



Agenda Date: 8/23/2005
Agenda Placement: 6N

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors

FROM: Cathy Gruenhagen for Hillary Gitelman - Director
Conservation, Development & Planning

REPORT BY: John McDowell, Program Planning Manager, 299-1354

SUBJECT: Approval of Professional Service Agreement with Nichols - Berman Environmental Planners to Prepare a Subsequent Environmental Impact Report for the Montalcino at Napa Golf Course proposed project.

RECOMMENDATION

Director of Conservation, Development and Planning requests approval of and authorization for the Chair to sign an agreement with Nichols-Berman Environmental Planners for a maximum of \$89,600 for the term August 23, 2005 through June 30, 2006 to prepare a Subsequent Environmental Impact Report for the proposed Montalcino at Napa Golf Course Use Permit, Zone Change, and Zoning Ordinance Amendment.

EXECUTIVE SUMMARY

The proponents for the previously approved Montalcino at Napa Resort project, HCV Napa Associates, LLC., have requested a use permit, zone change and zoning ordinance amendment to add an 18-hole champion golf course to serve the resort project. In reviewing the potential impacts from this new proposal, the Director of Conservation, Development and Planning has determined that the golf course proposal requires the preparation of a Subsequent Environmental Impact Report (EIR). The applicant has agreed to this requirement, and Planning Division staff have requested that the consulting firm that prepared the original Montalcino at Napa EIR be retained to prepare the Subsequent EIR. Executing this proposed professional service agreement will allow diligent completion of required environmental reports within mandated processing time frames.

FISCAL IMPACT

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	Yes
Where is it budgeted?	100% Conservation, Development and Planning Department budget. This is a pass-through item; the project proponent, HCV Napa Associates, LLC has

	agreed to pay all costs.
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	The applicant has agreed to fund all costs to the County necessary to prepare the appropriate environmental document. This expense is necessary to retain the qualified environmental consultants capable of preparing this highly specialized, detailed environmental analysis.
Is the general fund affected?	No
Future fiscal impact:	None
Consequences if not approved:	The County is obligated by law to process projects within certain specified timelines, and to prepare the appropriate supporting environmental documentation. Failure to process the project within specified timelines and/or to prepare an adequate environmental document would increase County exposure to litigation.
Additional Information:	None

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

The approved Montalcino at Napa Resort is located on approximately 72 acres on the west side of Devlin Road between Suscol Ferry Road and Airport Boulevard within the Napa County Airport Industrial Area. The proposed golf course is located on 263 acres immediately west of the approved resort project on property owned by the Napa Sanitation District. In April 2003, the Board of Supervisors certified an EIR for the 72 acre resort project. The Director of Conservation, Development and Planning has determined that this proposed golf course has the potential to result in new environmental impacts that previously were not addressed in the previously certified EIR, and has consequently determined that a Subsequent EIR is required to comply with CEQA - the California Environmental Quality Act.

The proposed consulting firm, Nichols-Berman Environmental Planners has been the County's consultant on this project since it was originally submitted in 1998 and is intimately familiar with all project details and issues. Past work product from this consultant has been up to County standards, and the consultant has an excellent working relationship with staff and stakeholders. For these reasons, Nichols-Berman was selected by staff as the appropriate firm to prepare this subsequent report.

SUPPORTING DOCUMENTS

None

CEO Recommendation: Approve

Reviewed By: Andrew Carey