithstanding the foregoing, where a farm or ranch is owner-operated, such owners are permitted to operate, maintain, and store farm machinery equipment, vehicles, and supplies used exclusively for agricultural cultivation or ranching as an Accessory Use as defined in section 18.08.020."

This recommendation clarifies that section 18.08.040 E. 1-5 pertains to farm management companies and does not apply to owner-operated farms, as there is a distinct difference in the potential impacts of owner-operated farms and farm management for hire. The Board of Supervisors asked for parameters for professional farm management for hire operations, and that is what section E 1-5 accomplishes. While we strongly support amending the definition of agriculture to include professional farm management, we do not believe that the farm management definition should be universal to all farms. Farming is clearly defined in sections A., B., C. and D. of 18.08.040 and adding this recommended sentence further clarifies the distinctions.

Our discussion of this issue also surfaced concerns about monitoring and enforcement and the cost of compliance with building and fire codes.

Years of discussion, review and analysis have resulted in a viable approach to clarifying farm management as an essential and integral part of agriculture. If the changes to the definition of

agriculture recommended by Farm Bureau are made, we believe the proposed ordinance will provide a sensible clarification for all farm management uses in Ag Watershed and Ag Preserve zones, while protecting agricultural lands from non-agricultural development.

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to be 'Al Wagner', with a stylized, cursive script.

Al Wagner
President

cc: Napa County Farm Bureau Directors

18.08.040 Agriculture.

"Agriculture" means the raising of crops or livestock and includes the following:

- A. Growing and raising trees, vines, shrubs, berries, vegetables, nursery stock, hay, grain and similar food crops and fiber crops;
- B. Grazing of livestock and feeding incidental thereto;
- C. Animal husbandry, including, without limitation, the breeding and raising of cattle, sheep, horses, goats, pigs, rabbits and poultry and egg production;
- D. Sale of agricultural products grown, raised or produced on the premises. (Ord. 511 § 1 (part), 1976; prior code § 12019)

E. Farm management uses meeting all of the standards in this subsection. Farm management shall mean the operation, maintenance and storage of farm machinery, equipment, vehicles and supplies used exclusively for agricultural cultivation and harvesting where all machinery, equipment, vehicles and supplies are leased or owned and operated by the farm manager whether that manager is an owner, tenant, or agricultural contractor, and regardless of whether properties managed are contiguous or under similar ownership, provided that 75 percent of those properties, acres farmed are within Napa County.

- 1. Offices used for farm management shall meet the definition of accessory uses in Section 18.08.020 (Accessory Uses).
- 2. Farm management activities established or expanded after June 30, 2006, alone and in combination with any wineries subject to Section 18.104.220 (Wineries – Coverage) shall not occupy more than 15 acres or 25% of the parcel size, whichever is less.
- 3. No single farm management building or structure newly constructed after June 30, 2006 shall exceed 5,000 gross square feet. Multiple smaller buildings are permitted as long as they conform to the lot coverage standard in item (3) above.
- 4. Uncovered storage areas shall be screened from pre-existing residences on adjacent parcels and from designated public roads defined in Section 18.106 (Viewshed Protection Program). Screening shall generally consist of evergreen landscape buffers.
- 5. Farm managers shall have all necessary permits and licenses.

Farm management shall not include manufacturing for sale or retail sales of any kind and shall not include businesses devoted to equipment storage, rental or repair rather than farming. Farm management shall also not include the operation, maintenance or storage of equipment used for construction of structures, even if those structures are in support of agriculture.

FB Board recommends this additional language:

Notwithstanding the foregoing, where a farm or ranch is owner-operated, such owners are permitted to operate, maintain, and store farm machinery equipment, vehicles, and supplies used exclusively for agricultural cultivation or ranching as an Accessory Use as defined in section 1808.020.

18.16.030 Uses permitted upon grant of a use permit.



Napa Valley Grapegrowers

811 Jefferson Street • Napa, California 94559
707.944.8311 • Fax 707.224.7836

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SEP 27 2006

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

Hillary Gitelman
Napa County Planning Department
1195 Third Street
Napa, CA 94559

September 27, 2006

Dear Hillary,

The Napa Valley Grapegrowers Board of Directors and the NVG Industry Issues Committee have extensively reviewed the proposed amendments to sections 18.08.040, 18.16.030, 18.20.030, and 18.104.220 of the Napa County Code to define farm management uses as an agricultural use, and hereby endorses the ordinance changes as reflected in the September 5, 2006 version of the county document.

We recognize the need to legitimize Napa County farm management companies, who farm a large percentage of the planted acres in the county, and who contribute to the economic, environmental, and social well-being of Napa County.

The NVG is satisfied with the changes made to section 18.08.040, yet have noted the issue of lighting as referred to in the proposed negative mitigation declaration, and recognize that this will need to be addressed in more detail, and that perhaps an addition to the standards with regard to reflective light may be appropriate.

Thank you to you and your dedicated staff at the Planning Department for the hours and input provided during this process.

Please telephone me with any questions or points of further clarification that may arise.

Regards,

Jennifer Kopp
Executive Director

COUNTY OF NAPA
CONSERVATION, DEVELOPMENT & PLANNING DEPARTMENT
1195 THIRD ST., SUITE 210
NAPA, CA 94559
(707) 253-4417

Notice of Intent to Adopt a Mitigated Negative Declaration

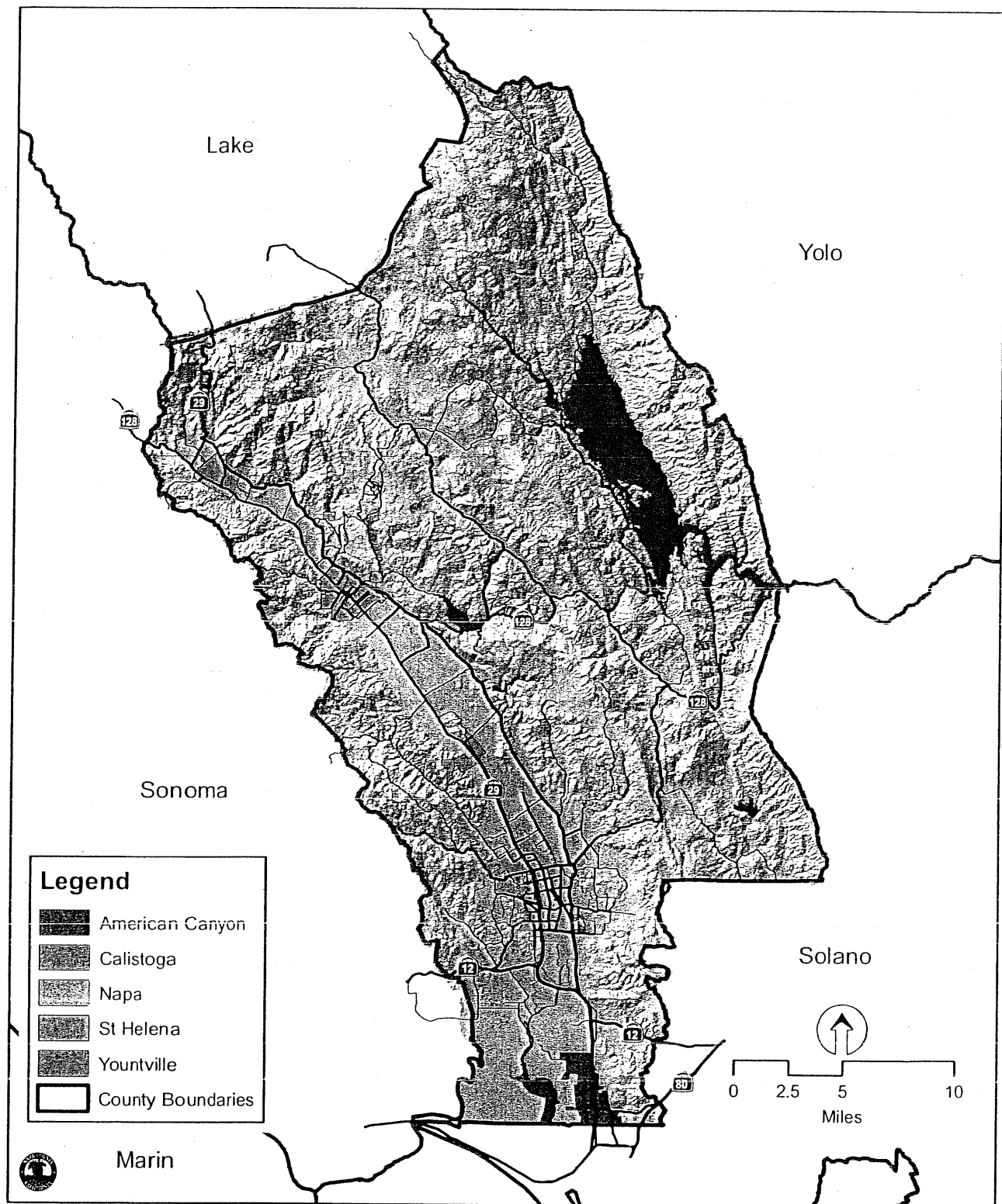
1. **Project title:** Farm Management Ordinance - Ordinance #P06-01175-ORD
2. **Property owner:** Napa County Board of Supervisors
3. **Contact person and phone number:** Brian Bordona, Supervising Planner, (707) 259-5935, bbordona@co.napa.ca.us
4. **Project location and APN:** All privately owned parcels located within the unincorporated areas of Napa County. (see **Figure 1** for project location map)
5. **Project sponsor's name and address:** Napa County Board of Supervisors, 1195 Third Street, Napa, CA 94559
6. **General Plan description:** All land use designations.
7. **Zoning:** All zoning districts that permit agricultural uses.
8. **Description of Project.**

The proposed project is the adoption of amendments to the Napa County Code, Sections 18.06.040, 18.16.030, 18.20.030 and 18.105.220 that would legalize existing farm management uses, and allow for the expansion of some existing uses, and the establishment and operation of new farm management operations within the unincorporated areas of Napa County by defining farm management as part of "agriculture." The project would also include adoption of a resolution by the Board of Supervisors that would exempt farm management uses from "investigation fees" for a period of two years. "Investigation fees" are the fines assessed when buildings that are built or modified without permit are brought into code compliance. The two-year exemption from these fines is intended as an incentive for existing farm management uses to bring their buildings up to current fire and life safety (building) codes. During the two-year period, farm managers could apply for permits to legalize existing structures or past modifications and they would be subject to standard fees. Farm managers could also request a code-compliance audit by senior County staff. The audit would provide the farm manager with a list of building and site improvements required to bring their operation into conformance with applicable codes and regulations.

Existing Farm Management Uses

It is estimated that over 50 farm management entities currently operate within Napa County whose activities could qualify as farm management either in whole or in part¹. These farm management entities provide support to existing agricultural land uses (primarily vineyard) that rely upon private farm management services (i.e. those where the land owner does not farm his/her/its own property). It is anticipated the current level of service provided by existing farm management entities would continue with the approval of the proposed project because no immediate or dramatic increase in the amount of land under cultivation would occur, and the same land owners that farm their own properties would continue to do so. For the same reasons, it is not anticipated that an immediate increase in the establishment of new farm management entities and associated new construction would result from the project. Also, it is likely that the existing entities would absorb a majority of new economic growth in the agricultural industry, given the costs associated with starting a new business. Nonetheless, there could be an increase in new farm management entities resulting from the project over a long period of time. By recognizing the existing farm management uses, the proposed ordinance would allow for their expansion, as well as allow for the establishment of new farm management uses as described and defined by the proposed ordinance amendment. The proposed action to waive "inspection fees" for a two year period would stimulate efforts to improve the code compliance of existing businesses.

¹ Napa County Agricultural Commissioner, 2006



Source: Napa County Conservation Division

Farm Management Ordinance - #P06-01175-ORD

Figure 1
Project Location

9. **Describe the environmental setting and surrounding land uses.**

Regional Location

Napa County is located in northern California, bordered by Lake County to the north, Solano County and San Pablo Bay to the south, Yolo County to the east and Sonoma County to the west (see Figure 1). The County is one of nine counties located in the San Francisco Bay Area. The cities of San Francisco and Oakland lie to the southwest and southeast of Napa County.

Description of Napa County

Napa County generally divided into three distinct subregions: Napa Valley, the Interior Valleys and the Berryessa/Knoxville Area (see Figure 2). Urban land uses in the County generally consist of residential, commercial, office, recreational and public uses within and adjacent to the incorporated cities of American Canyon, Calistoga, Napa, St. Helena and Yountville. State Route 29 (SR 29) and Silverado Trail serve as the primary travel routes within the unincorporated areas of Napa County.

Physical Features

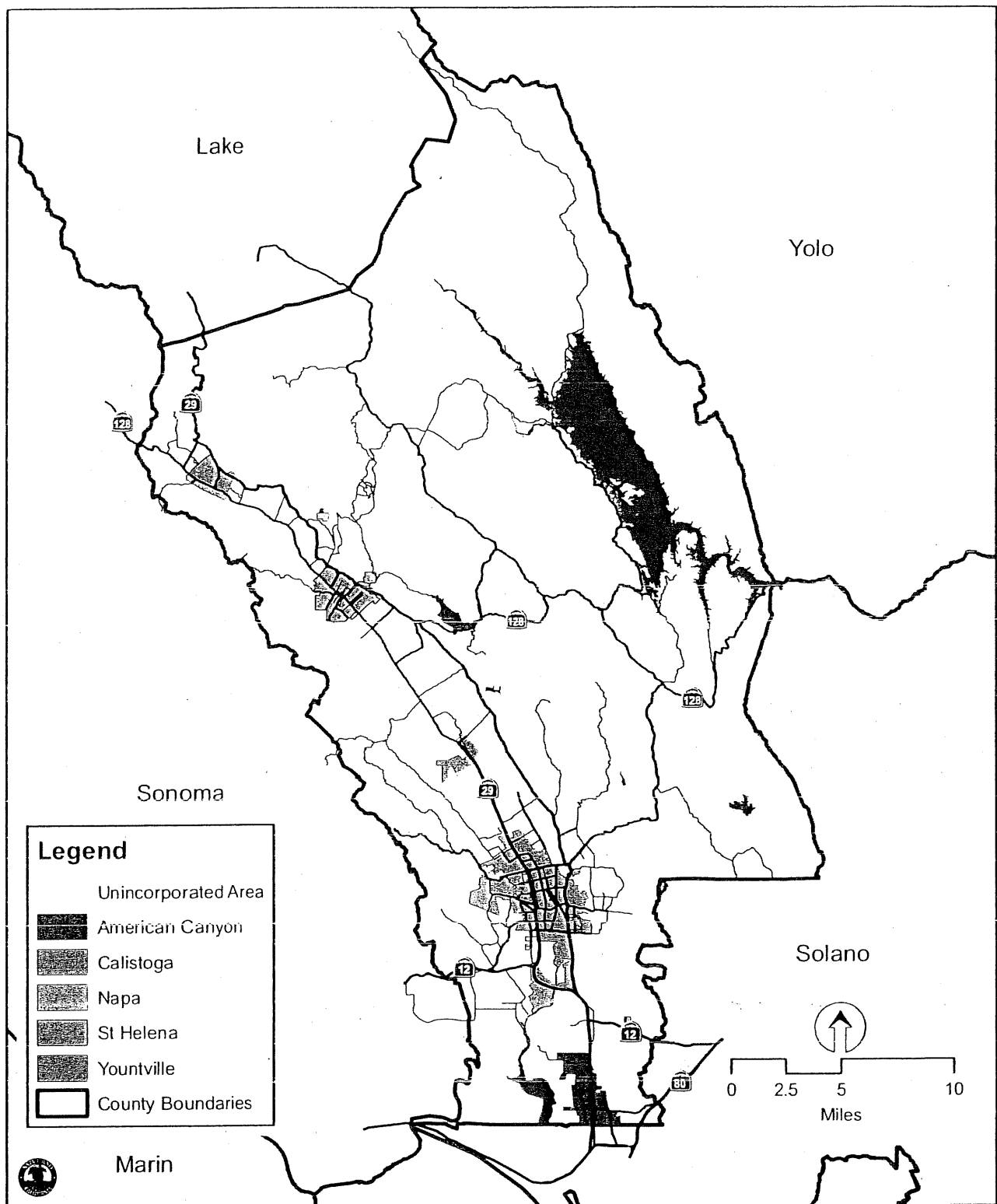
The County consists of approximately 793 square miles (507,438 acres) that includes the incorporated cities and Lake Berryessa, in the northern portion of San Francisco Bay Area. The County includes Lake Berryessa, Lake Hennessey the Napa River, and associated tributaries to the Napa River (e.g., Conn Creek, Rector Creek, and Milliken Creek), varying topographic conditions (Macaymas Mountains, Blue Ridge and Vaca Mountains) and vegetation communities consisting of valley oak woodland, annual grassland, valley foothill riparian and agricultural lands. Evergreen and coniferous forest (e.g., can be found throughout Napa County, although predominantly in the mountains west and east of Napa Valley.

Agricultural operations and the associated raising of crops and livestock are prevalent land uses in Napa County. Fertile valley and foothill areas have been identified by Napa County as areas where agriculture is and should continue to be the predominant land use. Development of urban type uses is considered by Napa County to be detrimental to the continuance of agriculture and the maintenance of open space, which are economic and aesthetic attributes and assets of the County (Napa County General Plan, 1983). The unincorporated portion of Napa County consists of approximately 289,385 acres, or roughly 57 percent of the total acreage of the County (see Figure 2). Agricultural land comprised approximately 51,000 acres of active vineyards, with smaller areas of crops and orchards. Approximately 53,800 acres are grazing land. As discussed in the project description, it is estimated that over 50 farm management entities currently reside and operate within the unincorporated county, providing the existing level of support to agricultural uses that rely upon private farm management services. Existing services range in size and overall intensity. The smaller farm management uses operate out of small garages and shops and have as little 1-2 full time employees. The larger operations can consist of multiple structures and shop buildings, equipment storage, maintenance and repair, equipment wash-down areas, and related administrative functions occupying up to 4 acres or more in area. In some cases farm management entities store equipment and related facilities on a given clients property to reduce the need of equipment transport.

Elevations in the County range from approximately sea level at the south valley floor to approximately 4,339 feet mean sea level (msl) at Mt. St. Helena in the Mayacamas Mountains north of the valley floor. General geographic boundaries of the County include the Knoxville and Livermore Ranch Areas to the north, the Western Mountains (as referred to as Macaymas Mountains) to the west, the Berryessa Area to the east and the Napa River Marshes to the south. The combination of physiography, soils, and climate has helped give rise to the production of premium wine grapes and other agricultural products.

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

N/A



Source: Napa County Conservation Division

Farm Management Ordinance - #P06-01175-ORD

Figure 2
Unincorporated Areas

JURISDICTIONAL BACKGROUND: Public Plans and Policies

Based on an initial review, the following findings have been made for the purpose of the Initial Study and do not constitute a final finding by the County in regard to the question of consistency.

	YES	NO	N/A
Is the project consistent with:			
a) Regional and Subregional Plans and Policies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) LAFCOM Plans and Policies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) The County General Plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Appropriate City General Plans?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Adopted Environmental Plans and Goals of the Community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Pertinent Zoning?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Responsible (R) and Trustee (T) Agencies

None

Other Agencies Contacted

None

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

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

MITIGATION MEASURES:

- ☐ None Required
- ☐ Identified By This Study - Unadopted (see attached Draft Project Revision Statement)
- ☐ Included By Applicant As Part of Project (see attached Project Revision Statement, Exhibit C)
- ☒ Recommended For Inclusion As Part of Public Project (see attached Recommended Mitigation Measure List)

BASIS OF CONCLUSIONS:

The conclusions and recommendations contained herein are professional opinions derived in accordance with current standards of professional practice. They are based on a review of the Napa County Baseline Data Report, 2005, Napa County Environmental Resource Maps, Napa County General Plan and other sources of information listed in the file, and the comments received, conversations with knowledgeable individuals.

AGENCY STAFF PARTICIPATING IN THE INITIAL STUDY:

Resource Evaluation: Brian Bordona, Supervising Planner, CDPD, July 2006
Site Review/Inspection: Brian Bordona, Supervising Planner, CDPD, June 2006
Planning/Zoning Review: Brian Bordona, Supervising Planner, CDPD, July 2006

PRELIMINARY DETERMINATION:

- ☐ No reasonable possibility of environmental effect has been identified, and a Negative Declaration should be prepared.
- ☒ A Negative Declaration cannot be prepared unless all identified impacts are reduced to a level of insignificance or avoided.

DATE: September 7, 2006

BY: Brian Bordona

FINAL DETERMINATION. (by Napa County)

On the basis of this initial evaluation:

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

Signature

Hillary Gitelman, Planning Director
Printed Name, Title

Date

September 7, 2006

Napa County Conservation, Development & Planning Department
For

PROPOSED MITIGATED NEGATIVE DECLARATION

The Conservation, Development and Planning Director of Napa County has tentatively determined that the following project, with mitigation, would not have a significant effect on the environment. Documentation supporting this determination is on file for public inspection at the Napa County Conservation, Development and Planning Department Office, 1195 Third St., Suite 210, Napa, California 94559.

OWNER: Napa County Board of Supervisors

APN: All privately owned parcels located within the unincorporated areas of Napa County. (see **Figure 1** for project location map)

ACTION: Adoption of proposed ordinance amendment (#P06-01175-ORD)

PROJECT DESCRIPTION:

The proposed project is the adoption of amendments to the Napa County Code, Sections 18.06.040, 18.16.030, 18.20.030 and 18.105.220 that would legalize existing farm management uses, and allow for the expansion of some existing uses, and the establishment and operation of new farm management operations within the unincorporated areas of Napa County by defining farm management as part of "agriculture." The project would also include adoption of a resolution by the Board of Supervisors that would exempt farm management uses from "investigation fees" for a period of two years. "Investigation fees" are the fines assessed when buildings that are built or modified without permit are brought into code compliance. The two-year exemption from these fines is intended as an incentive for existing farm management uses to bring their buildings up to current fire and life safety (building) codes. During the two-year period, farm managers could apply for permits to legalize existing structures or past modifications and they would be subject to standard fees. Farm managers could also request a code-compliance audit by senior County staff. The audit would provide the farm manager with a list of building and site improvements required to bring their operation into conformance with applicable codes and regulations.

Existing Farm Management Uses

It is estimated that over 50 farm management entities currently operate within Napa County whose activities could qualify as farm management either in whole or in part². These farm management entities provide support to existing agricultural land uses (primarily vineyard) that rely upon private farm management services (i.e. those where the land owner does not farm his/her/its own property). It is anticipated the current level of service provided by existing farm management entities would continue with the approval of the proposed project because no immediate or dramatic increase in the amount of land under cultivation would occur, and the same land owners that farm their own properties would continue to do so. For the same reasons, it is not anticipated that an immediate increase in the establishment of new farm management entities and associated new construction would result from the project. Also, it is likely that the existing entities would absorb a majority of new economic growth in the agricultural industry, given the costs associated with starting a new business. Nonetheless, there could be an increase in new farm management entities resulting from the project over a long period of time. By recognizing the existing farm management uses, the proposed ordinance would allow for their expansion, as well as allow for the establishment of new farm management uses as described and defined by the proposed ordinance amendment. The proposed action to waive "inspection fees" for a two year period would stimulate efforts to improve the code compliance of existing businesses.

WRITTEN COMMENT PERIOD: September 8, 2006 – September 28, 2006

DATE: September 7, 2006

BY THE ORDER OF

HILLARY GITELMAN

Planning Director

Napa County Conservation, Development and Planning Department

² Napa County Agricultural Commissioner, 2006

ENVIRONMENTAL CHECKLIST FORM

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

Discussion:

This section assesses the visual attributes, patterns of features, and scenic quality of the areas surrounding project components, including landforms, vegetation, and land use. The impact analysis considers negative aesthetic effects. The analysis is based on information obtained during field investigations conducted by County staff and from the Napa County Baseline Data Report, 2005 and the General Plan (Napa County, 1992).

The landscape in Napa County includes rolling hills covered with chaparral brush; steep, rolling hills and narrow ravines; broad valleys and prominent ridges; meandering tree-lined creeks and drainages; oak woodlands; and various agricultural lands, including pasturelands, vineyards, dry farmlands, orchards, and row croplands. The scenic beauty in Napa County provides part of the basis for the County's thriving, multi-million dollar tourist industry, which is the County's second largest industry.

State Route (SR) 121 passes through the lower Carneros Creek watershed and has been designated by the California Department of Transportation (Caltrans) as eligible Scenic Highways by the California Scenic Highway Program (Caltrans, 2004). This highway is also designated as scenic in the Napa County General Plan (Napa County, 1992).

California State Scenic Highway Program

California's Scenic Highway Program was created by the Legislature in 1963 to preserve and protect scenic highway corridors from change that would diminish the aesthetic value of lands adjacent to highways. State laws governing the Scenic Highway Program are found in the Streets and Highways Code, Section 260 et seq. A highway may be designated as "scenic" based on the expanse of the natural landscape that can be seen by travelers, the scenic quality of that landscape, and the extent to which development intrudes upon the traveler's enjoyment of the view. A Scenic Corridor is described as the land generally adjacent to and visible from such a highway and is usually limited by topography and/or jurisdictional boundaries. In addition to State Highways, County Roads are also eligible for scenic designation.

Napa County General Plan – Scenic Highways Element

The Scenic Highways Element designates the following as eligible State Scenic Highways: SR 29 (from Napa to Lake County line), SR 121 (from Sonoma County to the City of Napa; from the City of Napa to SR 128), and SR 128 (from Rutherford to Monticello Dam). In addition, the following policy provides for the preservation of Napa County's scenic corridors and vistas:

Policy 3. New development projects located within view of a scenic corridor should be subject to site and design review to ensure such development does not destroy the scenic quality.

Napa County Viewshed Protection Ordinance

In 2001, Napa County adopted a Viewshed Protection Ordinance (Chapter 18.106, Napa County Code) for the purpose of preserving the scenic quality of Napa County. The ordinance provides development guidelines: (1) to minimize man-made structures and grading on views of existing landscapes and open spaces as seen from designated public roads within the County; and (2) for new hillside development with slope areas greater than 15 percent or that may be within 25 vertical feet of a ridgeline.

Analysis:

- a-c. The proposed project would bring into compliance existing farm management operations (as well as allow for their expansion) and allow for the establishment and operation of new farm management operations as demand for such support increases. As the agricultural industry continues to grow there could be a slight increase in the establishment of new farm management operations and therefore the construction of structures and infrastructure to support future growth. However, it is likely that the existing operations would absorb a majority of growth.

New operations could utilize existing structures, however, in the event new operations require the construction of new structures and related facilities, all applicable policies and regulatory requirements related viewshed would be applied through the building permit review process, thereby reducing potential impacts to scenic vistas and highways. In addition, no single structure would be permitted to exceed 5,000 gross square feet and all uncovered storage areas would be required to be screened from pre-existing residences on adjacent parcels and from designated public roads defined in Section 18.106 – Viewshed Protection Program. Screening would be required to generally consist of evergreen landscape buffers to provide for a natural blend into the existing vegetative character of a site.

- d. The project has the potential to result in the creation of substantial new sources of light or glare, which could adversely affect nighttime views in the area if new structures are proposed. The construction of new farm management related structures could result in a new source of lighting and glare. **Mitigation Measure A – 1** would reduce potentially significant impacts associated with light and glare to a level of insignificance.

Mitigation Measure A-1: The proposed project shall be revised to require all exterior lighting, including landscape lighting, to be shielded and directed downward, located as low to the ground as possible, and the minimum necessary for security, safety, or operations and incorporate the use of motion detection sensors to the greatest extent practical. No flood-lighting or sodium lighting of the building is permitted, including architectural highlighting and spotting. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards. Prior to issuance of any building permit for construction, two (2) copies of a separate detailed lighting plan shall accompany building plans showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for Department review and approval.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
II. AGRICULTURE RESOURCES. <i>(In determining impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland). Would the project:</i>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Important (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

Agriculture operations and the associated raising of crops and livestock are prevalent land uses in Napa County. Fertile valley and foothill areas have been identified by Napa County as areas where agriculture is and should continue to be the predominant land use. Development of urban type uses is considered by Napa County to be detrimental to the continuance of agriculture and the maintenance of open space, which are economic and aesthetic attributes and assets of the County (Napa County General Plan, 1983). The proposed project would bring into compliance existing farm management operations (as well as allow for their expansion) and allow for the establishment and operation of new farm management operations within the unincorporated areas of Napa County by defining these as part of "agriculture."

Analysis:

- a - c. New farm management entities that result from the project could be constructed on land considered as "Prime Farmland," "Farmland of Statewide Importance," or "Unique Farmland" as shown on the April 2005 map prepared by the California Department of Conservation. However, given that farm management activities are consistent with and necessary to support agriculturally related operations, such coverage of important farmland would function to support and perpetuate existing and any future agricultural operations. Furthermore, as proposed, farm management uses would be required to occupy no more than 15 acres or 25 percent of a given parcel, whichever is less. No new sites are proposed as part of the project, but future farm management uses could be placed on parcel(s) under Williamson Act contracts. However, uses permitted pursuant to the proposed project would be allowed under typical Williamson Act contracts given they support agricultural uses. Therefore, no impact to agricultural resources is expected.

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

Discussion:

This section discusses the federal, state, and local policies that are relevant to the analysis of air quality in the County. The federal and California state governments have established standards for several different pollutants. In the case of some pollutants, separate standards and measurement periods have been established. Most standards have been established to protect public health. For some pollutants, standards have been based on other values (such as protection of crops, protection of materials, or avoidance of nuisance conditions). The pollutants of greatest concern in the County are carbon monoxide (CO), ozone, and particulate matter 10 and 2.5 microns or less in diameter (PM10 and PM2.5, respectively), which are inhalable.

The federal Clean Air Act (CAA), promulgated in 1970 and amended twice thereafter (including the 1990 amendment), establishes the framework for modern air pollution control. The act directs the U.S. Environmental Protection Agency (EPA) to establish ambient air standards for six pollutants: ozone, CO, lead, nitrogen dioxide (NO₂), particulate matter, and sulfur dioxide (SO₂). The standards are divided into primary and secondary standards; the former are set to protect human health within an adequate margin of safety and the latter to protect environmental values, such as plant and animal life.

The primary legislation that governs federal air quality regulations is the Clean Air Act Amendments of 1990 (CAAA). The CAAA delegates primary responsibility for clean air to the EPA. The EPA develops rules and regulations to preserve and improve air quality, as well as delegating specific responsibilities to state and local agencies.

The CAAA require that all federally funded projects come from a plan or program that conforms to the appropriate State Implementation Plan (SIP). Federal actions are subject to either the transportation conformity rule (40 CFR 51[T]), which applies to federal highway or transit projects, or the general conformity rule. The purpose of the general conformity rule is to ensure that federal projects conform to applicable SIPs so that they do not interfere with strategies employed to attain the NAAQS. The rule applies to federal projects in areas designated as nonattainment areas for any of the six criteria pollutants and in some areas designated as maintenance areas. The rule applies to all federal projects except

- programs specifically included in a transportation plan or program that is found to conform under the federal transportation conformity rule.
- projects with associated emissions below specified de minimis threshold levels, and
- certain other projects that are exempt or presumed to conform.

A general conformity determination must be performed to demonstrate that emissions for each affected pollutant would conform with the applicable SIP if a proposed action's total direct and indirect emissions for any pollutant for which the region is classified as being a maintenance or nonattainment area for the national standards fail to meet either of the following two conditions.

- Emissions are below the applicable de minimis levels.
- Emissions are regionally insignificant (i.e., total emissions are less than 10% of the area's total emissions inventory for that pollutant).

If the above two conditions are met, however, the requirements for general conformity do not apply, because the proposed action is presumed to conform with the applicable SIP for each affected pollutant. As a result, no further analysis or determination would be required.

Responsibility for achieving California's standards, which are more stringent than federal standards, is placed on the Air Resources Board (ARB) and local air districts and is to be achieved through district level air quality management plans that will be incorporated into the SIP. In California, the EPA has delegated authority to prepare SIPs to the ARB, which, in turn, has delegated that authority to individual air districts. The ARB traditionally has established state air quality standards by maintaining oversight authority in air quality planning, developing programs for reducing emissions from motor vehicles, developing air emission inventories, collecting air quality and meteorological data, and approving state implementation plans.

Responsibilities of air districts include overseeing stationary source emissions, approving permits, maintaining emissions inventories, maintaining air quality stations, overseeing agricultural burning permits, and reviewing sections related to air quality of environmental documents required by the California Environmental Quality Act (CEQA). The California Clean Air Act of 1988, as amended (California CCAA) substantially added to the authority and responsibilities of air districts. The CCAA designates air districts as lead air quality planning agencies, requires air districts to prepare air quality plans, and grants air districts authority to implement transportation control measures. The CCAA focuses on attainment of the state ambient air quality standards, which, for certain pollutants and averaging (measurement) periods are more stringent than the comparable federal standards. The CCAA requires designation of attainment and nonattainment areas with respect to state ambient air quality standards. The CCAA also requires that local and regional air districts expeditiously adopt and prepare an air quality attainment plan if the district violates state air quality standards for CO, sulfur dioxide, nitrogen dioxide, or ozone. These clean air plans are specifically designed to attain these standards and must be designed to achieve an annual 5% reduction in district-wide emissions of each nonattainment pollutant or its precursors. No locally prepared attainment plans are required for areas that violate the state PM10 standards. The CCAA requires that the state air quality standards be met as expeditiously as practicable but, unlike the federal CAA, does not set precise attainment deadlines. Instead, the act established increasingly stringent requirements for areas that will require more time to achieve the standards.

At the local county level, air quality is managed through land use and development planning practices. These practices are implemented in Napa County through the general planning process (i.e., Napa County General Plan). At the regional level, the BAAQMD is responsible for establishing and enforcing local air quality rules and regulations that address the requirements of federal and state air quality laws.

Analysis:

The project area is Napa County, which lies within the Napa Valley, which is bordered by relatively high mountains. The mountains surrounding the Napa Valley have an average ridgeline height of approximately 2,000 feet, while some peaks approach 3,000 to 4,000 feet in elevation. The Napa Valley is widest at its southern end and narrows to the north and the mountains surrounding the valley serve as effective barriers to the prevailing northwesterly winds.

In the daytime, the prevailing winds flow upvalley from the south about half of the time, with a strong upvalley wind frequently developing during warm summer afternoons, which draws in air from the San Pablo Bay. Occasionally daytime winds will flow downvalley from the north. Downvalley drainage often occurs in the evening, especially in the winter months. Wind speeds are generally low, with almost 50% of the winds speeds below 4 miles per hour (mph). Only 5% of the wind speeds are between 16 and 18 mph; such speeds are representative of winter storms and strong summertime upvalley winds.

The summer average maximum temperatures are in the low 80s at the southern end of the valley and in the low 90s at the northern end, while winter average maximum temperatures are in the high 50s and low 60s, with minimum temperatures in the high to mid 30s in the slightly cooler northern end of the valley. Due to the climate and terrain of the valley, the potential for air pollution could be high if there were sufficient sources of air contaminants nearby. The summer and fall prevailing winds can transport ozone precursors northward from the Carquinez Strait Region to the Napa Valley, which would effectively trap and concentrate pollutants when stable conditions are present. In addition, pollutants may be recirculated by the local upslope and downslope flows created by the surrounding mountains, contributing to buildup of air pollution within the valley. In the late fall and winter, particulate matter from motor vehicles, agriculture and woodburning in fireplaces and stoves can build up in the valley because of the high frequency of light winds and stable atmospheric conditions.

The federal and state governments have established ambient air quality standards for six criteria pollutants: ozone, CO, NO₂, SO₂, particulate matter, and lead. Ozone and NO₂ are generally considered regional pollutants because these pollutants or their precursors affect air quality on a regional scale. Pollutants such as CO, SO₂, and lead are considered local pollutants because they tend to accumulate in the air locally. Particulate matter is considered a localized pollutant and a regional pollutant.

- a-c. The project would recognize existing farm management uses as consistent with agricultural zoning (as well as allow for their expansion) and allow for the establishment of new farm management facilities. The project would not be in conflict with or obstruct implementation of the Ozone Maintenance Plan, Carbon Monoxide Maintenance Plan or the Bay Area 1991 Clean Air Plan, under the Federal Clean Air Act. The construction of any new facilities would be required to adhere to all applicable regulatory requirements regarding air quality. Therefore, potentially significant impacts to existing air quality plans and standards as well as cumulative increases would be less than significant.
- d-e. Land uses such as schools, playgrounds, child care centers, hospitals and convalescent homes are considered sensitive to poor air quality, because infants and children, the elderly, and people with health afflictions, especially respiratory ailments, are more susceptible to respiratory infections and other air quality related health problems than the general public. Residential areas are also considered to be sensitive to air pollution because residents, which include children and the elderly, tend to be at home for extended periods of time. No specific projects sites are proposed, and therefore it is unknown at this time if the project could expose the public or sensitive receptors to significant offensive odors. However, it is unlikely future farm management uses would be established in areas that are nearby sensitive receptors given the relatively large size of a majority of parcels within zoning districts that permit agricultural uses and the absence of such sensitive receptors within the agriculturally zoned areas of the county. Minimum parcels size within zoning districts that permit agriculture range from 10 -160 acres and allow for one single-family dwelling per legal parcel³. These zoning districts also allow for the establishment and operation of small residential care facilities (six or fewer persons) and family day care homes through the issuance of a Conditional Use Permit. Given the low density of single-family residences, the likelihood for future farm management uses to significantly impact sensitive receptors is low and therefore considered less than significant.

³ Pursuant to the Napa County Code, "agriculture" is allowed in all agricultural, commercial and industrial zoning districts. Agriculture is not a permitted use within residential zoning districts with the exception of the Residential County district where the minimum parcel size is 10 acres.

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

Discussion:

The following policies pertaining to stream setbacks, tree and riparian vegetation protection provisions are excerpted from Napa County Zoning Code: Conservation Regulations, Chapter 18.108. Additional applicable federal and state regulatory requirements are described in the Napa County Baseline Data Report – Biological Resources, 2005.

- Chapter 18.108.100 – Erosion Hazard Areas; Vegetation Preservation and Management

For those projects subject to Conditional Use Permits, a discretionary permit for projects in the County's jurisdiction are subject to a number of conditions, requiring the preservation of existing vegetation wherever feasible and where necessary for the preservation of threatened plant or animal species; no removal of trees 6 inches or more in diameter at breast height without authorization and replacement; and revegetation of graded areas.

- Chapter 18.108.025 – General Provisions, Intermittent/Perennial Streams

This section of the County code establishes stream setbacks for clearing for new developments, including agricultural and residential developments, and for replanting of existing vineyards, unless the replanting occurs within the existing vineyard footprint. The stream setbacks vary from 35 to 150 feet in width, as measured from the top of bank, with wider setbacks required on steeper slopes. Where the outboard dripline of upper canopy vegetation is located outside the setback required by the slope steepness, the setback will extend to the outboard dripline. Revegetation of portions of the streamside setbacks may be required as a part of an erosion-control plan.

- Chapter 18.108.027 – Sensitive Domestic Water Supply Drainages

This section of the County code requires the maintenance of 60% of 1993 tree canopy cover and 40% of shrubby and herbaceous cover as part of land uses involving ground disturbance in sensitive domestic water supply drainages. Ground-disturbing activities must take place during the dry season, between April 1 and September 1 of each year. Installation of winterization measures may take place during other times of the year, but shall be in place by September 15 of any given year. Concentration of runoff will, wherever feasible, be avoided. Those drainage facilities and

outfalls that unavoidably must be installed will be sized and designed to handle the runoff from a one-hundred-year storm event without failure or unintentional bypassing. If a project will increase delivery of sediment or other pollutants from a drainage into a public water supply (reservoir) by more than 1% on an individual project basis or by more than 10% on a cumulative basis, the project will not be approved until a public hearing on the matter has been held and a use permit has been issued. A geotechnical report specifying the depth and nature of the soils and bedrock present and the stability of the area potentially affected will be required for any project located in a sensitive domestic water supply drainage.

- *Chapter 18.108.070 – Erosion hazard Areas-Use Requirements*

This section of the code stipulates that uses permitted within erosion hazard areas must implement standard erosion control measures in these areas on slopes of 15% or less. Erosion control plans are required for projects in geologically sensitive areas, for agricultural projects on slopes over 5%, and for non-agricultural projects on slopes greater than 15%. Vineyard replanting programs or erosion control plans are required for vineyard replanting on slopes over 5%. Development projects must minimize erosion potential, and must ensure that no portions of a disturbed site are unprotected from erosion between October 15 and April 1, unless approved by the County. Vegetation removal must be minimized.

- *Chapter 16.04 – Floodplain Management*

Floodplain management provisions regulate a variety of activities, including the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel floodwaters. Floodplain management provisions seek to preserve riparian vegetation in order to preserve fish and game habitats; prevent or reduce erosion; maintain cool water temperatures for fish; prevent or reduce siltation; and promote wise uses and conservation of woodland and wildlife resources of the county. All development activities within riparian zones (50 feet beyond the top of streambanks, or 100 feet beyond the top of the Napa River banks downstream of Zinfandel Lane) must be permitted. Development activities include substantial improvements to a structure. Chapter 16.04.750 sets restrictions on the type and amount of riparian vegetation that may be removed within the riparian zone, and prohibits locating structures within 10 feet of the top of the bank, as well as leaving slopes unprotected.

Analysis:

The proposed project would bring into compliance existing farm management operations (as well as allow for their expansion) and allow for the establishment and operation of new farm management operations as demand for such support increases. Given a large majority of farm management operations currently exist, it is not anticipated that substantial increase in the establishment of new farm management operations and associated new construction would result from the project. As the agricultural industry continues to grow there could be a slight increase in the establishment of farm management operations and therefore the construction of new structures and infrastructure to support the growth. However, it is likely that the existing operations would absorb a majority of new economic growth.

Given no new sites are proposed, the precise identification of future sites would be purely speculative. However, in the event a new farm management use is established, all applicable local, state and federal regulations associated with the protection of biological resources would apply. The local regulations that current apply are generally contained in Chapter 18.108 of the Napa County Code (Conservation Regulations) and consist of stream setbacks protections, local erosion control plan and state NPDES requirements, vegetation preservation in sensitive domestic water supply watersheds among other requirements. The Napa County Baseline Data Report, 2005 summarizes several other regulatory requirements that could be applicable depending on the locations and design of future farm management uses.

As part of the implementation of the proposed project, farm managers could request a County audit of existing facilities to determine if existing uses are operating consistently with applicable local regulatory requirements. In the event a given farm management use is found to exist and operate in a manner inconsistent with the Code, the landowner(s) would be required to bring their farm management uses into compliance with applicable local regulatory requirements. Through this audit process, some existing farm management uses could be modified resulting in a beneficial impact and overall improvement of biological conditions through possible removal of un-permitted structures and equipment from stream setbacks and, if necessary, through the restoration of riparian areas.

- a. No new farm management uses are proposed as part of the project. All existing farm management uses represent existing baseline conditions. All applicable local, state and federal regulations protecting biological resources would apply to the establishment of new farm management uses and therefore the project is anticipated to have a less than significant impact on special status species.

- b. Chapter 18.108 of the Napa County Code (Conservation Regulations) prohibit any grading⁴ or development of land for agricultural purposes within stream setback areas ranging from 35-150 feet measured from the top of bank of all county streams⁵. The application of the required setbacks generally provides for adequate protections to riparian habitats and associated communities and therefore potentially significant impacts are anticipated to be less than significant. Furthermore, the audit process could function to provide for enhancement and added protection to riparian habitats through the County audit process through the removal of equipment and possible restoration of degraded riparian areas within required stream setbacks.
- c. All new construction related to farm management uses would be required to comply with all applicable state and federal regulations related to the protection of federally protected wetlands and related waters subject to Section 404 of the Clean Water Act. Therefore, the project is not anticipated to result in impacts to federally protected wetlands.
- d. Given farm management uses occupy a relatively small area (1-4 acres) and are located within existing agricultural settings, it is unlikely new operations of this same nature would substantially interfere 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.
- e. It is unknown if or to what degree existing farm management uses are operating in conflict with applicable County ordinances (Chapter 18.108) and regulations related to biological protection. As part of the implementation of the ordinance, the County would audit existing farm management uses to determine if operations are in conflict with such local policies. In the event a given farm management use is found to exist and operate in a manner inconsistent with the Code, the landowner(s) would be required to bring their farm management uses into compliance with applicable local regulatory requirements within 2 years from the date the project becomes effective.
- f. No new structures or uses are proposed. However, any new farm management structures and uses would be required to comply with all applicable habitat and/or community conservation plans. Therefore, no impact is anticipated.

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

Discussion:

The proposed project would bring into compliance existing farm management operations (as well as allow for their expansion) and allow for the establishment and operation of new farm management operations as demand for such support increases within the unincorporated areas of Napa County. Given a large majority of farm management operations currently exist, it is not anticipated that substantial increase in the establishment of new farm management operations and associated new construction would result from the project. As the agricultural industry continues to grow there could be a slight increase in the establishment of farm management operations and therefore the construction of new structures and infrastructure to support the growth. However, it is likely that the existing operations would absorb a majority of new economic growth.

⁴ "Grading" shall mean any stripping, cutting, filling, contouring, recontouring or stockpiling of earth or land, including the land in its cut or fill condition.

⁵ "Stream" means any of the following:

A watercourse designated by a solid line or dash and three dots symbol on the largest scale of the United State Geological Survey maps most recently published, or any replacement to that symbol; Any watercourse which has a well-defined channel with a depth greater than four feet and banks steeper than 3:1 and contains hydrophilic vegetation, riparian vegetation or woody vegetation including tree species greater than ten feet in height; Those watercourses listed in Resolution No. 94-19 and incorporated herein by reference.

- a-d. All new construction related to farm management uses would be required to comply with all applicable local, state, and federal regulations⁶ related to the protection of historical and/or archaeological resources as defined by CEQA Guidelines §15064.5. These regulations would also apply to the modification of existing structures. Furthermore, the nature of structurally development does not typically require extensive excavation, so the likelihood of impacting significant paleontological resources is considered low. Therefore, the project is not anticipated to result in impacts to historical and/or archaeological resources.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VI. GEOLOGY AND SOILS. Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1997), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

The proposed project would bring into compliance existing farm management operations (as well as allow for their expansion) and allow for the establishment and operation of new farm management operations as demand for such support increases within the unincorporated areas of Napa County. Given a large majority of farm management operations currently exist, it is not anticipated that substantial increase in the establishment of new farm management operations and associated new construction would result from the project. As the agricultural industry continues to grow there could be a slight increase in the establishment of farm management operations and therefore the construction of new structures and infrastructure to support the growth. However, it is likely that the existing operations would absorb a majority of new economic growth.

- a, c - d. The project site (Napa County) could experience potentially strong ground shaking and other seismic related hazards based on the number of active faults in the San Francisco Bay region. However, no new structures are proposed as part of the project. Several state regulations intended to protect the public from the hazards of surface fault ruptures currently exist, including Alquist-Priolo Earthquake Fault Zoning Act, 1997 uniform Building Code and 2001 California Building Code, and the Seismic Hazards Mapping Act and would apply to future development, therefore potential impacts are considered less than significant.
- b. All new structures resulting from the project would be required to comply with the County's National Pollutant Discharge Elimination System (NPDES), which requires the County department of Public Works to ensure that stormwater and erosion control measures are provided for all structural projects. Therefore, potential impacts resulting from future development are considered less than significant.

⁶ Napa County Baseline Data Report – Cultural Resources, 2005

- e. No septic tanks or wastewater disposal systems are proposed as part of the project. All new structures would be required to provide for adequate wastewater disposal system(s) through the review and issuance of required building permits; therefore, no impacts are anticipated.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VII.	HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	For a project within the vicinity of a private airstrip, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h)	Expose people or structures to a significant risk of loss, injury or death involving wild-land fires, including where wild-lands are adjacent to urbanized areas or where residences are intermixed with wild-lands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

This section includes a discussion of the regulations applicable to environmental protection, health, and safety from hazardous materials. Issues related to public health and safety at the site include storage, use and transportation of hazardous materials, and possible spill or release of hazardous materials used or stored onsite. The proposed project would bring into compliance existing farm management operations and allow for the establishment and operation of new farm management operations as demand for such support increases within the unincorporated areas of Napa County. Given a large majority of farm management operations currently exist, it is not anticipated that substantial increase in the establishment of new farm management operations and associated new construction would result from the project. As the agricultural industry continues to grow there could be a slight increase in the establishment of farm management operations and therefore the construction of new structures and infrastructure to support the growth. However, it is likely that the existing operations would absorb a majority of new economic growth.

Federal

The federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) authorizes EPA to register or license pesticides for use in the United States. Pesticides must be registered both by EPA and the state before distribution. This could apply to the project, where pesticides would be used only after compliance with applicable federal requirements. In addition, the Occupational Health and Safety Administration (OSHA) is responsible for

enforcement and implementation of federal laws and regulations pertaining to worker health and safety including the regulation of hazardous materials in the workplace. For the proposed project, workers would be trained before handling pesticides, fertilizers, and other chemicals onsite.

State

The Resources Conservation and Recovery Act (RCRA) of 1976 and the California Health and Safety Code authorize the California Department of Toxic Substances Control (DTSC) to regulate the handling, storage, transportation, and disposal of hazardous substances. The project owner would ensure compliance with the DTSC rules and regulations before use of chemicals onsite. Under the FIFRA, the California Department of Pesticide Regulation (DPR) is vested with primary responsibility to enforce pesticide laws in California with the Napa County Agricultural Commissioner to enforce state pesticide laws and regulations. The DPR regulates pesticide sales and use, and local use enforcement through the County Agricultural Commissioners (DPR, 2003).

Emergency Response Planning

Emergency response in the Project area, including response to chemical releases, is managed by the State of California and Napa County Offices of Emergency Services (OES). These agencies operate under numerous pieces of legislation to prevent or respond to major emergencies and disasters, including fires, floods, earthquakes, civil disturbances, transportation and industrial accidents and incidents, and chemical releases. The Napa County OES operates under the County of Napa Emergency Plan. The purposes of the Emergency Plan include:

- Providing a basis for the conduct and coordination of operations and the management of critical resources during emergencies;
- Establishment of a mutual understanding of the authority, responsibilities, functions, and operations of civil government during emergencies; and
- Providing a basis for incorporating into the county emergency organization nongovernmental agencies and organizations having resources necessary to meet foreseeable emergency requirements.
- The Emergency Operations Center (OEC) is setup and staffed by the OES and staffed with professionals who coordinate all communications, logistics, resources, and recovery programs.

Napa County

The Napa County Agricultural Commissioner is authorized to enforce the laws administered by the DPR. Many agricultural pesticides require a permit from the County Agricultural Commissioner before purchase or use. The Agricultural Commissioner also enforces regulations to protect both ground and surface water from pesticide contamination. State law requires all businesses, including growers, to annually identify hazardous material storage sites and to submit inventories of stored materials, which exceed threshold quantities. Depending upon the actual quantities of regulated substances listed in the federal Accidental Release Prevention Program stored or handled onsite the proposed project could require a Restricted Materials Permit (Napa County, 2005). If a permit is required, a Risk Management Plan would need to be submitted by the owner(s) of a given Farm Management entity. The owner would also be required to develop a Hazardous Materials Business Plan, which includes an inventory, an owner/operator identification form, and a site map showing storage locations and access roads. Threshold quantities for the chemicals are 500 pounds for a solid (pesticides or fertilizers), 200 cubic feet for a compressed gas and 55 gallons for a liquid (Napa County Agricultural Commissioner, 2004).

Napa County General Plan

The Safety Element in the Napa County General Plan (1996) addresses safety issues associated with transportation of hazardous substances. The General Plan lists the following conservation and transportation hazard policies that would apply to the proposed project.

Conservation Policies

Encourage inter-agency and inter-disciplinary liaison to continually monitor and evaluate pesticide and herbicide programs on all phases of the environment and extend programs in air and wildlife and to recommend changes as needed to prevent any environmental degradation.

Minimize pesticide and herbicide use and encourage research and use on integrated pest control methods such as cultural practices, biological control, host resistance and other factors.

Transportation Hazard Policies

State and federal agencies with responsibilities for regulating the transportation of hazardous materials should be requested to review regulations and procedures, in cooperation with the County, to determine means of mitigating the public safety hazard in Napa County.

- When an emergency occurs in the transportation of hazardous materials, the County Office of Emergency Services should be notified as soon as possible.
- The County shall cooperate with other local jurisdictions to develop intra-county evacuation routes to be used in the event of a disaster within Napa County.

Analysis:

- a – b. Equipment and vehicles generally used for farm management related activities use diesel fuel and other petroleum products such as oil and transmission fluids, which are considered hazardous materials. Operations associated with the general vineyard management activities would also involve the usage and storage of pesticides, herbicides, and fertilizers that are considered hazardous. Oil, herbicides, and pesticides used for vineyards are typically stored in a locked buildings or enclosures. The project would allow for the ongoing and new use and storage of such chemicals and are subject to State law which requires all businesses, including growers, to annually identify hazardous material storage sites and to submit inventories of stored materials that exceed threshold quantities. Threshold quantities are 500 lbs of a solid (pesticides or fertilizers), 200 cubic feet of a compressed gas and 55 gallons of a liquid (Napa County Agricultural Commissioner, 2004).

Herbicide applicators must be licensed by the state. The Napa County Agricultural Commissioner enforces application of pesticides and regulates applicators. Application of chemicals would be optimized as much as possible through the use of integrated pest management (IPM) techniques. IPM is an effective and environmentally sensitive approach to pest management that relies on a combination of reasonable application and use practices. For instance, IPM programs use current, comprehensive information on the life cycles of pests and their interaction with the environment. IPM is used to manage pest damage by the most economical means, and with the least possible hazard to people, property, and the environment (EPA, 2005).

Potential migration of chemicals to adjacent streams and reservoirs would be further minimized by maintaining required County stream setbacks that range from 35 to 150 feet. These setbacks would also facilitate increased water infiltration so that the chemicals can be trapped and degraded in buffer soil and vegetation (USDA, 2000), thus reducing potential impacts to the streams and wetlands.

- c) The application of current policy (as discussed above) would reduce potentially significant impacts related to safety hazards from people residing or working within the project area; therefore, less than significant impacts would result.
- d. Based on the Hazardous Waste and Substances Site List - Site Cleanup (Cortese List) maintained by the Department of Toxic Substance Control (DTSC), no existing farm management uses are known to be located on a site included on a hazardous materials site⁷. Based on the list, there are two sites located within the City of Napa. The proposed project does not affect land use policy with incorporated areas of the County; therefore, there is no impact.
- e – g. The application of current policy (as discussed above) would reduce potentially significant impacts related to safety hazards from people residing or working within the project area; therefore as less than significant impacts would result.

⁷ http://www.dtsc.ca.gov/SiteCleanup/Cortese_List.cfm and Napa County Baseline Data Report, Map 7-2, Version 1, Nov., 2005

- h. Although existing and potential future farm management sites may be located in an area prone to wildland fires, the proposed project would not result in a significant addition of new farm management uses because new uses are not anticipated and therefore would not significantly change the existing conditions. New uses would be required to comply with all applicable regulatory requirements associated with fire prevention and protection. The project would not result in a significant increased exposure of people or structures to significant loss or injury involving wildland fires. Therefore, the impact would be less than significant.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VIII.	HYDROLOGY AND WATER QUALITY. Would the project:				
a)	Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g)	Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h)	Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i)	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j)	Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

This section provides a description of the regulatory framework relevant to the proposed project, and the potential hydrologic and water quality impacts of the proposed project and recommended mitigation measures (if applicable). In terms of analysis, the proposed project would bring into compliance existing farm management operations and allow for the establishment and operation of new farm management operations as demand for such support increases within the unincorporated areas of Napa County. Given a large majority of farm management operations currently exist, it is not anticipated that substantial increase in the establishment of new farm management operations and associated new construction would result from the project. As the agricultural industry continues to grow there could be a slight increase in the establishment of farm management operations and therefore the construction of new structures and infrastructure to support the growth. However, it is likely that the existing operations would absorb a majority of new economic growth.

Regulatory Framework

The federal Clean Water Act (CWA) authorizes the U.S. Environmental Protection Agency (EPA) to protect and maintain the quality and integrity of the nation's waters. Part of the CWA provides for the National Permit for Discharge Elimination System (NPDES), in which discharges into navigable waters are prohibited except in compliance with specified requirements and authorizations. The NPDES program regulates point sources and non-point sources of pollutant discharges. In California, the EPA has delegated the implementation of this program to the State Water Resources Control Board and Regional Water Quality Control Boards (RWQCBs).

Requirements for non-point source discharges or storm water runoff would directly apply to the proposed project. Storm water runoff from construction areas of one acre or more require either an individual permit or coverage under the statewide General Construction Storm Water Permit. The Regional Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan) and the California Enclosed Bays and Estuaries Plan serve to protect the water quality of the state consistent with identified beneficial uses. These plans govern the waste discharge and non-point source control requirements in the state through the regional boards.

Section 303(d) of the CWA requires that each state identify water bodies or segments of water bodies that are "impaired" (i.e., not meeting one or more of the water quality standards established by the state). Once a water body or segment is listed, the state is required to establish a Total Maximum Daily Load (TMDL) for the pollutant causing the conditions of impairment. The TMDL is the quantity of a pollutant that can be safely assimilated by a water body without violating water quality standards. The intent of the 303(d) list is to identify the water body as requiring future development of a TMDL to maintain water quality and reduce the potential for continued water quality degradation. The SFBRWQCB has identified waters that are polluted and need further attention to support their beneficial uses. The 303(d) list includes Napa River for nutrients, pathogens, and sedimentation/siltation.

The SFBRWQCB identifies beneficial uses and water quality objectives for surface waters in the region as well as effluent limitations and discharge prohibitions intended to protect those uses. The existing beneficial uses designated for the Napa River are agricultural, municipal, and domestic supply, cold freshwater habitat, fish migration, navigation, preservation of rare and endangered species, water contact and non-water contact recreation, fish spawning, warm freshwater habitat, and wildlife habitat (SFBRWQCB, 1995).

The SFBRWQCB governs water quality in the project area. The SFBRWQCB administers the NPDES storm water-permitting program in the San Francisco Bay region. Construction activities on one acre or more are subject to the permitting requirements of the NPDES General Permit for Discharges of Storm Water Runoff Associated with Construction Activity (General Construction Permit). The General Construction Permit requires the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP), which is prepared before construction begins. The SWPPP includes specifications for Best Management Practices (BMPs) that would be implemented during project construction to control degradation of surface water by preventing the potential erosion of sediments or discharge of pollutants from the construction area. However, this requirement would not apply in this case because the proposed project is an agricultural operation and exempt from stormwater permit requirements.

Napa County has jurisdiction over the project area concerning water quality and hydrologic changes, as specified in the Napa County General Plan policies and Department of Public Works Ordinances concerning storm water runoff. The Napa County General Plan (2003) lists the following policies applicable to the project:

- **Policy 1.10:** The County will protect the public interest in drainage systems and water impoundments from sedimentation, siltation, and contamination and ensure that urban, agricultural and resource development projects utilize sound short-term and long-term erosion control measures,
- **Policy 3.9:** The County, working in conjunction with the Soil Conservation Service, will monitor hillside agricultural operations, and in conjunction with the Soil Conservation Service, establish standards for terracing, contour planting, and maintenance of permanent cover crops on slopes exceeding 15 percent.

The Conservation and Open Space Element (Napa County, 1998) lists goals and policies that are intended to identify specific items of courses of action. The following policies apply to the proposed project:

I. Open Space for Preservation of Natural Resources

Napa River and its Tributaries:

- a) Implement sediment reduction measures in sand and gravel operations and other high sediment producing land uses because soil nitrates stimulate oxygen-consuming algae in the river.
- b) Encourage feasibility study of reclamation of wastewater as means of keeping adequate water flow to support fish life and reduce pollution of the river.
- c) Prevent the removal of stream side vegetation to reduce the potential to increase water temperature and siltation and improve fishery habitat.
- d) Promote good forest management.

II. Open Space for Managed Production of Resources

Goal: To improve the management and protection of the County's water resources.

Protection of Water Quality and Water Reservoirs

Planning Goal: Protect the County's watersheds and public water reservoirs to accomplish the following purposes: For clean drinking water, for public health and safety, for support of the eco-system, for recreation, for scenic beauty, and for open space.

Conservation Policies:

- (a) Protect streams from encroachment by establishment of "Official Plan Lines", riparian woodland ordinances and protection procedures, stream obstruction zoning, stream setbacks, flood plain zoning and other appropriate methods.
- (b) Encourage flood control agencies to give full consideration to scenic, fish, wildlife, and other environmental benefits when computing costs of alternative methods of flood control.
- (d) Adopt and enforce ordinances to prohibit grading and excavation unless it can be demonstrated that such activities will not result in soil erosion, silting of lower slopes, slide damage, flooding problems, severe cutting or scarring, or damage to wildlife and fishery habitats.
- (e) Require retention of existing desirable vegetation along all intermittent and perennial streams.
- (f) Require replanting and restoration of riparian vegetation as part of any discretionary permit or erosion control plan approved by the County.

Analysis:

Napa County Code 18.108 includes conservation regulations such as requirements for standard erosion control measures, provisions for intermittent or perennial streams, requirements for use of erosion hazard areas. This section of the code also defines streams and provides setbacks for land clearing for structural development (see IV - Biological Resources for further discussion of the code.)

- a. The proposed project does not require a water discharge permit from the Regional Water Quality Control Board because the proposed project does not include the discharge of waste; therefore, there would be no impact on waste discharge requirements.
- b. Groundwater will be the primary source for agriculturally zoned areas of the county. To help ensure long-term reliability of groundwater resources, the Napa County Department of Public Works has assigned unit groundwater use allotments to the various portions of Napa

County. According to the Napa County Water Availability Analysis Phase I Study, 1.0 acre-feet per acre per year is the allowable allotment for parcels located on the valley floor and generally within areas zoned as Agricultural Preserve and 0.5 acre-feet per acre per year in the mountainous areas where the zoning is primarily agriculture watershed (AW). The project does not involve the construction of any new structures. However, the project would allow for new farm management uses to occur on parcels zoned as agriculture, industrial, commercial and large-lot residential (i.e. 10 acres – Residential Country). The water source for areas zoned industrial is from the City of American Canyon. Commercially zoned areas are fairly sparse throughout the county and are generally located along Highway 29 within the agricultural preserve. However, the project would allow for new farm management uses to occur within zoning district that permit agricultural uses. All new farm management uses would be required to adhere to these regulations and therefore impacts to groundwater resources are anticipated to be less than significant.

- c-d. The project does not involve the construction of any new structures. However, the project would allow for new farm management uses to occur within zoning district that permit agricultural uses. All new development would be subject to the County's National Pollution Discharge Elimination System (NPDES) program, which requires the County to ensure that stormwater and erosion control measures are provided for all structural projects. The program is intended to minimize polluted runoff during the construction phase and the post-construction phase of development projects to the maximum extent possible. The Napa County Department of Public Works administers the program and reviews plans for all project on slopes greater than 5 percent as well as projects that disturb one acre of land or more. The plans are required to address waste management practices as well as erosion and sediment control and are submitted with the application for a building permit; therefore there would be no significant impacts with regard to erosion and increase runoff rates.
- e-f. Farm management uses do not typically require the use of stormwater drainage systems. The application of the County's NPDES program would ensure all potentially significant impacts to stormwater systems are less than significant.
- g-h. Any new development resulting from the project would be subject to applicable standards related to flooding and damage prevention established by local, state and federal agencies; therefore, no significant impacts are anticipated. Any existing structures built without benefit of proper permits would also be required to comply with applicable standards.
- i. New development that could result from the project may involve development within known dam and/or levee failure areas. New development would be subject to all applicable requirements, including those related to dam/levee inundation area; therefore, no significant impacts to people or structures due to flooding are anticipated.
- j. Tsunami, commonly called "tidal waves," are caused by earthquakes on the ocean floor. Estimates made by the U.S. Geologic Survey indicate that the risk of a damaging event is extremely low, approximately a 0.5 percent risk in any year, and that the degree of hazard is also low, having a maximum runup height of ten feet at Point Richmond and one foot at Carquinez Strait. Consequently the risk to Napa County is low and no action is required by the County⁶. Seiches are another type of water wave generated by earthquakes, landslides, strong winds and activity on a closed body of water such as pool, ponds and lakes. Large earthquakes seem to generate seiches at great distances because their energy is often dissipated slowly. Larger bodies of water such as Lake Berryessa, Lake Hennessey and other reservoirs would be subject to seiches. Although the risk may be low, development setbacks from shorelines would mitigate most damage caused to property⁷. All new development would be required to comply with local stream setback requirements, which also apply to reservoirs; therefore, impacts related to tsunamis and seiches are considered to be less than significant.

⁶ Napa County General Plan – Safety Element, Tsunami, Page 10-20

⁷ Napa County General Plan – Safety Element, Seiches, Page 10-20

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

Discussion:

- a – c. The proposed project would bring into compliance existing farm management operations (as well as allow for their expansion) and allow for the establishment and operation of new farm management operations as demand for such support increases within the unincorporated areas of Napa County that permit agriculture. Established communities do not generally exist within these areas as the primary land use is agriculture, with limited commercial or industrial uses. The proposed project would not conflict with any known policies such as the general plan and/or specific plans nor with any know habitat conservation plans; therefore, no impacts are anticipated.

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

Discussion:

Historically, Napa County has produced a moderate amount of a wide variety of mineral and rock commodities. This production began in the mid-to-late 1800s with the mining of mercury, and a variety of minerals have been mined since then. In recent decades, the most economically significant production has been the mining and processing of crushed rock for the production of various types of aggregate for construction. According to the most recent information available (OMR, AB 3098 List—April 1, 2005), Napa County has four active mines, all of which are designated as active by OMR and are all rock quarries. They include: Napa Quarry—Syar Industries, Inc., Pope Creek Quarry—Don Wesner, Inc., Oat Hill Quarry—Napa Vallejo Waste Management Authority, and American Canyon Quarry—Syar Industries, Inc.¹⁰.

Analysis:

- a-b. The proposed project would bring into compliance existing farm management operations (as well as allow for their expansion) and allow for the establishment and operation of new farm management operations as demand for such support increases within the unincorporated agricultural areas of Napa County. Assuming future farm management uses are located within known mineral resources area, such uses would not occupy a significant area of land (up to 15 acres) to constitute a significant loss of mineral resources. The potential impact to available mineral resources is less than significant.

¹⁰ Napa County Baseline Data Report – Mineral Resources, Page 2-4, 2005

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XI.	NOISE. Would the project result in:				
a)	Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

The County's currently adopted Noise Element (amended on August 1, 1990, and reformatted in December 1996) establishes policies and regulations concerning the generation and control of noise that could adversely affect its citizens and noise-sensitive land uses. The County has established guidelines to assist in determining compatibility with surrounding land uses.

Analysis:

- a - f. Potential new construction would most likely occur in areas zoned as agriculture. Agricultural areas are sparsely developed and inhabited by people. Potential new construction resulting from the project would extend for the duration of construction and would be temporary in nature. Therefore, no substantial temporary increases in construction related noise is anticipated. Napa County has exempted all mechanical devices, apparatus or equipment associated with agricultural operations conducted on agricultural property from the provisions of the County's noise ordinance¹¹. Noise related to agricultural operations are considered consistent with noises typical of agriculturally zoned areas. Noise generated by existing and potential future farm management operations generally consist of noise associated with the operation and use of equipment (i.e. trucks and tractors) and are compatible with agricultural activities. For potential future farm management uses established within commercial or industrial zoning districts, additional noise levels are anticipated to be consistent or no greater than noise level typical of these zoning districts; therefore, potential impacts are considered to be less than significant.

¹¹ Napa County Baseline Data Report – Noise Resources, Page 6-7, 2005

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

Discussion:

- a - c. The proposed project would bring into compliance existing farm management operations (as well as allow for their expansion) and allow for the establishment and operation of new farm management operations as demand for such support increases within the unincorporated agricultural areas of Napa County. For existing operations, there would be no anticipated change in the current population totals, nor would there be a displacement of housing or people. New uses would be limited to agricultural, commercial, industrial and large lot residential (i.e. 10 acre minimum lot sizes) areas where the population and associated housing is sparse. For any new uses that generates the need for additional housing, it is anticipated individuals would reside within existing urban areas within the county; therefore, no significant impacts are anticipated related to the displacement of individuals or the need for additional housing.

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

Discussion:

- a. The proposed project would bring into compliance existing farm management operations (as well as allow for their expansion) and allow for the establishment and operation of new farm management operations as demand for such support increases within the unincorporated agricultural areas of Napa County. The proposed project does not include the construction of residential or commercial structures, nor would the project result in a substantial population growth in the area; and therefore would not increase the need or use of the listed services and amenities. The existing level of public services would continue to provide support to existing and any future farm management uses. Therefore; no impacts to public services are anticipated.

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

Discussion:

- a – b. The proposed project would bring into compliance existing farm management operations (as well as allow for their expansion) and allow for the establishment and operation of new farm management operations as demand for such support increases within the unincorporated agricultural areas of Napa County. No significant increase in use of recreational facilities is anticipated; therefore, no impacts are anticipated.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XV.	TRANSPORTATION/TRAFFIC. Would the project:				
a)	Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Substantially increase hazards due to a design feature, (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a – b. The proposed project would bring into compliance existing farm management operations (as well as allow for their expansion) and allow for the establishment and operation of new farm management operations as demand for such support increases within the unincorporated agricultural areas of Napa County. Given a large majority of farm management operations currently exist, it is not anticipated that substantial increase in the establishment of new farm management operations and associated new construction would result from the project. As the agricultural industry continues to grow there could be a slight increase in the establishment of farm management operations and therefore the construction of new structures and infrastructure to support the growth. However, it is likely that the existing operations would absorb a majority of new economic growth. New farm management uses would result in an increase in vehicle trips, depending on the size of the operations. Depending on the location, newly established uses could increase traffic in areas where the existing level of service exceed LOS D. However, farm managers would now be allowed to locate closer to the farms they manage and trips associated with farm management uses are typically off-peak.

- c. The project would not affect existing air traffic and thus no impacts on either air traffic patterns and/or air traffic safety are anticipated.
- d – e. The project does not include roadway or driveway improvements and/or modifications or other design feature that would result in a hazardous condition or inadequate emergency access. Future projects would be reviewed all relevant reviewing agencies including Napa County Fire Department and the Department of Public Works ensuring all applicable regulations related emergency access, road encroachment and standards are satisfied. Therefore, there would be a less than significant impact of the project creating or substantially increasing hazards.
- f. All future farm management uses would be reviewed to ensure adequate parking is provided. Therefore there is no impact.
- g. There are no known adopted policies, plans, or programs supporting alternative transportation that applies to the project area. Thus, the project would have no impact in this area.

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

Discussion:

- a-c. Farm management uses generally do not require the use of wastewater treatment facilities. Wastewater treatment generally involves the disposal of septic refuse into leach fields and equipment wash down areas. Any new construction resulting from the project would be subject to all applicable requirements carried out by the Napa County Department of Environmental Management associated with any wastewater disposal, as well as storm water drainage facilities through the Department of Public Works NPDES program during the building permit review and approval process; therefore, there would be no impact. Existing buildings/uses established without benefit of proper permits would also be required to comply with these programs.
- d. Groundwater will be the primary source for agriculturally zoned areas of the county. To help ensure long-term reliability of groundwater resources, the Napa County Department of Public Works has assigned unit groundwater use allotments to the various portions of Napa County. According to the Napa County Water Availability Analysis Phase I Study, 1.0 acre-feet per acre per year is the allowable allotment for parcels located on the valley floor with generally within areas zoned as Agricultural Preserve and 0.5 acre-feet per acre per year in the mountainous areas where the zoning is primarily agriculture watershed (AW). The project does not involve the construction of any new structures. However, the project would allow for new farm management uses to occur on parcels zoned as agriculture, industrial,

commercial and large-lot residential (i.e. 10 acres). The water source for areas zoned industrial is from the City of American Canyon. Commercially zoned areas are fairly sparse throughout the county and are generally located along Highway 29 within the agricultural preserve. All new farm management uses would be required to adhere to these regulations and therefore impacts to groundwater resources are anticipated to be less than significant.

- e. The project generates no wastewater that would require treatment; therefore, it will have no impact on wastewater treatment providers.
- f. Implementation of the project would have no impact on existing landfills because no significant amount of solid waste is generated by typical farm management uses. Solid waste generated during construction (i.e. broken irrigation pipe, fittings, trellis, end posts, etc.) would be negligible.
- g. The California Integrated Waste Management Board is responsible for guaranteeing the proper storage and transportation of solid waste, by providing standards for storage and transportation of solid waste containing toxic materials generated by urban and industrial users. The applicant/owner would be required to compliance with these regulations, to the extent that they apply to agricultural projects, which will ensure that the project would have no impact in this area.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XVII. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a. As discussed in this Initial Study, the proposed project would not have the potential to degrade the quality of the environment. Where necessary measures have been included to mitigate potentially significant impacts (see I. Aesthetics Mitigation Measure A-1), to a less than significant level. Therefore; a less than significant impact is anticipated to the quality of the environment, aesthetic, or air quality resources.
- b. Cumulative impacts refers to two or more individual effects which, when considered together, could result in potentially significant environmental effects. As discussed throughout the Initial Study, the project would mostly legitimize uses that are already in existence. Thus it would result in less than significant direct or cumulative impacts with the inclusion of the mitigation measure related to aesthetics.
- c. As discussed in this Initial Study, the proposed project would result in impacts considered to be less than significant with the inclusion of the mitigation measure related to aesthetics. The proposed project would be consistent with, and compatible with the surrounding land uses, the Napa County zoning ordinance and the Napa County General Plan. Therefore, less than significant impacts are anticipated on human beings.

