

FILE # 109-00472-UP

NAPA COUNTY
CONSERVATION, DEVELOPMENT & PLANNING DEPARTMENT
 1195 Third Street, Suite 210, Napa, California, 94559 • (707) 253-4417

A Tradition of Stewardship
 A Commitment to Service

APPLICATION FORM

FOR OFFICE USE ONLY

ZONING DISTRICT: AW Date Submitted: 23 OCT 09
 TYPE OF APPLICATION: USE PERMIT Date Published: _____
 REQUEST: TO CONSTRUCT & OPERATE AN APPROXIMATELY 0.5 MILE Date Complete: _____
RECREATIONAL TRAIL THAT CONNECTS STATE (DFSH) & FEDERAL (BLM) LANDS TO BLUE RIDGE,
ACROSS RUNNING DEER RANCH (PRIVATE PROPERTY)

TO BE COMPLETED BY APPLICANT

(Please type or print legibly)

PROJECT NAME: Beraryessa Peak Trail
 Assessor's Parcel #: 015-250-006, 015-260-004 + 00 Existing Parcel Size: 810 acres
 Site Address/Location: 11080 Beraryessa-Knoxville Rd Napa, CA 94550
No. Street City State Zip
 Property Owner's Name: John & Judy Ahmann
 Mailing Address: 1400 Buckle Station Rd, Napa 94559
No. Street City State Zip
 Telephone #: (707) 224-5012 Fax #: () E-Mail: ahmannjudy@aol.com
 Applicant's Name: John Woodbury, Napa County Regional Parks Open Space District
 Mailing Address: 1195 Third St Rm 210, Napa CA 94559
No. Street City State Zip
 Telephone #: (707) 259-3933 Fax #: (707) 299-4471 E-Mail: jwoodbury@ncrposd.org
 Status of Applicant's Interest in Property: Disturbed land trail easement over the property
 Representative Name: John Woodbury, General Manager
 Mailing Address: see above
No. Street City State Zip
 Telephone #: () Fax #: () E-Mail: _____

I certify that all the information contained in this application, including but not limited to the information sheet, water supply/waste disposal information sheet, site plan, floor plan, building elevations, water supply/waste disposal system site plan and toxic materials list, is complete and accurate to the best of my knowledge. I hereby authorize such investigations including access to County Assessor's Records as are deemed necessary by the County Planning Division for preparation of reports related to this application, including the right of access to the property involved.

John E. Ahmann 10/22/2009 John Woodbury
Signature of Property Owner Date Signature of Applicant Date
John E. Ahmann John Woodbury
Print Name Print Name
Judy Ann Ahmann

TO BE COMPLETED BY CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT

*Application Fee Deposit: \$ FEES WAIVED per HHA Director Received by: PA Date: 23 OCT 09

*Total Fees will be based on actual time and materials

Project Description

General Description

The proposed project is the construction and operation of approximately ½ mile of recreational trail that connects on the north to State of California land managed by the Department of Fish and Game (DFG), and on the south to federal land managed by the Bureau of Land Management (BLM). Both the DFG and BLM lands are legally open to the public for recreational purposes. The DFG lands experience considerable public use, though it is mostly limited to game hunting during hunting seasons. The BLM lands are currently landlocked, meaning only adjacent property owners, or others with the permission of adjacent property owners, are able to access and enjoy the federal lands. The proposed project will provide general public access to the BLM lands. The most notable geographic feature on the affected BLM lands is Berryessa Peak, approximately two miles south of the southernmost extent of the proposed project.

No trail construction is proposed on the DFG lands; several possible public access routes already exist using old dirt roads. Separately from this Use Permit application, the project applicant is working with BLM on possible trail construction on the BLM parcels. While this subsequent trail construction on BLM lands is desirable from a public recreation perspective, it is not essential to the project covered by this Use Permit, and must undergo a separate federal review.

The proposed project will be constructed utilizing a trail easement donated in early 2008 by the owner of the underlying title to the properties over which the trail passes. By terms of the easement, only non-motorized pedestrian access is allowed on the easement. Mountain bicycles and horses are not permitted. Hunting is also not permitted. These restrictions, together with the very rugged terrain, the harsh climate and the lack of water in the area, mean that public usage of the trail will be limited to a relatively small number of very healthy and energetic people.

Public users of the trail will park in one of the many turnouts along the Berryessa Knoxville Rd north of Lake Berryessa. Except during peak hunting season, very few vehicles use this road or park in the turnouts. The District plans to include information on hunting seasons on the District web site and on all printed and posted informational materials and signs. Since non-hunting hikers seldom want to be outdoors in the middle of hunting season, providing such information is expected to result in few if any non-hunters utilizing the trail during hunting seasons. (This has been the experience of the District in its management of the Oat Hill Mine Trail, where trail closure advisories are issued during deer hunting season to try and avoid conflicts between hunters and non-hunters.) Thus, existing turnouts along the road are clearly more than adequate to handle the few additional vehicles parking along the road as a result of the proposed project.

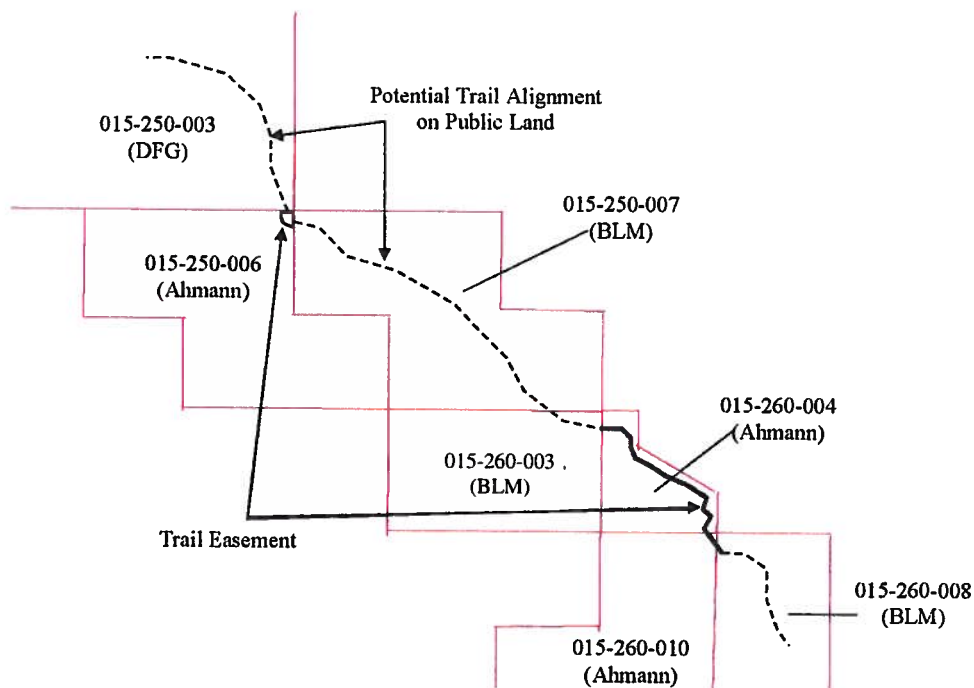
Location of Trail

The trail easement consists of two segments. The northerly segment consists of a quarter circle shape with the centerpoint of the circle located at the northeasternmost corner of Ahmann parcel APN 015-250-006, and with a radius of 25 feet. The southerly segment is a 100 foot wide corridor that starts at Ahmann parcel APN 015-260-004-000 as close as practical to the northernmost end of the western parcel boundary, adjacent to the northernmost end of the eastern boundary of BLM parcel APN 015-260-003-000. The trail easement continues in a south-southeasterly direction for approximately 1500 feet, as close to the property line as practical, and enters Ahmann parcel APN 015-260-010-000 as close

to the northeastern corner of that parcel as is practical. The trail easement heads in a southeasterly direction for approximately one hundred feet before coming to the western boundary of BLM parcel APN 015-260-008-000 as near to its northernmost point as is practical.

Map of Trail Corridor

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Construction Method and Trail Design

The trail will be constructed with hand tools primarily utilizing volunteer labor. Construction supplies will be delivered as close to the construction area as possible using existing dirt roads located on properties owned by the Ahmann family, who donated the trail easement, and then carried the remaining distance by the volunteer laborers. No hazardous materials will be used during construction.

The trail will be designed as a foot path, with a tread width of between one and two feet. The narrower than typical trail width is a reflection of both the restriction that the trail will not be used by bicyclists or horses, and the steep terrain which the trail traverses. The narrower width is adequate for the intended use, and requires dramatically less earth movement than a standard multi-use trail, which is typically 3-5 feet in width. Other than the narrower width, the trail will be constructed following modern trail design and construction standards (eg, outsloped tread to avoid capturing and channeling rainwater runoff, and an appropriately contoured backslope). Because the trail is generally located high on the ridge, far from any stream channels, excess soil from cutting the trail tread will be side-cast. The trail in one location traverses a small seasonal watercourse; in this location, all excess soil will be hauled at least 50 feet from the channel to ensure that no sediment enters surface water flows. Because of the steep slopes in the area (30-50 percent slopes), and the fact that overall more than 50 yards of earth may be disturbed, the project is subject to the County's grading permit requirements.

INFORMATION SHEET

I. USE

- A. Description of Proposed Use (attached detailed description as necessary) (including where appropriate product/service provided):
See attached
- B. Project Phases: ☒ one [] two [] more than two (please specify): _____
- C. Estimated Completion Date for Each Phase: Phase 1: 2010 Phase 2: _____
- D. Actual Construction Time Required for Each Phase: ☒ less than 3 months
☐ More than 3 months
- E. Related Necessary On- And Off-Site Concurrent or Subsequent Projects: None required, but District is separately coordinating with BLM for trail improvements on their property to the north & south of the Ahmanson property
- F. Additional Licenses/Approval Required:
 District: none Regional: none
 State: none Federal: none

II. BUILDINGS/ROADS/DRIVEWAY/LEACH FIELD, ETC.

- A. Floor Area/Impervious area of Project (in square ft): 0
 Proposed total floor area on site: 0
 Total development area (building, impervious, leach field, driveway, etc.) _____
 New construction: 1/2 mile of trail, 2 ft wide \Rightarrow 5,280 sq ft of area covered by trail
 existing structures or portions thereof to be utilized: n/a existing structures or portions thereof to be moved: n/a
- B. Floor Area devoted to each separate use (in square ft):
 living: _____ storage/warehouse: _____ offices: _____
 sales: _____ caves: _____ other: _____
 septic/leach field: _____ roads/driveways: trail - 5,280 sq ft
- C. Maximum Building Height: existing structures: n/a new construction: _____
- D. Type of New Construction (e.g., wood-frame): n/a
- E. Height of Crane necessary for construction of new buildings (airport environs): n/a
- F. Type of Exterior Night Lighting Proposed: n/a
- G. Viewshed Ordinance Applicable (See County Code Section 18.106): ☐ Yes ☒ No
- H. Fire Resistivity (check one; If not checked, Fire Department will assume Type V – non rated): n/a
☐ Type I FR ☐ Type II 1 Hr ☐ Type II N (non-rated) ☐ Type III 1 Hr ☐ Type III N
☐ Type IV H.T. (Heavy Timber) ☐ Type V 1 Hr. ☐ Type V (non-rated)
 (Reference Table 6 A of the 2001 California Building Code)

III. PARKING

	Existing	Proposed
A. Total On-Site Parking Spaces:	<u>0</u>	<u>0</u>
B. Customer Parking Spaces:	<u>0</u>	<u>0</u>
C. Employee Parking Spaces:	<u>n/a</u>	<u>n/a</u>
D. Loading Areas:	<u>n/a</u>	<u>n/a</u>

WATER SUPPLY/WASTE DISPOSAL INFORMATION SHEET

I. WATER SUPPLY

Domestic

Emergency

A. Proposed source of Water (eg., spring, well, mutual water company, city, district, etc.):

none

none

B. Name of Proposed Water Supplier (if water company, city, district):
annexation needed?

n/a
☐ Yes ☐ No

n/a
☐ Yes ☐ No

C. Current Water Use (in gallons/day):
Current water source:

0

0

D. Anticipated Future Water Demand (in gallons/day):

0

0

E. Water Availability (in gallons/minute):

0

0

F. Capacity of Water Storage System (gallons):

0

0

G. Nature of Storage Facility (eg., tank, reservoir, swimming pool, etc.):

0

0

F. Completed Phase I Analysis Sheet (Attached):

II. LIQUID WASTE

Domestic
(sewage)

Other
(please specify)

A. Disposal Method (e.g., on-site septic system on-site ponds, community system, district, etc.):

n/a

n/a

B. Name of Disposal Agency (if sewage district, city, community system):
annexation needed?

n/a
☐ Yes ☐ No

n/a
☐ Yes ☐ No

C. Current Waste Flows (peak flow in gallons/day):

0

0

D. Anticipated Future Waste Flows (peak flows in gallons/day):

0

0

E. Future Waste Disposal Capacity (in gallons/day):

0

0

III. SOLID WASTE DISPOSAL

A. Operational Wastes (on-site, landfill, garbage co., etc.):

carry-in, carry-out

B. Grading Spoils (on-site, landfill, construction, etc.):

on-site

IV. HAZARDOUS/TOXIC MATERIALS (Please fill out attached hazardous materials information sheet, attached)

A. Disposal Method (on-site, landfill, garbage co., waste hauler, etc.):

n/a

n/a

B. Name of Disposal Agency (if landfill, garbage co., private hauler, etc.):

n/a

n/a



Napa County Department of Environmental Management
CUPA-Related Business Activities Form

Business Name: Napa County Regional Park & Open Space District - Ahmann trail easement

Business Address: 1195 Shul St Eureka, Napa 94559

Contact: John Workbury

Phone #: x5933

A. HAZARDOUS MATERIALS

Have on site (for any purpose) hazardous materials at or above 55 gallons for liquids, 500 pounds for solids, or 200 cubic feet for compressed gases (include liquids in AST's and LST's or handle radiating oil materials in quantities for which an emergency plan is required pursuant to 40 CFR Parts 30, 40 or 70)?

☐ YES ☒ NO

B. UNDERGROUND STORAGE TANKS (UST's)

1. Own or operate underground storage tanks?

☐ YES ☒ NO

2. Intend to upgrade existing or install new UST's.

☐ YES ☒ NO

C. ABOVE GROUND STORAGE TANKS (AST's)

Own or operate AST's above these thresholds:

Any tank capacity with a capacity greater than 660 gallons, or
The total capacity for the facility is greater than 1,320 gallons?

☐ YES ☒ NO

D. HAZARDOUS WASTE

1. Generate hazardous waste?

☐ YES ☒ NO

2. Recycle more than 220 lbs/month of excluded or exempted recyclable materials (per 40 CFR 82.143.2)?

☐ YES ☒ NO

3. Treat hazardous waste on site?

☐ YES ☒ NO

4. Treatment subject to financial assurance requirements (for Permit by Rule and Conditional Authorization)?

☐ YES ☒ NO

5. Consolidate hazardous waste generated at a remote site?

☐ YES ☒ NO

E. OTHER

1. Does the business activity include car fleet washing, mobile detailing, auto body related activities?

☐ YES ☒ NO

2. Does the business handle Extremely Hazardous Substances in amounts that would qualify for the Risk Management Program? Some examples and their thresholds common to Napa County include: Ammonia - 500 lbs, Sulfur Dioxide - 500 lbs, Chlorine - 500 lbs.

☐ YES ☒ NO

TRAFFIC INFORMATION

Project Trip Generation							
Personnel / Visitors				Vehicle Trips			
Maximum	Operations	Marketing Events			Operations	Marketing Events	
	Daily	Minimum	Maximum		Daily	Minimum	
	M - F	Weekends			M - F	Weekends	
Operating Hours	24/7	24/7	24/7				
Employees				Employee Trips			
Full-Time	0	0	0	Full-Time			
Seasonal Peak		1 day per month		Seasonal Peak		1 per month	
Peak Hours		on average		Peak Hours			
Total Employees		1/20 of an employee		Total Employee Trips		1 trip per month	
Event Support Staff				Event Support Staff			
Full-Time				Full-Time			
Seasonal Peak				Seasonal Peak			
Total Support Staff	0	0	0	Total Support Staff Trips	0	0	0
Visitors	5	up to 25		Visitor Trips	2-3	up to 10	
Peak Hours	5	up to 10/15		Peak Hours	1-2	up to 5	
Total Visitors				Total Visitor Trips	2-3		
				Total Trucks - Deliveries, Shipping, etc. Trips		n/a	
Grand Total	5	up to 25			2-3	up to 10	
Provide supporting documentation for trip generation rates				based on professional experience - no good data exists for class types of remote, rugged, trails			
Submit separate spreadsheets for existing & proposed operations, include a trip generation grand total.							

Events	Number of People Onsite				
	Full-Time	Seasonal Peak	Marketing Events	Marketing Events	Marketing
No. Employees	0	1 occasionally			
Support Staff, caterers, clean-up, etc.	0				
Visitors	0	25 max			
Residents	0	0			
Grand Total	0	25			



**Napa County Regional Park
and Open Space District**

John Woodbury
General Manager

October 26, 2009

Handwritten signature in blue ink, possibly "JH" or "JW".

Hillary Gitelman
Director of Conservation, Development and Planning
County of Napa
1195 Third Street, Rm 210
Napa, CA 94559

RE: Request for Fee Waiver for Use Permit for Berryessa Peak Trail

Dear Hillary:

In accordance with County policy, the Napa County Regional Park and Open Space District requests that the fee for a Use Permit to construct and operate the Berryessa Peak Trail northeast of Lake Berryessa utilizing an easement located on property owned by John and Judy Ahmann (APN # 015-250-006 and 015-260-004 & -004. The standard fee without the waiver for this permit would be \$8,990.82.

Because of the public purpose, and the fact that the District as a public agency is a not-for-profit entity, the District qualifies for the permit fee waiver which County policy allows the Director of Conservation, Development and Planning to authorize.

Thank you for your consideration of this request.

Sincerely,

Handwritten signature of John Woodbury in black ink.

John Woodbury
General Manager
Napa County Regional Park and Open Space District

INDEMNIFICATION AGREEMENT

Pursuant to Chapter 1.30 of the Napa County Code, as part of the application for a discretionary land use project approval for the project identified below, Applicant agrees to defend, indemnify, release and hold harmless Napa County, its agents, officers, attorneys, employees, departments, boards and commissions (hereafter collectively "County") from any claim, action or proceeding (hereafter collectively "proceeding") brought against County, the purpose of which is to attack, set aside, void or annul the discretionary project approval of the County, or an action relating to this project required by any such proceeding to be taken to comply with the California Environmental Quality Act by County, or both. This indemnification shall include, but not be limited to damages awarded against the County, if any, and cost of suit, attorneys' fees, and other liabilities and expenses incurred in connection with such proceeding that relate to this discretionary approval or an action related to this project taken to comply with CEQA whether incurred by the Applicant, the County, and/or the parties initiating or bringing such proceeding. Applicant further agrees to indemnify the County for all of County's costs, attorneys' fees, and damages, which the County incurs in enforcing this indemnification agreement.

Applicant further agrees, as a condition of project approval, to defend, indemnify and hold harmless the County for all costs incurred in additional investigation of or study of, or for supplementing, redrafting, revising, or amending any document (such as an EIR, negative declaration, specific plan, or general plan amendment) if made necessary by said proceeding and if the Applicant desires to pursue securing approvals which are conditioned on the approval of such documents.

In the event any such proceeding is brought, County shall promptly notify the Applicant of the proceeding, and County shall cooperate fully in the defense. If County fails to promptly notify the Applicant of the proceeding, or if County fails to cooperate fully in the defense, the Applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the County. The County shall retain the right to participate in the defense of the proceeding if it bears its own attorneys' fees and costs, and defends the action in good faith. The Applicant shall not be required to pay or perform any settlement unless the settlement is approved by the Applicant.

John Ward Bay
Applicant

N/A

Property Owner (if other than Applicant)

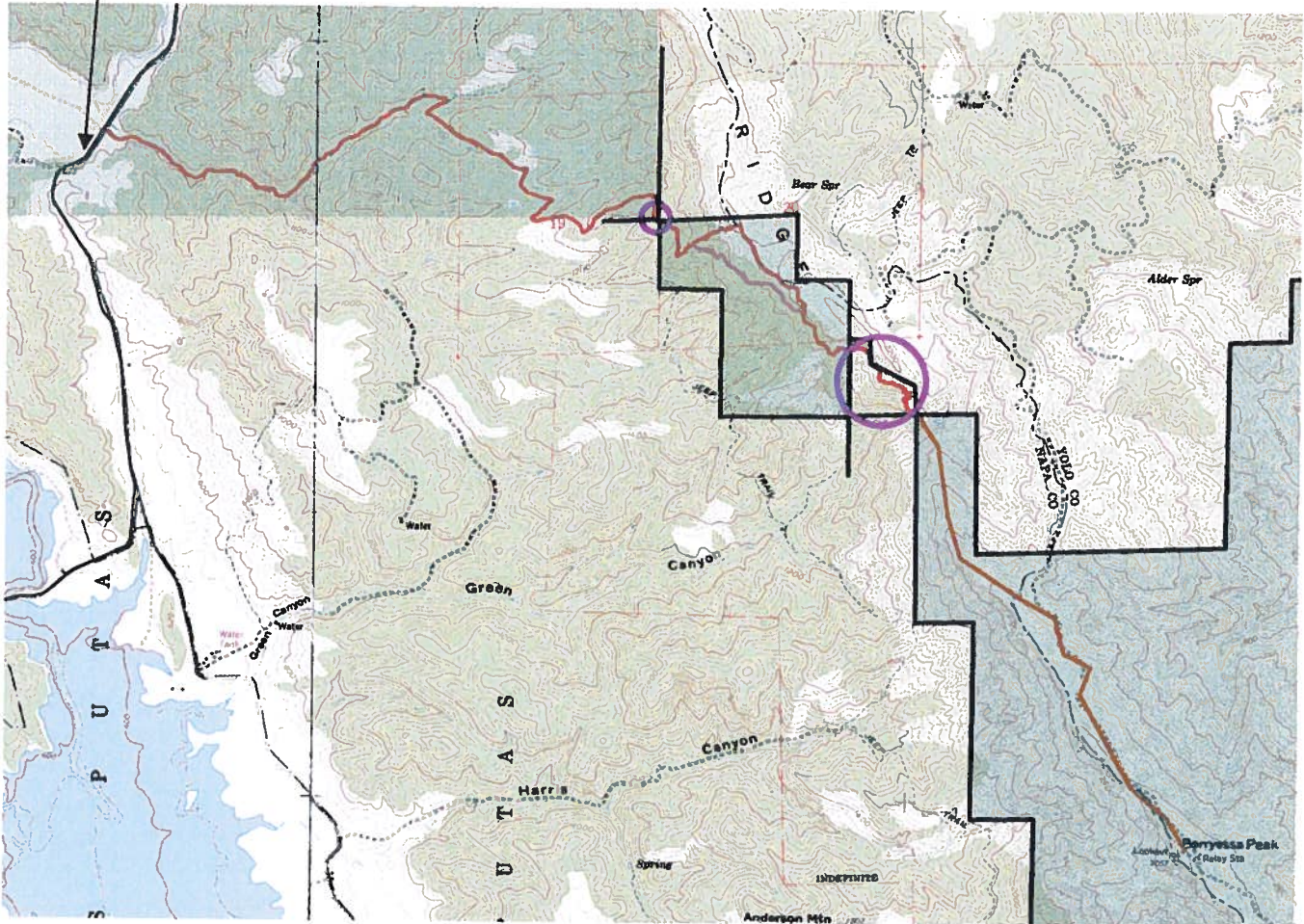
Napa County Regional Parks Open Space District

Date 9/23/09

Project Identification

Berryessa Peak Trail Location Map

Berryessa Knoxville Road



Legend



Public Lands



Overall Trail Corridor



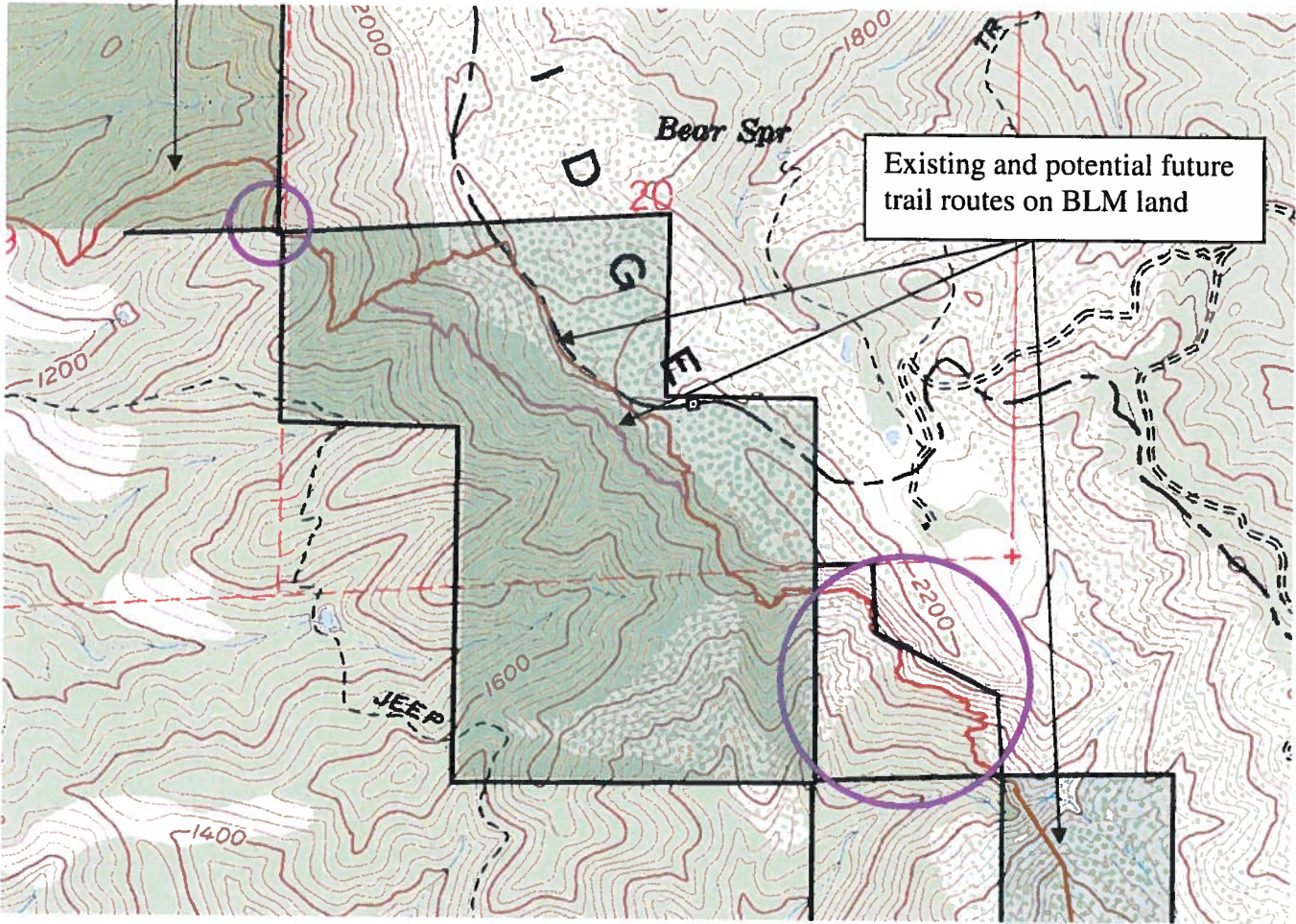
Project Area



0 0.25 0.5 1 Miles

Berryessa Peak Trail Site Plan

Existing road on DFG land



Legend



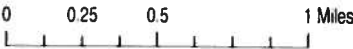
Public Lands



Overall Trail Corridor



Project Area





View of Berryessa Peak from Pope Canyon Bridge



Near the top of Blue Ridge – potential route on BLM land



Ahmann—DFG property line at northern terminus of northern segment of project area



Trail alignment on Ahmann easement -- southern segment



Trail alignment on Ahmann easement -- southern segment



View of Mt. St. Helena from Blue Ridge