



State of California – The Natural Resources Agency
DEPARTMENT OF FISH AND GAME
Bay Delta Region
7329 Silverado Trail
Napa, CA 94558
(707) 944-5500
www.dfg.ca.gov

ARNOLD SCHWARZENEGGER, Governor
John McCamman, Director



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APR 15 2010

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

April 15, 2010

Mr. Christopher M. Cahill
County of Napa
Department of Conservation, Development and Planning
1195 Third Street, Suite 210
Napa, CA 94559

Dear Mr. Cahill

Subject: Napa 34 Holdings Commerce Center Use Permit and Variation to Development Standards Application No. P09-00329-UP and Tentative Parcel Map and Lot Line Adjustment Application No. P09-00330-TM, Mitigated Negative Declaration, SCH #2010032066, City and County of Napa

The Department of Fish and Game (DFG) has reviewed the Mitigated Negative Declaration (MND) prepared for the Commerce Center Use Permit and Variation to Development Standards Application (Project). The MND discusses the environmental impacts associated with the new construction and operation of an industrial park located on a 33.9-acre parcel located at the southwest corner of State Route 29 and Airport Boulevard.

Mitigation Measure 2 states that construction activities shall occur outside the breeding season (March – August) unless a pre-construction nest survey is conducted no more than 30 days prior to commencing construction activities. This measure states that if an active nest is found, a buffer will be established around the nest in consultation with a biologist and DFG. Nest construction for some species is completed in approximately two weeks or shorter and thus surveys completed 15 to 30 days prior to tree removal or ground disturbance could cause abandonment of the nest and/or eggs.

Fish and Game Code § 3503.5 states it is unlawful to take, possess, or destroy any birds in the Orders of Falconiformes or Strigiformes (birds-of-prey or raptors) or take, possess, or destroy the nest or eggs of any such bird. With respect to surveys for nesting raptors, DFG recommends that the Project specifies: 1) that surveys for nesting raptors will be conducted no earlier than 14 days prior to tree removal and/or breaking ground, 2) in the event that nesting raptors are found, the project applicant will consult with DFG and obtain approval for nest-protection buffers prior to tree removal and/or ground-breaking activities, and 3) nest protection buffers will remain in effect until the young have fledged.

Mitigation Measure 3 states that a pre-construction nest survey for western burrowing owl shall be conducted no more than 30 days prior to commencing construction activities during March through August. This measure states that if an active nest is found, a buffer will be established around the nest in consultation with a biologist and DFG. Buffers should be

established around occupied nests and burrows at all times of the year, not only during the breeding season. A site-specific proposal for surveys and eviction of owls from the site is to be reviewed and approved by DFG prior to implementation. Additionally, DFG recommends the following be conducted by a qualified biologist to ensure appropriate avoidance and mitigation measures:

- 1) Burrowing owl surveys should be conducted during both the wintering (December 1 through January 31) and nesting (April 15 through July 15) seasons, unless the species is identified on the first survey. These surveys should take place from one hour before to two hours after sunrise, as well as two hours before to one hour after sunset. Surveys should be conducted on multiple days during each of the above mentioned seasons. As burrowing owls were documented during wintering or breeding seasons, additional surveys should be conducted prior to construction to identify occupied burrows within the Project's impact area.
- 2) Surveyed areas should include all potential habitat located within 150 meters of the proposed Project's footprint and staging areas. A 150-meter buffer zone should be surveyed to identify burrows and owls outside of the proposed Project area that may have impacts by the proposed Project construction activities.
- 3) A report on the proposed Project's survey results should be prepared and submitted to DFG staff according to the guidelines identified in the DFG "Staff Report on Burrowing Owl Mitigation" (1995).
- 4) To avoid violation of Fish and Game Code §§ 3503 and 3503.5, any occupied burrows should not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist approved by DFG verifies through non-invasive methods that either: a) the birds have not begun egg laying and incubation; or b) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.
- 5) To off-set the loss of any foraging and/or burrow habitat on the Project site, all suitable habitat which will be impacted should be replaced acre for acre with suitable, occupied habitat at an appropriate location. Not less than 6.5 acres of foraging habitat per breeding pair or unpaired resident bird should be acquired and permanently protected. The protected lands should be occupied burrowing owl habitat and at a location acceptable to DFG. The site should provide for the long-term management and monitoring of the species in addition to permanent protection either through a Conservation Easement or transfer of fee title to a DFG-approved entity.
- 6) No disturbance should occur within 50 meters of occupied burrows during the non-breeding season (September 1 through January 31) or within 75 meters of occupied burrows during the breeding season (February 1 through August 31).

- 7) If the destruction of burrows is unavoidable, and occupied nests have been shown through non-invasive methods to be absent, passive relocation techniques should be used for 48 hours prior to construction activities to ensure owls have left the burrow.

If suitable habitat is destroyed prior to adequate burrowing owl surveys, DFG may assume owls to have been present, and mitigation should be required by the Lead Agency in consultation with DFG.

Mitigation Measure 4 states that a Swainson's hawk nesting and foraging analysis shall be provided to DFG, proposing specific mitigation consistent with DFG standards.

As noted in the Biological Resources Assessment dated June 2009, there is a known nesting location approximately 1.25 miles north of the Project site as well as adjacent nesting habitat. To mitigate for the loss of foraging habitat, appropriate mitigation should be provided based on the following ratios:

- For projects within one mile of an active nest tree – provide one acre of land for each acre of development authorized (1:1 ratio).
- For projects within 5 miles of an active nest tree but greater than one mile from the nest tree – provide 0.75 acres of land for each acre of urban development authorized (0.75:1 ratio).
- For projects within 10 miles of an active nest tree but greater than 5 miles from an active nest tree – provide 0.5 acres of land for each acre of urban development authorized (0.5:1 ratio).

Project proponents should ensure the lands are protected in perpetuity and should provide for the long-term management of the lands by funding a management endowment.

Swainson's hawk is listed as a threatened species by the California Fish and Game Commission pursuant to the California Endangered Species Act. Please be advised that a California Endangered Species Act (CESA) Permit must be obtained if the project has the potential to result in take of species listed under CESA, either during construction or over the life of the project. Issuance of a CESA Permit is subject to California Environmental Quality Act (CEQA) documentation; therefore, the CEQA document must specify impacts, mitigation measures, and a mitigation monitoring and reporting program. If the project will impact CESA listed species, early consultation is encouraged, as significant modification to the project and mitigation measures may be required in order to obtain a CESA Permit.

Please be aware that DFG will require a Lake and Streambed Alteration Agreement (LSAA), pursuant to Section 1600 et seq. of the Fish and Game Code for all activities which will impact drainages on the project. Issuance of the LSAA is subject to CEQA. DFG, as a responsible agency under CEQA, will consider the environmental document, which should

Mr. Christopher M. Cahill

April 15, 2010

Page 4

fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for completion of the agreement.

DFG appreciates the opportunity to provide comments on the Mitigated Negative Declaration for the proposed Project. If you have any questions, please contact Ms. Suzanne Gilmore, Environmental Scientist, at (707) 944-5536; or Mr. Greg Martinelli, Water Conservation Supervisor, at (707) 944-5570.

Sincerely,

A handwritten signature in blue ink that reads "Charles Armor".

Charles Armor
Regional Manager
Bay Delta Region

cc: State Clearinghouse

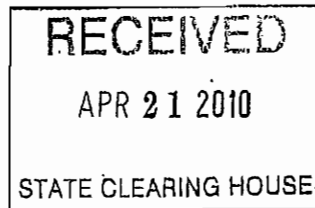
DEPARTMENT OF TRANSPORTATION

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April 21, 2010



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NAP029865
NAP-29-3.93

Mr. Chris Cahill
Conservation Development and Planning Department
County of Napa
1195 Third Street, Suite 210
Napa, CA 94559

SCH 2010032066

Dear Mr. Cahill:

NAPA GREENWOOD COMMERCE CENTER PROJECT – MITIGATED NEGATIVE DECLARATION (MND)

Thank you for continuing to include the California Department of Transportation (Department) in the environmental review process for the Napa Greenwood Commerce Center project. The following comments are based on the MND. Our previous comments still apply and are incorporated here by reference.

Forecasting

Please augment the traffic impact study (TIS) to include analysis under 2030 Cumulative and 2030 Cumulative Plus project conditions. Also show AM and PM peak hour turning traffic per study intersection under Project Only conditions. Provide a discussion elaborating on the underlying assumption and methodology about 2030 AM and PM Peak Hour traffic.

Please feel free to call or email Sandra Finegan of my staff at (510) 622-1644 or sandra_finegan@dot.ca.gov with any questions regarding this letter.

Sincerely,

LISA CARBONI
District Branch Chief
Local Development – Intergovernmental Review

DEPARTMENT OF TRANSPORTATION

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OAKLAND, CA 94623-0660
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March 3, 2010

NAP029865
NAP-29-3.93

Mr. Chris Cahill
Conservation Development and Planning Department
County of Napa
1195 Third Street, Suite 210
Napa, CA 94559

Dear Mr. Cahill:

NAPA GREENWOOD COMMERCE CENTER PROJECT – TRAFFIC IMPACT STUDY (TIS)

Thank you for continuing to include the California Department of Transportation (Department) in the early stages of the environmental review process for the Napa Greenwood Commerce Center project. The following comments are based on the TIS. Our previous comments still apply and are incorporated here by reference.

1. Please provide AM and PM Peak Hour turning movement volumes for each study intersection under Project Only Conditions, 2030 Cumulative Conditions Only, and 2030 Cumulative Plus Project Conditions.
2. The project must include extending the existing northbound (NB) left turn lane at the state route (SR) 29/Airport Boulevard intersection in order to accommodate the Plus Project queue. Please be reminded that a left turn lane requires both storage and deceleration length. For design specifications, please refer to the Department's Highway Design Manual, Index 405.2

Please feel free to call or email Sandra Finegan of my staff at (510) 622-1644 or sandra_finegan@dot.ca.gov with any questions regarding this letter.

Sincerely,

A handwritten signature in cursive script that reads "Lisa Carboni".

LISA CARBONI
District Branch Chief
Local Development – Intergovernmental Review

Cahill, Christopher

From: Ben_Solvesky@fws.gov
Sent: Tuesday, September 01, 2009 12:35 PM
To: Cahill, Christopher
Subject: Napa Commerce Center Planning Permit Application and Initial Study Request for Comments
Attachments: 2008-1349 Greenwood Commerce Center Project. Napa County.pdf

Mr. Chris Hill,

This email is in regards to the Napa County Conservation and Development and Planning Permit Application and Initial Study Request for Comments on the Proposed Napa Commerce Center Project. We, the U.S. Fish and Wildlife Service (Service), received your request for comments on August 12, 2009. On April 16, 2009, the Service mailed a letter to Ms. Sarah Lynch regarding the potential presence or absence of several listed species at the proposed "Greenwood Commerce Center" project site. Although our letter to Ms. Lynch refers to the site as the "Greenwood Commerce Center", based on our review of the information contained in the Permit Application and Initial Study Request for the Napa Commerce Center, we have determined that both project names refer to the same project site. As such, our comments to Ms. Lynch regarding the potential presence or absence of listed species at the proposed Greenwood Commerce Center remain valid and represent the Service's comments on the proposed site.

If you have any questions regarding this email, please feel free to contact me.

Thank you,

Ben

Ben Solvesky
Fish and Wildlife Biologist
Sacramento Fish and Wildlife Office
U.S. Fish and Wildlife Service
2800 Cottage Way, Room W-2605
Sacramento, CA 95825-1846
Phone: (916) 414-6600
ben_solvesky@fws.gov

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09/02/2009



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Sacramento Fish and Wildlife Office
2800 Cottage Way, Room W-2605
Sacramento, California 95825-1846



In Reply Refer To:
81420-2008-TA-1349

APR 16 2009

Ms. Sarah Lynch
Associate Biologist
Monk & Associates, Inc.
1136 Saranap Ave., Suite Q
Walnut Creek, California 94595

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NAPA CO. CO.
NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

Subject: Technical Assistance for the proposed Greenwood Commerce Center project site,
Napa County, California

Dear Ms. Lynch:

This is in response to your April 14, 2008 request for technical assistance from the U.S. Fish and Wildlife Service (Service) on the proposed Greenwood Commerce Center project site, located approximately 2.5 miles north of the City of American Canyon, in Napa County, California. Your request was received by the Service on April 15, 2008. At issue are the presence or absence of the threatened California red-legged frog (*Rana aurora draytonii*) (red-legged frog) and vernal pool fairy shrimp (*Branchinecta lynchi*) (fairy shrimp). In addition, the Service is concerned about the endangered showy Indian clover (*Trifolium amoenum*) and Contra Costa goldfields (*Lasthenia conjugens*) at the project site. This response is provided under the authority of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) (Act).

Our comments and recommendations on the status of the red-legged frog, fairy shrimp, showy Indian clover, and Contra Costa goldfields are based on: (1) a March 18, 2009, site visit attended by the Service and yourself; (2) *California Red-legged Frog Site Assessment for Greenwood Commerce Center* dated April 14, 2008; (3) *Vernal Pool Crustacean Site Assessment for Greenwood Commerce Center* dated April 14, 2008; and (4) other information available to the Service.

Our comments and recommendations on the California red-legged frog, vernal pool fairy shrimp, showy Indian clover, and Contra Costa goldfields are as follows:

California red-legged frog

The California red-legged frog is the largest native frog in the western United States. Adult red-legged frogs typically use dense, shrubby, or emergent riparian vegetation closely associated with

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IN AMERICA 

deep (>2.3 feet), still, or slow-moving water (Hayes and Jennings 1988). However, individuals also have been found in ephemeral creeks and drainages and in ponds that may or may not have riparian vegetation. This species disperses upstream and downstream of their breeding habitat to forage and seek sheltering habitat. Habitats include nearly any area within 1-2 miles of a breeding site that stays moist and cool throughout the summer (Fellers 2005). Potential sheltering habitat for California red-legged frogs is all aquatic, riparian, and upland areas within the range of the species and includes any landscape features that provide cover, such as existing animal burrows, boulders or rocks, organic debris such as downed trees or logs, and industrial debris. California red-legged frogs have been documented using a variety of upland habitats as well as riparian corridors for migration. They have been recorded migrating overland in approximately straight lines without apparent regard to vegetation type or topography. A study in northern Santa Cruz County found that the animals traveled distances from 0.25 miles to more than 2 miles without apparent regard to topography, vegetation type, or riparian corridors (Bulger *et al.* 2003).

The proposed project site contains open grassy upland areas, an ephemeral drainage, and grassy ephemeral wet swales, suitable to red-legged frogs, including countless animal burrows capable of providing sheltering habitat for the frog during parts of the year when pools are not inundated. The site is also 2.1 miles downstream and within dispersal distance of California red-legged frog proposed Critical Habitat Unit SOL-2 and 2.3 miles downstream of California red-legged frog proposed Critical Habitat Unit SOL-3 (CNDDB 2009). There are no physical barriers that would prevent dispersing red-legged frogs from utilizing the project site. According to National Wetland Inventory maps, there is a perennial freshwater pond less than 300 feet from project site. This pond contains emergent vegetation, and provides potential breeding habitat for red-legged frogs.

According to the *Revised Guidance on Site Assessment and Field Surveys for the California Red-legged Frog*, dated August 2005, "Because CRF are known to use aquatic, riparian, and upland habitat, they may be present in any of these habitat types, depending on the time of year, on any given property. For sites with no suitable aquatic breeding habitat, but where suitable upland dispersal habitat exists, it is difficult to support a negative finding with the results of any survey guidance."

Vernal pool fairy shrimp

Vernal pool fairy shrimp can inhabit alkaline pools, ephemeral drainages, rock outcrop pools, vernal pools, and vernal swales (Eriksen and Belk 1999; Helm 1998). Occupied habitats range in size from rock outcrop pools as small as one square yard to large vernal pools up to 12 acres with ponding depths ranging from 1.2 inches to 48 inches. Water movement between within complexes allows vernal pool fairy shrimp to move between individual pools. These movement patterns, as well as genetic evidence, indicate that vernal pool fairy shrimp populations exist within and are defined by entire vernal pool complexes, rather than individual pools. Adult vernal pool fairy shrimp have been observed in pools and seasonal wetlands from early

December to early May. The primary historic dispersal method for vernal pool fairy shrimp was likely large scale flooding resulting from winter and spring rains which allowed colonization of different individual vernal pools and vernal pool complexes. An important adaptation is that the vernal pool fairy shrimp has a relatively short life span, allowing it to hatch, mature to adulthood, and reproduce during the short time period when pools contain water. It can reach sexual maturity in as few as 18 days and can complete its lifecycle in as little as 9 weeks. In addition, soils in vernal pool fairy shrimp habitats may contain viable cysts from several years of breeding. The project site contains an ephemeral drainage and grassy ephemeral wet swales suitable to providing habitat for the vernal pool fairy shrimp. Adjacent to the project site (upstream) are larger and more numerous ephemeral pools. The nearest vernal pool fairy shrimp occurrence is located within 1.2 miles of the proposed project site at the Napa County Airport. Due to the close proximity of known occurrences and the presence of suitable habitat on site, it is possible this species may inhabit this site.

Showy Indian clover

Showy Indian clover was extirpated from all of its 24 historically known locations, which occurred in seven counties. Originally, it ranged from Mendocino County south to Sonoma, Marin, Alameda and Santa Clara counties, and east to Napa and Solano counties. The species was found in a variety of habitats including low, wet swales, grasslands and grassy hillsides. It typically grows in moist, heavy soils below 328 feet elevation. This listed plant has been documented to occur 2.5 miles west and 2.8 miles south of the project site. Due to the presence of suitable wet swales and grasslands on site, an elevation below 328 feet, and documented occurrences of this species near the project site, it is possible seeds of this species may be present within the seed bank and this species may occur on site.

Contra Costa Goldfields

Contra Costa goldfields grow in vernal pools, within open grassy areas in woodlands, and valley grasslands from sea level to 1,500 feet. Currently, 22 populations are believed to be extant in Mendocino, Napa, Marin, Contra Costa, Alameda, Solano and Monterey counties. This listed plant was documented less than 1.5 miles north of the project site in 2005. An additional occurrence has been documented 3 miles north of the project site. Due to the presence of valley grasslands on site and recent nearby occurrences, it is possible this species may occur on site.

By this letter, we give you our approval to implement a protocol survey for the California red-legged frog and vernal pool fairy shrimp at the proposed Greenwood Commerce Center Project Site. However, given the location of the site and habitats currently present at this location, the surrounding habitat, the ability of California red-legged frogs to utilize a variety of habitats, as well as its biology and ecology, we recommend that the presence of this listed amphibian be assumed at the project site. We caution that given our current understanding of the red-legged frog and fairy shrimp, as well as the conditions at the project site, negative results may not be accepted by the Service. In addition we also recommend surveys be conducted for rare plants in


Ms. Sarah Lynch

4

accordance with the standardized guidelines issued by the regulatory agencies (U.S. Fish and Wildlife Service 1996, California Department of Fish and Game 2000) and the California Native Plant Society (2001).

If you have any questions regarding our response on the proposed Greenwood Commerce Center Project Site, please contact Ben Solvesky or Ryan Olah of my staff at the letterhead address, telephone (916) 414-6600, or electronic mail at Ben_Solvesky@fws.gov or Ryan_Olah@fws.gov.

Sincerely,


 Cay C. Goude
Acting Field Supervisor

cc:

Scott Wilson, and Liam Davis, California Department of Fish and Game, Yountville, California

Literature Cited

- Ahl, J. S. B. 1991. Factors affecting contributions of the tadpole shrimp, *Lepidurus packardii*, to its overwintering egg reserves. *Hydrobiologia* 212:137-143.
- Bulger, J. B., N. J. Scott, Jr., and R. B. Seymour. 2003. Terrestrial activity and conservation of adult California red-legged frogs *Rana aurora draytonii* in coastal forests and grasslands. *Biological Conservation* 110:85-95.
- California Department of Fish and Game. 2000. Guidelines for assessing the effects of proposed projects on rare, threatened, and endangered plants and natural communities. (Revision of 1983 guidelines.) Sacramento, CA, 2 pp.
- California Native Plant Society. 2001. CNPS botanical survey guidelines. Pages 38-40 in California Native Plant Society's inventory of rare and endangered vascular plants of California (D.P. Tibor, editor). Sixth edition. Special Publication No. 1, California Native Plant Society, Sacramento, 387 pp.
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- Helm, B. P. 1998. Biogeography of eight brachiopods endemic to California. Pages 124-139 in: C. W. Witham, E. T. Bauder, D. Belk, E. W. R. Ferren Jr. and Ornduff, editors. Ecology, conservation, and management of vernal pool ecosystems—Proceedings from the 1996 Conference. California Native Plant Society, Sacramento, California.
- Krapu, G. L. 1974. Foods of breeding pintails in North Dakota. *Journal of Wildlife Management*. 38:408-417.
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U. S. Fish and Wildlife Service. 2005. Revised Guidance on Site Assessment and Field Surveys for the California Red-legged Frog. Sacramento Fish and Wildlife Service Office. Sacramento, California.

_____. 1996. Guidelines for conducting and reporting botanical inventories for federally listed, proposed, and candidate plants. Sacramento, California. 2 pp.



California Natural Resources Agency
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ARNOLD SCHWARZENEGGER, Governor
DONALD KOCH, Director



August 18, 2009

Mr. Chris Cahill
Napa County
Conservation, Development and Planning
1195 Third Street, Suite 210
Napa, CA 94559
Ccahill@co.napa.ca.us

Dear Mr. Cahill:

Subject: Napa Commerce Center, P09-00329 and P09-00330, Napa County

The Department of Fish and Game (DFG) has reviewed the documents provided for the subject project, and we have the following comments.

Please be advised that a California Endangered Species Act (CESA) Permit must be obtained if the project has the potential to result in take of species of plants or animals listed under CESA, either during construction or over the life of the project. Issuance of a CESA Permit is subject to the California Environmental Quality Act (CEQA) documentation; therefore, the CEQA document must specify impacts, mitigation measures, and a mitigation monitoring and reporting program. If the project will impact CESA listed species, early consultation is encouraged, as significant modification to the project and mitigation measures may be required in order to obtain a CESA Permit.

For any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of a river or stream, or use material from a streambed, DFG may require a Lake and Streambed Alteration Agreement (LSAA), pursuant to Section 1600 et seq. of the Fish and Game Code, with the applicant. Issuance of an LSAA is subject to CEQA. DFG, as a responsible agency under CEQA, will consider the CEQA document for the project. The CEQA document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for completion of the agreement. To obtain information about the LSAA notification process, please access our website at <http://www.dfg.ca.gov/habcon/1600/>; or to request a notification package, contact the Lake and Streambed Alteration Program at (707) 944-5520.

If you have any questions, please contact Mr. Greg Martinelli, Water Conservation Supervisor, at (707) 944-5570.

Sincerely,

Charles Armor
Regional Manager
Bay Delta Region

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AUG 19 2009

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

RWQCB Comments 8.19.09

From: Fred Hetzel [FHetzel@waterboards.ca.gov]
Sent: Wednesday, August 19, 2009 10:33 AM
To: Cahill, Christopher
Cc: Bill Hurley
Subject: Napa Commerce Center (APN 057-210-056) Permit Application
and Initial Study Request for Comments

Hi Chris,

In the application submitted to the County by Napa 34 Holdings LLC, the applicant requests a waiver from the Napa County Post Construction Run-off Management Requirements. The applicant states that the combination of limited space, unfavorable soil conditions for infiltration and shallow groundwater support the waiver. However, the development abutting this proposed project to the west has the same limitations, but is designed to meet the County's requirements on controls of post development run-off volumes. This project should therefore also be able to meet the County's post construction run-off control requirements.

Thank you for the opportunity to comment.
Fred

Fred Hetzel
SFB-RWQCB
1515 Clay St., Suite 1400
Oakland, CA 94612
phone 510-622-2357
FAX: 510-622-2460
e-mail fhetzel@waterboards.ca.gov

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March 3, 2010

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NAP-29-3.93

Mr. Chris Cahill
Conservation Development and Planning Department
County of Napa
1195 Third Street, Suite 210
Napa, CA 94559

Dear Mr. Cahill:

**NAPA GREENWOOD COMMERCE CENTER PROJECT – TRAFFIC IMPACT STUDY
(TIS)**

Thank you for continuing to include the California Department of Transportation (Department) in the early stages of the environmental review process for the Napa Greenwood Commerce Center project. The following comments are based on the TIS. Our previous comments still apply and are incorporated here by reference.

1. Please provide AM and PM Peak Hour turning movement volumes for each study intersection under Project Only Conditions, 2030 Cumulative Conditions Only, and 2030 Cumulative Plus Project Conditions.
2. The project must include extending the existing northbound (NB) left turn lane at the state route (SR) 29/Airport Boulevard intersection in order to accommodate the Plus Project queue. Please be reminded that a left turn lane requires both storage and deceleration length. For design specifications, please refer to the Department's Highway Design Manual, Index 405.2

Please feel free to call or email Sandra Finegan of my staff at (510) 622-1644 or sandra_finegan@dot.ca.gov with any questions regarding this letter.

Sincerely,

A handwritten signature in black ink that reads "Lisa Carboni".

LISA CARBONI
District Branch Chief
Local Development – Intergovernmental Review

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NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

DEPARTMENT OF TRANSPORTATION

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Mr. Chris Cahill
Conservation Development and Planning
County of Napa
1195 Third Street, Suite 210
Napa, CA 94559

Dear Mr. Cahill:

NAPA GREENWOOD COMMERCE CENTER PROJECT - REFERRAL P09-00329

Thank you for including the California Department of Transportation (Department) in the early stages of the environmental review process for the Napa Greenwood Commerce Center project. The following comments are based on the project referral; additional comments may be forthcoming pending final review. As the lead agency, the County of Napa is responsible for all project mitigation, including any needed improvements to state highways. The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures. Required roadway improvements should be completed prior to issuance of the Certificate of Occupancy. Since an encroachment permit is required for work in the state right of way (ROW), and the Department will not issue a permit until our concerns are adequately addressed, we strongly recommend that the County work with both the applicant and the Department to ensure that our concerns are resolved during the environmental review process, and in any case prior to submittal of a permit application. Further comments will be provided during the encroachment permit process; see the end of this letter for more information regarding encroachment permits.

Maintenance Services

1. Please address the additional truck traffic generated by this proposed project and its impact on State Route (SR) 29 maintenance due to wear and tear on the roadbed versus impacts of small truck and automobile traffic.
2. The project is located on a conventional highway. Any landscape improvements along SR 29 will be the responsibility of the local agency. The County of Napa will need to enter into a maintenance agreement with the Department.
3. We recommend that California Redwood/Sequoia sempervirens not be planted. Redwood tree roots, seeking moisture, can create havoc on underground utility lines.

Transportation Permit

Project work that requires movement of oversized or excessive load vehicles on state roadways, such as State Route (SR) 29, requires a transportation permit that is issued by the Department. To apply, a completed transportation permit application with the determined specific route(s) for the shipper to follow from origin to destination must be submitted to the address below.

Office of Transportation Permits
California DOT Headquarters
P.O. Box 942874
Sacramento, CA 94274-0001

See the following website link for more information: <http://www.dot.ca.gov/hq/traffops/permits/>.

Cultural Resources

The project environmental document must include documentation of a current archaeological record search from the Northwest Information Center of the California Historical Resources Information System if construction activities are proposed within state ROW. Current record searches must be no more than five years old. The Department requires the records search, and if warranted, a cultural resource study by a qualified, professional archaeologist, to ensure compliance with CEQA, Section 5024.5 of the California Public Resources Code and Volume 2 of the Department's Standard Environmental Reference (<http://ser.dot.ca.gov>). These requirements, including applicable mitigation, must be fulfilled before an encroachment permit can be issued for project-related work in state ROW; these requirements also apply to NEPA documents when there is a federal action on a project. Work subject to these requirements includes, but is not limited to: lane widening, channelization, auxiliary lanes, and/or modification of existing features such as slopes, drainage features, curbs, sidewalks and driveways within or adjacent to state ROW.

Storm Water

All discharges, construction as well as permanent runoff, originating from within the project's limits, entering into the state ROW must comply with the Department's statewide National Pollutant Discharge System (NPDES) permit. In order to ensure water quality standards are being met prior to discharge into the state ROW, the project also needs to be compliant with the County of Napa's NPDES permit. Please forward documentation that demonstrates the project will meet compliance criteria for both the Department and the County's NPDES permit.

If permanent treatment Best Management Practices (BMPs) will be used to ensure storm water runoff meets applicable standards, list which BMPs will be used and in what capacity. Please provide documentation, specifications, and any other pertinent material describing any applicable BMPs.

Traffic Impact Study (TIS)

Please include the information detailed below in the TIS to ensure that project-related impacts to state roadway facilities are thoroughly assessed. We encourage the County to coordinate preparation of the study with our office, and we would appreciate the opportunity to review the scope of work. The Department's "*Guide for the Preparation of Traffic Impact Studies*" should be reviewed prior to initiating any traffic analysis for the project; it is available at the following website: <http://www.dot.ca.gov/hq/traffops/developserv/operationalsystems/reports/tisguide.pdf>

The TIS should include:

1. Site plan clearly showing project access in relation to nearby state roadways. Ingress and egress for all project components should be clearly identified. State ROW should be clearly identified. Please include a vicinity map.
2. Project-related trip generation, distribution, and assignment. The assumptions and methodologies used to develop this information should be detailed in the study, and should be supported with appropriate documentation.
3. Average Daily Traffic, AM and PM peak hour volumes and levels of service (LOS) on all significantly affected roadways, including crossroads and controlled intersections for existing, existing plus project, cumulative and cumulative plus project scenarios. Calculation of cumulative traffic volumes should consider all traffic-generating developments, both existing and future, that would affect study area roadways and intersections. *The analysis should clearly identify the project's contribution to area traffic and degradation to existing and cumulative levels of service. Lastly, the Department's LOS threshold, which is the transition between LOS C and D, and is explained in detail in the Guide for Traffic Studies, should be applied to all state facilities.*
4. Scheduling of other development projects and roadway improvements in the project study area, as well as the timing for all phases of the project, should be clearly identified for all study scenarios. This information should be included in both the TIS and environmental document in order to clearly establish project baseline conditions. Please include a list of cumulative development projects, including estimated completion dates and trip generation for each project.
5. Schematic illustration of traffic conditions including the project site and study area roadways, trip distribution percentages and volumes as well as intersection geometrics, i.e., lane configurations, for the scenarios described above.
6. The project site building potential as identified in the General Plan. The project's consistency with both the Circulation Element of the General Plan and the Napa County Transportation Planning Agency's Congestion Management Plan should be evaluated.
7. *Mitigation should be identified for any roadway mainline section or intersection with insufficient capacity to maintain an acceptable LOS with the addition of project-related and/or cumulative traffic.* The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should also be fully discussed for all proposed mitigation measures.

Encroachment Permit

Please be advised that work that encroaches onto the State ROW requires an encroachment permit that is issued by the Department. To apply, a completed encroachment permit application, environmental documentation, and five (5) sets of plans, clearly indicating State ROW, must be submitted to: Office of Permits, California DOT, District 4, P.O. Box 23660, Oakland, CA 94623-0660. Traffic-related mitigation measures will be incorporated into the construction plans during


the encroachment permit process. See the following website link for more information:
<http://www.dot.ca.gov/hq/traffops/developserv/permits/>

Please forward copies of the environmental document and the TIS to the address below as soon as they are available:

Sandra Finegan, Associate Transportation Planner
Community Planning Office, Mail Station 10D
California DOT, District 4
P.O. Box 23660
Oakland, CA 94623-0660

Please feel free to call or email Sandra Finegan of my staff at (510) 622-1644 or sandra_finegan@dot.ca.gov with any questions regarding this letter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lisa Carboni", is written over a light blue rectangular background.

LISA CARBONI
District Branch Chief
Local Development – Intergovernmental Review