

COUNTY OF NAPA
PLANNING, BUILDING AND ENVIRONMENTAL SERVICES DEPARTMENT
1195 THIRD STREET SUITE 210
NAPA, CA 94559
(707) 253-4417

Initial Study Checklist
(form updated January 2019)

1. **Project Title:** Konolige McLaughlin Driveway Use Permit Exception to Conservation Regulations #P20-00269-UP
2. **Property Owner(s):** Janet McLaughlin and Kurt Konolige
3. **Contact Person, Phone Number and Email:** Pamela Arifian, Planner III, (707) 259-5934, pamel.a.arifian@countyofnapa.org
4. **Project Location and APN:** 5575 Lovall Valley Road, APN 050-361-013 (**Figures 1 and 2**)
5. **Project Sponsor:** Hogan Land Services, Inc.
Agent: James M. Conklin, PE C92029
Hogan Land Services, Inc
1702 4th Street
Santa Rosa, CA 95404

Contact: (877) 544-2104
6. **General Plan Description:** Agriculture, Watershed and Open Space (AWOS)
7. **Zoning:** Agricultural Watershed (AW)
8. **Background & History:** The project property is located in southwestern Napa County (APN 050-361-013), and extends beyond the County line into Sonoma County (APN 127-132-005). The Napa County parcel appears to have been in agricultural use on the 1940 aerial, and appears vacant on aerials from 1993 until the 2008 aerial, which shows the beginning of development of the access road into the parcel from the private access road to Lovall Valley Road. In 2016, there is evidence of increased activity on the site, including tire tracks along the flat grassland area, and a more developed access road into the parcel and across blue line, in addition to a trail cut along the ridgeline in Sonoma near the County line. A portion of the property burned in the 2017 Nuns Fire. A dirt road up the slope from the grassland edge appears in the 2018 aerial, which also shows a more developed access road from the Lovall Valley Road and to the area where the single family residence currently exists. Development on the parcel occurring since then include an approximate 735 square foot single family residence (Building Permit #BR19-01936, finalized in April 2021), an agricultural barn (Building Permit #B19-00701; finalized in July 2020), an approximate 282 square foot greenhouse (Building Permit #BR20-00517, finalized in January 2021), pool (Building Permit #BR21-00484-PSF; issued June 2021) and associated infrastructure and landscaping, and a ground mounted solar system (Building Permit #P21-00676; issued April 2021).

On July 17, 2020, the Zoning Administrator approved an exception to the Road and Street Standards to allow the conversion of the existing agriculture special purpose road to a residential driveway. The RSS exception (**Exhibit G**) allowed a one-foot reduction of the driveway width for a 100-foot segment on the parcel, beginning approximately 100-feet west of the easterly property line, allowing preservation of wetlands and adjacent riparian area associated with the unnamed blue-line stream that crosses the eastern edge of the parcel and is tributary to Huichica Creek approximately 0.4-mile east of the parcel.

The Sonoma County parcel was also burned in the 2017 fire, and is currently vacant, with an approved well study (WEL19-0254, approved 6/28/2019) and a vesting certificate for a septic system (VES20-0006, finished 8/28/2020; SEP19-0807, approved for plan check 12/17/2019) to serve a future 5-bedroom single family residence.
9. **Description of Project:** The proposed project is a request for an exception to the Napa County Conservation Regulations (County Code Chapter 18.108) in the form of a Use Permit, in order to allow portions of a new asphalt concrete residential driveway with gravel shoulders on land with slopes over 30% to provide access to a proposed new single family residence on the Sonoma County portion of the project property. The proposed driveway (which would vary in width between 14 and 22 feet) would utilize the alignment of an existing dirt road that extends from the existing residential driveway in Napa County and extends approximately 848 feet southwest to the Sonoma County line. While the proposed project subject to this permit is limited to the new driveway through the Napa County parcel, it would improve the access to the Sonoma County parcel, allowing the construction of a new single family residence. Therefore, while the permits required for the single family residence are both ministerial and outside of the jurisdiction of Napa County, for the purposes of this CEQA analysis, the single family residence is a "reasonably foreseeable" direct result of the proposed project and is analyzed generally herein where appropriate.

The proposed layout includes a Firesafe Turnout per Napa County Road and Street Standards and space for a future Firesafe Turn Around at the terminus of the driveway in Sonoma County. A 30-foot radius wall is included to accommodate a proposed reduced inside radius of curvature; adequate clearance will be achieved based on the Emergency Vehicle Access Analysis (**Exhibit F**).

Napa County Code Section 18.108.060 prohibits construction, improvement, grading, earthmoving activity or vegetation removal associated with the development or use of land on portions of parcels having a slope of 30% or greater unless exempt or unless an exception is granted through the use permit process. The proposed driveway occurs predominantly on land with slopes of less than 30%, except for an approximate 60-foot stretch, which triggered the request for a Use Permit Exception to the Conservation Regulations.

Site preparation would require approximately 780 cubic yards cut, 2,400 cubic yards fill, and the import of approximately 330 cubic yards, with any excess material to balance on site within the total project disturbance area of 0.79-acres. A total of 14 trees with diameter at breast height over 6" (including black oak, coast live oak and California bay) would be removed as part of the project, which equates to removal of approximately 0.21-acres (6%) of the existing 3.77 acres of oak woodland on the Napa County parcel. The project includes an approximately 0.65-acres Oak Woodland Preservation Area on land with slopes less than 50% to mitigate for the oak woodland removal required by the project.

Erosion prevention and sediment control would be in accordance with California Building Code, Napa County Code, and Section 20 of Caltrans standard specifications. The project shall conform to the erosion prevention and sediment control best management practices contained in latest editions of the San Francisco Bay Regional Water Quality Control Board, Association of Bay Area Governments and the California Storm Water Quality Association. Construction activities include but are not limited to clearing, grading, excavation, stockpiling and reconstruction of existing facilities involving removal and replacement. Preservation of existing vegetation shall occur to the maximum extent practicable, with protection fencing at the drip line for any trees not intended for removal. Erosion control measures include fiber roll barriers and silt fence, construction best management practices (concrete washout, construction stabilized entrance, linear controls), rock-lined swales along the proposed driveway, the retaining wall, and a culvert with storm drain inlet sediment barrier which would discharge to a bioretention facility for treatment and retention before the drainage returns to sheet flow.

Implementation of the proposed project would be in accordance with the Lands of McLaughlin & Konolige Grading & Drainage Roadway Design (Hogan Land Services, revised June 18, 2021; **Exhibit A**). The proposed project is further described in the application materials including the Supplemental Project Information sheets. All documents are incorporated herein by reference and available for review in the Napa County Department of Planning, Building and Environmental Services (PBES).

10. Describe the environmental setting and surrounding land uses.

The project property, which includes the approximate 8.75-acre project parcel in Napa County and the approximate 3-acre parcel in Sonoma County, and is accessed from a 1,800-foot common drive that connects the parcel with the publicly maintained Lovall Valley Road. The property consists of moderate to steep slopes (10-50%), with most of the lot vegetated with native trees and grasses. There is an unnamed blue line stream that traverses the northeastern portion of the property near Lovall Valley Road; flows within the blue line stream eventually discharges into Huichica Creek. Surrounding properties within Napa County to north, east and south are all within the Agriculture Watershed Open Space General Plan land use designation and the Agricultural Watershed zoning designation. The lots immediately adjacent to the property in Napa County are approximately between 7 and 10 acres each of vacant land with similar vegetation to the parcel on the north and south lots, and grasses to the east. Adjacent land uses immediately west of the Napa County parcel include vacant land within the Sonoma County Land Intensive Agriculture zoning designation containing chaparral/scrub vegetation.

11. Other agencies whose approval may be required (e.g., permits, financing approval, or participation agreement that may potentially be required from the identified permitting authority/agency).

Responsible (R) and Trustee (T) Agencies

County of Sonoma (R)

Other Agencies Contacted

Middletown Rancheria
Mishewal Wappo Tribe of Alexander Valley
Yocha Dehe Wintun Nation

11. California Native American Tribal Consultation: Have tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, has consultation begun?

Notice of the proposed project was sent to Middletown Rancheria, Mishewal Wappo Tribe of Alexander Valley, and Yocha Dehe Wintun Nation on September 27, 2021. No responses were received to the invitation to consult, and on November 22, 2021, the County mailed letters to all three of the Tribes notifying them about closure of consultation invitation.

This is discussed in detail in **Section XVIII (Tribal Cultural Resources)**.

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 type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Greenhouse Gas Emissions | <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 | <input type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Wildfire | <input type="checkbox"/> Mandatory Findings of Significance |

ENVIRONMENTAL IMPACTS AND 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 Environmental Resource Maps, the other sources of information listed in the file, and the comments received, conversations with knowledgeable individuals; the preparer's personal knowledge of the area; and, where necessary, a visit to the site. For further information, see the environmental background information contained in the permanent file on this project.

Other sources of information used in the preparation of this Initial Study include site-specific studies conducted by the applicant and filed by the applicant in conjunction with ECP #P20-00205-ECPA as listed below, and the environmental background information contained in the permanent file on this project. These documents and information sources are incorporated herein by reference and available for review at the Napa County Department of Planning, Building and Environmental Services located at 1195 Third Street, Suite 210, Napa, CA 94559, on the PBES Cloud at <https://www.pbcs.cloud/index.php/s/RLNGWBPBLMrKBkM>:

- Hogan Land Services, June 18, 2021, Lands of McLaughlin & Konolige Grading & Drainage Roadway Design; February 1, 2021 Hydrology Map; and 5575 Lovall Valley Road, Napa, APN 050-361-013-000; 5302 Lovall Valley Road, Sonoma APN 127-132-005 (**Exhibit A**).
- SolEcology, Inc., July 16, 2020, Biological Resources Report, Lovall Road Project (Number 1929), Napa and Sonoma Counties (**Exhibit B-1**).
- SolEcology, Inc., December 22, 2020, Addendum to July 16, 2020 Biological Resources Report for the 5575 Lovall Road Project, and August 27, 2021, P20-00269-UP Response to Napa County Comments – Vegetation Cover, Biological Resources Report, Lovall Road Project (Number 1929), Napa and Sonoma Counties (**Exhibit B-2**).
- Archaeological Resource Service, April 30, 2020, Cultural Resources Evaluation of a Proposed House and Driveway within 5575 Lovall Valley Road, Napa and Sonoma Counties.
- Hogan Land Services, July 9, 2020, Drainage Analysis – Lands of McLaughlin & Konolige, 5575 Lovall Valley Road, Napa California, APN 050-361-013-000 HLD Project #3567 (**Exhibit C**).
- Hogan Land Services, June 18, 2021, Stormwater Control Plan – Single Family Home (BASMAA) Lands of McLaughlin & Konolige, 5575 Lovall Valley Road, Napa California, APN 050-361-013-000 HLD Project #3567 (**Exhibit D**).
- PJC & Associates, Inc., April 24, 2019, Geotechnical Investigation, Proposed McLaughlin Residence & Driveway, Lovall Valley Road Napa APN 050-361-013; Sonoma APN 127-132-005 (**Exhibit E**).
- W-Trans, October 28, 2020, Emergency Vehicle Access Analysis for 5575 Lovall Valley Road Project (P20-00269-UP) (**Exhibit F**).
- Application Submittal Materials & Review Letters (**Exhibit G**).
- Site inspections conducted by Napa County Engineering Division staff conducted on September 17, 2020 and January 12, 2021.
- Napa County Geographic Information System (GIS) sensitivity maps/layers.

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a (SUBSEQUENT) 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 (SUBSEQUENT) MITIGATED NEGATIVE DECLARATION will be prepared. Attached as **Exhibit F** is the signed Project Revision Statement.
- 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.

Pamela Arifian

Signature

Pamela Arifian
Napa County
Planning, Building and Environmental Services Department

January 3, 2022

Date

ENVIRONMENTAL CHECKLIST FORM

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS. Except as provided in Public Resources Code Section 21099, 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 public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

a-d. The project is located on mostly northeastern sloping hillsides in the Lovall Valley area in southwest Napa County and on the Sonoma County line. The project, if approved, would not have a substantial adverse effect on a scenic vista nor substantially damage scenic resources or the existing visual character of the site and its surroundings. The site is located on moderate to steeply sloping land and a majority on the west side of a major ridgeline that runs north to south approximately 1 mile east of the project property (Napa County GIS, Ridgelines Layer). The proposed alignment of the roadway follows that of the existing dirt road, which cuts through an oak woodland area and is not visible from nearby public roads. There are no eligible or designated State Scenic Highways in the vicinity of the project property, and the closest County viewshed roads and scenic corridors are located approximately 2.3 miles southeast (State Highway 12) and 2.6 miles northeast (Partrick Road) of the project site (Napa County GIS, Scenic Corridors and Viewshed Road Layers; Caltrans 2021 - <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>). The topography is such that the project site is not visible from these roads; intervening hillsides block the sightline between both viewshed roads and the project site. Further, the scale of the proposed project and its location amidst similar surrounding vacant land, sparse residences and nearby vineyards would result in the proposed project blending in with surrounding uses if it were visible. The proposed driveway would improve the existing dirt road, including on land with slopes over 15% and therefore is subject to Napa County's Viewshed Protection Program (NCC Chapter 18.106); however, since the project cannot be viewed from any designated public roads regardless of vegetation, the project meets the criteria specified in NCC 18.106.040(B) and is therefore in compliance with the applicable provisions of the chapter and cleared from further review. The eventual single family residence to which the proposed driveway would provide access would be located on the Sonoma County parcel and subject to the Sonoma County Scenic Landscape Unit Administrative Design Review process prior to issuance of a building permit. The building site is located on the western side of a small ridge that is not identified as a major or minor ridgeline, nor is it visible from any Scenic Highways or viewshed roads in Napa County. There are no significant rock outcroppings or geologic features on the project site that would be impacted by the proposed project. Plans submitted with the application for the use permit do not identify any illumination of the private roadway. The proposed project would have a less than significant impact on a scenic vista, scenic highway, historic buildings, scenic resources including trees or rock outcrops, or day or nighttime views due to new sources of light and glare for the reasons described above.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
II. AGRICULTURE AND FOREST RESOURCES. In determining whether 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. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| 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 checked="" type="checkbox"/> | <input 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) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resource Code Section 12220(g)), timberland (as defined in Public Resource Code Section 4526), or timberland zoned Timberland Production (as defined in Government Code Section 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

- a. The California Department of Conservation maps the northeastern portion of the approximate 8.75-acre Napa County parcel as Prime Farmland, a designation that identifies those lands with an optimal combination of physical and chemical features, microclimate and water supply to produce high crop yields. The proposed driveway alignment generally follows that of an existing dirt road, thereby reducing the amount of disturbance; further, the proposed project occurs at the edge of the lands designated as Prime Farmland, with the vast majority in undesignated land. The Napa County Important Farmland 2016 map prepared by the California Department of Conservation, Division of Land Resource Protection identifies the development area as Grazing Land (i.e., not Prime Farmland, Unique Farmland or Farmland of Statewide Importance). Therefore, the proposed project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, resulting in less than significant impact.
- b. The project site has a General Plan designation of Agriculture, Watershed and Open Space (AWOS) and is zoned Agricultural Watershed (AW). This zoning district allows single-family residences as permitted uses of property, and this land use is also consistent with the intent of the AWOS General Plan land use designation (County Code Section 18.10.020 and General Plan Policy AG/LU-20). There are no Williamson Act contracts associated with the property. Therefore, the proposed project would not conflict with its land use designation or a Williamson Act contract resulting in no impact.
- c-d. "Forest Land" is defined in California Public Resource Code Section 12220(g) as "land that can support 10% native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits." The project site does not contain forest land or coniferous forest (Napa County GIS; WRA October 2018). The project site is not zoned forest land as defined in Public Resource Code Section 12220(g), timberland as defined in Public Resource Code Section 4526, or a Timberland Production Zone (TPZ) as defined in Government Code Section 51104(g). Therefore, no impact would occur.
- e. The proposed project would improve an existing agricultural road, and does not include the construction of roadways or other infrastructure that would result in the conversion of existing farmland or forestland in the area to non-agricultural or non-forestland uses. As such, the proposed project would not have an impact on agricultural or forest resources of Napa County.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
--	--------------------------------	---	------------------------------	-----------

III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management district 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) 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion

See **Section VIII (Greenhouse Gas Emissions)** for the greenhouse gas (GHG) emissions disclosure and impact assessment.

On June 2, 2010, the Bay Area Air Quality Management District (BAAQMD) Board of Directors unanimously adopted thresholds of significance to assist in the review of projects under the California Environmental Quality Act (CEQA). These guidelines were updated in May 2017 to address the California Supreme Court's 2015 opinion in *Cal. Bldg. Indus. Ass'n vs. Bay Area Air Quality Mgmt. Dist.*, 62 Ca 4th 369. These thresholds are designed to establish the level at which BAAQMD believed air pollution emissions would cause significant environmental impacts under CEQA, and were posted on the BAAQMD website and included in the BAAQMD updated CEQA Guidelines (May 2012). The thresholds are advisory and may be followed by local agencies at their own discretion.

The thresholds were challenged in court. Following litigation in the trial court, the court of appeal, and the California Supreme Court, all of the thresholds were upheld. However, in an opinion issued on December 17, 2015, the California Supreme Court held that CEQA does not generally require an analysis of the impacts of locating development in areas subject to environmental hazards unless the proposed project would exacerbate existing environmental hazards. The Supreme Court also found that CEQA requires the analysis of exposing people to environmental hazards in specific circumstances, including the location of development near airports, schools near sources of toxic contamination, and certain exemptions for infill and workforce housing. The Supreme Court also held that public agencies remain free to conduct this analysis regardless of whether it is required by CEQA.

In view of the Supreme Court's opinion, local agencies may rely on thresholds designed to reflect the impact of locating development near areas of toxic air contamination where such an analysis is required by CEQA or where the agency has determined that such an analysis would assist in making a decision about the proposed project. However, the thresholds are not mandatory and agencies should apply them only after determining that they reflect an appropriate measure of a project's impacts. The Guidelines may inform environmental review for development projects in the Bay Area, but do not commit local governments or BAAQMD to any specific course of regulatory action.

BAAQMD published a new version of the CEQA Guidelines dated May 2017, which includes revisions made to address the Supreme Court's opinion. The May 2017 CEQA Guidelines update does not address outdated references, links, analytical methodologies, or other technical information that may be in the Guidelines or Thresholds Justification Report. BAAQMD is currently working to revise any outdated information in the Guidelines as part of its update to the CEQA Guidelines and thresholds of significance.

a-b. The project site is generally located in the hills bordering the western side of the Napa Valley west of the City of Napa and on the Sonoma County line, within the Napa County climatological subregion of the San Francisco Bay Area Air Basin, which is under the jurisdiction of BAAQMD. The topographical and meteorological features of the Napa Valley subregion create the potential for air pollution.

In the short term, potential air quality impacts are most likely to result from construction activities. Construction-related emissions, which are temporary in nature, mainly consist of particulate matter (PM) generated from fugitive dust during grading or other earthmoving activities and other criteria pollutants generated through the exhaust from construction equipment, and vehicular haul and worker trips.

Over the long-term, emissions resulting from the proposed use permit would consist primarily of mobile sources (automobiles), which would increase as a result of a future new residence on the Sonoma County parcel to which the driveway subject to this use permit would allow access. Construction of a single family residence on the Sonoma County parcel of the property is allowed by right, and the proposed project is the only available access route.

The impacts associated with implementation of the project were evaluated consistent with guidance provided by BAAQMD. Ambient air quality standards have been established by state and federal environmental agencies for specific air pollutants most pervasive in urban environments. These pollutants are referred to as criteria air pollutants because the standards established for them were developed to meet specific health and welfare criteria set forth in the enabling legislation. The criteria air pollutants emitted by development, traffic and other activities anticipated under the proposed development include ozone, ozone precursors oxides of nitrogen and reactive organic gases (NOx and ROG), carbon monoxide (CO), nitrogen dioxide (NO2), and suspended particulate matter (PM10 and PM2.5). Other criteria pollutants, such as lead and sulfur dioxide (SO2), would not be substantially emitted by the proposed development or traffic, and air quality standards for them are being met throughout the Bay Area.

BAAQMD has not officially recommended the use of its thresholds in CEQA analyses and CEQA ultimately allows lead agencies the discretion to determine whether a particular environmental impact would be considered significant, as evidenced by scientific or other factual data. BAAQMD also states that lead agencies need to determine appropriate air quality thresholds to use for each project they

review based on substantial evidence that they include in the administrative record of the CEQA document. One resource BAAQMD provides as a reference for determining appropriate thresholds is the California Environmental Quality Act Air Quality Guidelines developed by its staff in 2010 and as updated through May 2017. These guidelines outline substantial evidence supporting a variety of thresholds of significance.

As mentioned above, in 2010, the BAAQMD adopted and later incorporated into its 2011 CEQA Guidelines project screening criteria (Table 3-1 – Operational-Related Criteria Air Pollutant and Precursors Screening Level Sizes) and thresholds of significance for air pollutants, which have now been updated by BAAQMD through May 2017. This type of project falls within the BAAQMD threshold of significance for single family land use provided in Table 3-1 (Criteria Air Pollutants & Precursors Screening Levels Sizes), which is 325 dwelling units for NOX, 56 dwelling units for GHG screening size and 114 dwelling units for construction-related reactive organic gases. The proposed project would improve an existing agricultural road to residential road standards for a length of 848 feet, construct a 30-foot long retaining wall and other storm drainage infrastructure, and would allow access to a new single family dwelling as a reasonably foreseeable direct impact of the project. The proposed project falls well below the screening size in Table 3-1; therefore would contribute an insignificant amount of air pollution and would not result in a conflict or obstruction with an air quality plan.

Additionally, project approval, if granted, would be subject to the standard Air Quality condition described below, which includes standard air quality and construction best management practices (BMPs) consistent with BAAQMD measures identified in Table 8-1 of the CEQA Guidelines that would further reduce potential air quality impacts associated with construction and ongoing operation of the proposed project. These BMPs would be incorporated into the proposed project.

Air Quality – Conditions of Approval: The owner/permittee shall implement the following air quality BMPs during construction activities and vineyard maintenance and operations:

- Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. The BAAQMD's phone number shall also be visible.
- Water all exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) two times per day.
- Cover all haul trucks transporting soil, sand, or other loose material offsite.
- Remove all visible mud or dirt tracked onto adjacent public roads by using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 mph.
- Idling times shall be minimized either by shutting off equipment when not in use or reducing the maximum idling time to five (5) minutes (as required by state regulations). Clear signage shall be provided for construction workers at all access points.
- Water and/or dust palliatives shall be applied in sufficient quantities during grading and other ground disturbing activities onsite to minimize the amount of dust produced. Outdoor construction activities shall not occur when average wind speeds exceed 20 mph.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator. Any portable engines greater than 50 horsepower or associated equipment operated within the BAAQMD's jurisdiction shall have either a California Air Resources Board (ARB) registration Portable Equipment Registration Program (PERP) or a BAAQMD permit. For general information regarding the certified visible emissions evaluator or the registration program, visit the ARB FAQ¹ or the PERP website².

Furthermore, while earthmoving and construction on the site will generate dust particulates in the short term, the impact would be less than significant with dust control measures as specified in Napa County's standard condition of approval relating to dust:

Dust Control – Condition of Approval: Water and/or dust palliatives shall be applied in sufficient quantities during grading and other ground-disturbing activities on-site to minimize the amount of dust produced. Outdoor construction activities shall not occur when average wind speeds exceed 20 mph.

Therefore, implementation of the proposed project would result in less than significant air quality impacts, and it would not conflict with or obstruct implementation of an air quality plan or result in cumulatively considerable effects.

c-d. 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

¹ http://www.arb.ca.gov/portable/perp/perpfaq_04-16-15.pdf

² <http://www.arb.ca.gov/portable/portable.htm>

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.

Land uses surrounding the project site include agricultural areas, undeveloped land, and rural residential. The closest school (Browns Valley Elementary School) is located approximately 3.6 miles northeast of the project site in the City of Napa (Napa County GIS, School Layer). The closest offsite residences are located approximately 1,300 feet to the east and approximately 1,450 feet to the southeast. The closest residential area (City of Napa) is approximately 3.4 miles east of the project site.

During project construction and subsequent operations, airborne pollutants and odors would be created through the use of grading and construction equipment. These sources would be temporary in nature and would occur more than 3 miles from the closest school and over 3 miles from the closest residential neighborhood, providing dilution of pollutants and odors. For the reasons identified above, the proposed project would not expose sensitive receptors or a substantial number of people to pollutants or objectionable odors, resulting in a less than significant impact.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	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 Wildlife 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 state or federally protected wetlands (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 type="checkbox"/>	<input checked="" 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 were utilized in this analysis and are incorporated herein by reference and available in the project file for review.

- SolEcology, Inc., July 16, 2020, Biological Resources Report, Lovall Road Project (No. 1929) (**Exhibit B-1**).
- SolEcology, Inc., December 22, 2020, August 27, 2021, and October 6, 2021, Addenda to July 16, 2020, Biological Resources Report for the 5575 Lovall Road Project (**Exhibit B-2**)

Additionally, the following Napa County Geographic Information System (GIS) Sensitivity Maps/layers were utilized in this biological resources assessment: Sensitive biotic vegetation groups, U.S. Fish and Wildlife (USFWS) Critical Habitat, California Natural Diversity Database (CNDDB), Owl Habitat, Wetlands and Vernal Pools, Vegetation, Soil types, U.S. Geological Survey Quadrangle (DRG), and Aerial Photos.

A list of special-status plant and animal species that have the potential to occur within the vicinity of the project site was compiled based on data in the CNDDB (CDFW, 2020a), California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants (CNPS, 2020a), and the USFWS List of Federal Endangered and Threatened Species that may be affected by projects in the Sonoma adjacent USGS 7.5 minute quadrangle and the eight adjacent USGS 7.5 minute quadrangles (USFWS, 2020a), California Department of Fish and Game (1990, 2008 and 2016), USFWS National Wetlands Inventory (USFWS 2020b), and USDA, NCRS Web Soil Survey (2019),

SolEcology conducted protocol level special-status plant surveys on the subject parcel on May 7, 2020, in accordance with CDFW protocol (CDFW 2018). The surveys were completed to determine: the presence of sensitive biological communities; the potential for biological communities on site to support special-status plant or wildlife species; and the presence of sensitive natural resources protected by local, state, or federal laws and regulations. The field surveys were conducted by botanists familiar with the flora of Napa County and surrounding counties.

At the time of analysis, the parcel was undeveloped and consisted of the following vegetation communities (land cover types): annual nonnative grassland (4.49 acres), oak woodland (3.77 acres). Subsequent development occurred entirely within the annual nonnative grassland vegetation community. The Sonoma County parcel was not included in the analysis; however, unskilled visual observation by County staff identified the vegetation community closely related to shrubland.

- a. Of the special-status plants documented from the greater vicinity, the project biologist found that eight of these plant species have the potential to occur within the project area; however no special status plant species were observed within the project study area (SolEcology, Inc., 2020 – **Exhibit B-1**). Less than significant impacts on special status plants are anticipated given the small size of the project and the absence of these plants during the protocol surveys.

Of the special-status wildlife species that have been documented in the greater vicinity, only seven of these species have a potential to occur in the project area or parcels: pallid bat (*Antrozous pallidus*), American badger (*Taxidea taxus*), Nuttall's woodpecker (*Picoides nuttallii*), oak titmouse (*Baeolophus inornatus*), spotted towhee (*Pipilo maculatus clementae*), wrentit (*Chamaea fasciata*) and Western pond turtle (*Actinemy marmorata*). The site provides dispersal habitat for the American badger and the western pond turtle. Given the size of the proposed project and the current use of the area compared to surrounding habitats the proposed project is not likely to substantially interfere with the movement of any of these species.

The removal of oak woodland habitat could potentially result in significant direct, indirect or cumulative impacts to breeding, nesting and/or maternity sites for bats and special status and migratory birds. The project as proposed includes environmental commitments as recommended by the biologist to avoid potential impacts to these species, which will be incorporated into the conditions of approval for this project, if approved.

Environmental Commitment/Condition of Approval: Bats - A Qualified Biologist (defined as having demonstrable qualifications and experience with the particular species for which they are surveying) shall conduct a habitat assessment in order to identify suitable bat habitat trees within the project area(s), no more than 6 months and no less than 14 days in advance of the planned tree removal. If the habitat assessment determines that trees proposed for removal contain suitable bat habitat, the following shall apply to potential bat habitat trees:

- a. Tree trimming and/or tree removal shall only be conducted during seasonal periods of bat activity (August 31 through October 15, when young would be self-sufficiently volant and prior to hibernation, and March 1 to April 15 to avoid hibernating bats and prior to formation of maternity colonies), under supervision of a qualified biologist, unless the condition below is implemented. Note that these windows may shift with atypical temperatures or rainfall if a qualified biologist determines that bats are likely to still be active based on seasonal conditions. Trees shall be trimmed and/or removed in a two-phased removal system conducted over two consecutive days. The first day (in the afternoon), limbs and branches shall be removed by a tree cutter using chainsaws only, under the supervision of a qualified biologist who has demonstrable experience with supervising tree removal for bats using this technique. Limbs with cavities, crevices and deep bark fissures will be avoided, and only branches or limbs without those features shall be removed. On the second day, the entire tree shall be removed.
- b. If removal of bat habitat trees must occur outside the seasonal activities identified above (i.e., between October 16 and February 28/29 of the following year or between April 16 and August 30), a qualified biologist shall conduct a pre-construction survey of all potential bat habitat trees within 14 days of project initiation and/or tree removal to determine absence/presence of special-status bat species. Survey methods, timing, duration, and species shall be provided for review and approval by Napa County prior to conducting pre-construction surveys. A copy of the survey results shall be provided to the County Planning Division and CDFW for review and acceptance prior to commencement of work. If bats are not present, removal can proceed without using the two-phased removal method. If bats are found to be present the qualified biologist shall determine if a maternity colony of winter torpor bats are present. If roosting bats are present but there are no maternity colonies or winter torpor bats, the tree shall be removed using the two-phased removal method outlined above. If the qualified biologist determines that maternity colonies or winter torpor bats are present, or they cannot confidently determine absence of maternity colonies or winter torpor bats, then tree removal shall be delayed until during the seasonal periods of bat activity outlined above.

Environmental Commitment/Condition of Approval - Birds: The Permittee shall include in #P20-00269-ECPA the following measures to minimize impacts associated with the loss and disturbance of nesting birds and raptors consistent with and pursuant

Fish and Game Code Sections 3503 and 3503.5 and the California Endangered Species Act found in Fish and Game Code Section 2050 et seq.:

- a. For earth-disturbing activities occurring between February 1 and August 31, (which coincides with the grading season of April 1 through October 15 – NCC Section 18.108.070.L, and bird breeding and nesting seasons), a qualified biologist (defined as knowledgeable and experienced in the biology and natural history of local avian resources with potential to occur at the project site) shall conduct preconstruction surveys for nesting birds and raptors within all suitable habitat in the project area, and within a minimum of 500 feet of all project areas. The preconstruction survey shall be conducted no earlier than 7 days prior to vegetation removal and ground disturbing activities are to commence. Should ground disturbance commence later than 7 days from the survey date, surveys shall be repeated. A copy of the survey results shall be provided to the Napa County Conservation Division and the CDFW prior to commencement of work.
- b. After commencement of work, if there is a period of no work activity of 5 days or longer during the bird breeding season, surveys shall be repeated to ensure birds have not established nests during inactivity.
- c. In the event that nesting birds are found, a qualified biologist shall identify appropriate avoidance methods and exclusion buffers in consultation with the County Conservation Division and the U.S. Fish and Wildlife Service (USFWS) and/or CDFW prior to initiation of project activities. Exclusion buffers may vary in size, depending on habitat characteristics, project activities/disturbance levels, and species as determined by a qualified biologist in consultation with County Conservation Division and the USFWS and/or CDFW.
- d. Exclusion buffers shall be fenced with temporary construction fencing (or the like), the installation of which shall be verified by Napa County prior to the commencement of any earthmoving and/or development activities. Exclusion buffers shall remain in effect until the young have fledged or nest(s) are otherwise determined inactive by a qualified biologist. Additionally, a qualified biologist shall monitor all active nests each day during construction for the first week, and weekly thereafter, to ensure that the exclusion buffers are adequate and that construction activities are not causing nest-disturbance. If the qualified biologist observes birds displaying potential nest-disturbance behavior, the qualified biologist shall cease all work in the vicinity of the nest and CDFW shall be consulted about appropriate avoidance and minimization measures for nesting birds prior to construction activities resuming. In this event, construction activities shall not resume without CDFW's written approval.
- e. Alternative methods aimed at flushing out nesting birds prior to pre-construction surveys, whether physical (i.e., removing or disturbing nests by physically disturbing trees with construction equipment), audible (i.e., utilizing sirens or bird cannons), or chemical (i.e., spraying nesting birds or their habitats) shall be prohibited.

Environmental Commitment/Condition of Approval - Western Pond Turtle: A pre-construction survey shall be conducted within 48 hours of ground disturbing activities if within 100 meters of any aquatic or riparian habitat for the potential presence of pond turtle nest sites. Alternatively, wildlife exclusion fencing may be placed between the work area and nearby aquatic habitats within 100 meters to prevent pond turtle from nesting within areas proposed for ground disturbance. Fencing shall be placed prior to May 1 for work proposed to occur in the summer/early fall period. Fencing should be a minimum of 36 inches high, with a minimum of 4 inches trenched into the ground.

Environmental Commitment/Condition of Approval – American badger: Prior to any grading activities, a pre-construction survey shall be performed by a qualified biologist to map the location of any potential dens within 300 feet of proposed construction activities. If potential natal dens are observed, a minimum 300-foot no disturbance setback/buffer will be established around the potential den during the breeding/pupping/rearing season (December 1 to May 31). During the non-breeding season or for non-natal dens (June 1 to November 31), a minimum 100-foot no disturbance setback/buffer will be established. If a potential den cannot be avoided, a relocation plan shall be prepared by the biologist in consultation with the CDFW prior to work in that area.

As such, the project as proposed (i.e., with implementation of stated Environmental Commitments on the plans and as stated in the conditions of approval) would result in less than significant impacts to special-status plants, habitat, bird and bat species.

- b-c. The project parcel contains an unnamed blue line stream located approximately 400 feet to the northeast of the project area, and receives sheet flow from the project area. The stream is likely jurisdictional under Section 404/401 of the CWA and Section 1602 of the CFGC, and includes wetland area and minimal riparian habitat. The stream and wetland are avoided by the project; however, it is noted that the access to the site from Lovall Valley Rd crosses over the stream where it passes through a culvert. An Exception to the Napa County Road and Street Standards was granted by the Zoning Administrator on July 17, 2020, which allowed a reduction in driveway width from 10 feet to 9 feet for 100-foot segment in order to preserve wetlands and avoid the need to grade within the wetland and adjacent riparian area. The RSS Exception was granted as part of the approval process for #BR19-01936 for construction of the main dwelling. The proposed rock lined swale, retaining wall and erosion control measures and construction BMPs (including access road stabilization) would ensure that no increase in soil loss or runoff would occur as part of the project. A wetland delineation was not performed, and the biological analysis did not identify any evidence of seasonal wetlands near the project area, nor does the project contain any designated Critical Habitat or

Essential Fish Habitat as the stream does not have the dimensions, flows or an extended hydrology to support anadromous fishes. Further, no sensitive or riparian habitat was identified within the project area. Less than significant impacts would result from project implementation on sensitive habitats and aquatic resources.

- d. The project does not include fencing. Additionally, there are no designated migratory corridors within the project area, nor wildlife nursery sites; therefore, no impacts would result from project implementation.
- e. As stated above, at the time of analysis, the parcel was undeveloped and consisted of the following vegetation communities (land cover types): annual nonnative grassland (4.49 acres), oak woodland (3.77 acres). Subsequent development occurred entirely within the annual nonnative grassland vegetation community. Napa County Code Chapter 18.108.020(c) requires that 70% of the vegetation canopy cover (defined as oak woodland, riparian oak woodland or coniferous forest) that existed on AW parcels in 2016 aerial is retained; however, since the parcel was burned in the 2017 Nuns Fire, it is subject to NCC Chapter 8.80.130, Conservation regulations for fire-damaged properties, which requires that the vegetation canopy cover analysis shall be as configured on the parcel existing on June 19, 2018. The project as proposed would remove 0.21-acre of vegetation canopy cover, resulting in 94% canopy retention. Therefore, the project would be consistent with Section 18.108.027(b) of the Napa County Code.

Napa County General Plan Conservation Element Policy CON-24 requires that oak woodland be maintained and/or improved to the extent feasible to provide for oak woodland and wildlife habitat, slope stabilization and soil protection, and species diversity. Policy CON-24c specifically provides for the preservation of oak woodland (on an acreage basis) at a 2:1 ratio where feasible, where preservation/avoidance of oak woodland is not feasible replacement of oak woodland at a 2:1 ratio is required. Napa County Code Chapter 18.108.020(d) requires that the removal of any vegetation canopy cover be mitigated by permanent replacement or preservation of comparable vegetation canopy cover, on an acreage basis at a minimum 3:1 ratio. After project implementation (if approved), the property would retain 3.56 acres of oak woodland / vegetation canopy cover, and would preserve as part of the project 0.65-acres in an Oak Woodland Preservation Area, which is more than required to meet both the 2:1 ratio required by Policy CON-24C and NCC 18.108.020(d). The project includes a commitment to protect the Preservation Area through recordation of a deed restriction, including protective covenants, and included a draft deed restriction in the submittal materials (**Exhibit B-2**). The following Condition of Approval will ensure the Preservation Area that is proposed as part of the project is recorded in a deed restriction prior to vegetation removal. Less than significant impacts would result.

Condition of Approval – Oak Woodland Preservation Area: Prior to implementation of P20-00269-UP, the Permittee shall submit a notarized Deed Restriction for the approval and notarized signature by the PBES Director prior to recordation.

- f. There are no Habitat Conservation Plans, Natural Community Conservation Plans, or other similar plans applicable to the project site. Therefore, no impact would occur.

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact With Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
V. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §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 §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) 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

See **Section XVIII (Tribal Cultural Resources)** for disclosures and the impact assessment pursuant to Pursuant to Public Resources Code 21080.3.1 (Assembly Bill 52 - Gatto).

The following was utilized in this analysis and is incorporated herein by reference, in addition to Napa County GIS Archaeological sensitive areas and Archaeological sites layers: Archaeological Resource Service, April 30, 2020, Cultural Resources Evaluation of a Proposed House and Driveway within 5575 Lovall Valley Road, Napa and Sonoma Counties.

Archaeological Resource Services conducted an archaeological evaluation of the project parcels which included a check of information on file with the California Historical Resources Information System to determine presence or absence of previously recorded historic or prehistoric cultural resources; a check of relevant historic references to determine the potential for historic era archaeological deposits; contact with the Native American Heritage Commission to determine the presence or absence of listed Sacred Lands within the project vicinity; contact with all Native American organizations or individuals designated by the Native American Heritage Commission as interest parties for the project vicinity; and a surface reconnaissance survey of all accessible parts of the project area to locate any visible signs of potentially significant historic or prehistoric cultural deposits.

a-c. The cultural resource evaluation (Archaeological Resource Services, April 30, 2020) resulted in a negative finding, indicating that no artifacts or potentially significant cultural features were observed. The evaluation did not identify any human remains within the project site, and indicated a very slight potential that human remains may be discovered, should the project be approved. Therefore, less than significant impacts related to cultural resources and discovery of human remains are anticipated.

Further, project approval, if granted, would be subject to the standard conditions identified below to protect cultural resources that may be discovered accidentally. Therefore, with incorporation of the condition of approval, below, the proposed project would result in less than significant impacts to historic or archaeological resources.

Cultural Resources – Conditions of Approval: Discovery of cultural, historical or archaeological resources, or human remains during construction, grading, or other earth moving activities:

- In accordance with CEQA Subsection 15064.5(f), should any previously unknown historic or prehistoric resources, including but not limited to charcoal, obsidian or chert flakes, grinding bowls, shell fragments, bone, pockets of dark, friable solids, glass, metal, ceramics, wood or similar debris, be discovered during grading, trenching or other onsite excavation(s), earth work within 100-feet of these materials shall be stopped until a professional archaeologist certified by the Registry of Professional Archaeologists (RPA) and a Yocha Dehe Wintun Nation Tribal Cultural Monitor have had an opportunity to evaluate the significance of the find and suggest appropriate mitigation(s), as determined necessary.
- If human remains are encountered the Napa County Coroner shall be informed to determine if an investigation of the cause of death is required and/or if the remains are of Native American origin. Pursuant to Public Resources Code Section 5097.98, if such remains are of Native American origin the nearest tribal relatives as determined by the State Native American Heritage Commission shall be contacted to obtain recommendations for treating or removal of such remains, including grave goods, with appropriate dignity.
- All persons working onsite shall be bound by contract and instructed in the field to adhere to these provisions and restrictions.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. ENERGY. Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

Consistent with Public Resources Code Section 21100(b)(3), this impact analysis evaluates the potential for the proposed project to result in a substantial increase in energy demand and wasteful use of energy during project construction, operation and maintenance. The impact analysis is informed by Appendix G of the CEQA Guidelines. The potential impacts are analyzed based on an evaluation of whether construction and operation energy use estimates for the proposed project would be considered excessive, wasteful, or inefficient.

- a. During construction of the proposed project, the use of construction equipment, truck trips for hauling materials, and construction workers' commutes to and from the project site would consume fuel. Construction activities and corresponding fuel energy consumption would be temporary and localized. In addition, there are no unusual project characteristics that would cause the use of construction equipment or haul vehicles that would be less energy efficient compared with other similar agricultural construction sites within Napa County.

Once construction is complete, equipment and energy use would be slightly higher than existing levels and the proposed project would not include any unusual maintenance activities that would cause a significant difference in energy efficiency compared to the surrounding developed land uses. Thus, the proposed project would not result in wasteful, inefficient, or unnecessary energy use. This impact would be less than significant.

- b. The transportation sector is a major end-user of energy in California, accounting for approximately 39 percent of total statewide energy consumption in 2014 (U.S. Energy Information Administration 2016). In addition, energy is consumed in connection with construction and maintenance of transportation infrastructure, such as streets, highways, freeways, rail lines, and airport runways. California's 30 million vehicles consume more than 16 billion gallons of gasoline and more than 3 billion gallons of diesel each year, making California the second largest consumer of gasoline in the world (CEC 2016). In Napa County, farm equipment (not including irrigation pumps) accounted for approximately 60% of agricultural emissions in Napa County in 2014, with the percentage anticipated to increase through 2050 (Napa County 2018 - <https://www.countyofnapa.org/DocumentCenter/View/9247/Revised-Draft-Climate-Action-Plan>).

With respect to transportation energy, existing energy standards are promulgated through the regulation of fuel refineries and products such as the Low Carbon Fuel Standard (LCFS), which mandates a 10% reduction in the non-biogenic carbon content of vehicle fuels by 2020. Additionally, there are other regulatory programs with emissions and fuel efficiency standards established by USEPA and the California ARB such as Pavley II/LEV III from California's Advanced Clean Cars Program and the Heavy-Duty (Tractor-Trailer) GHG Regulation. Further, construction sites will need to comply with State requirements designed to minimize idling and associated emissions, which also minimizes use of fuel. Specifically, idling of commercial vehicles and off-road equipment would be limited to five minutes in accordance with the Commercial Motor Vehicle Idling Regulation and the Off-Road Regulation¹³. The proposed project would comply with these State requirements; see the Air Quality conditions of approval. Napa County has not implemented an energy action plan. Therefore, the proposed project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency or impede progress towards achieving goals and targets, and impacts would be less than significant.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. GEOLOGY AND SOILS. Would the project:				
a) Directly or indirectly cause 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 type="checkbox"/>	<input checked="" 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"/>

¹³ California Code of Regulations (CCR), 2005. Title 13, Chapter 10, 2485, updated through 2014.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

a. The project site could experience potentially strong ground shaking and other seismic related hazards based on the number of active faults in the San Francisco Bay region. The proposed project consists of earthmoving activities associated with the construction of the driveway and 30-foot retaining wall and installation of erosion control measures, but does not include the construction of new residences or other facilities (i.e., enclosed areas where people can congregate) that would be subject to seismic forces. Additionally, the proposed project would not result in a substantial increase in the number of people to the site. Therefore, the proposed project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving fault rupture, ground shaking, liquefaction, and landslides and less than significant impact would occur. Additional information supporting this conclusion is identified below.

- i) One fault has been mapped on the project property, that traverses in a northwest-southeast trend part the landscaped area (former nonnative grassland) to the east of the project. It is not identified as an active fault; the nearest active fault within Napa County is the West Napa Fault, located over 3 miles east of the project parcel. The project area is not located within an “Earthquake Fault Hazard Rupture Zone” designated by the Alquist-Priolo Earthquake Zoning Act. While the project as proposed does not directly include construction of new residences or similar facilities, it would result in the eventual construction of a single family residence, which would result in a minor increase in people to the area. However, adherence to standard building code during the building permit process would ensure that less than significant impact would occur.
- ii) Although the project site is located in an area that may be subject to strong or very strong seismic ground shaking potential during an earthquake (California Geological Society, 2016), the project as proposed does not directly include construction of new residences or similar facilities. It would result in the eventual construction of a single family residence, which would result in a minor increase in people to the area; however, adherence to standard building code during the building permit process would ensure that less than significant impact would occur.
- iii) The project site is not in an area subject to high liquefaction potential. The Napa County General Plan identifies the project site as having very low liquefaction potential (Napa County, 2009). Further, as noted above, the proposed project would not result in a substantial increase in the number of people or add structures onsite. Therefore, this impact would be less than significant.
- iv) Landslides, landslide deposits, and areas of instability have not been identified within the project site (Napa County GIS landslide layer); further, the geotechnical investigation did not observe surface evidence of significant slope instability. Therefore, no impact would occur.

b-d. The project site’s soils are mapped as Forward-Kidd Complex, 11 to 60 percent slopes and Forward silt loam, 3 to 26 percent slopes (**Exhibit A**). Erosion prevention and sediment control would be in accordance with California Building Code, Napa County Code, and Section 20 of Caltrans standard specifications. The project shall conform with the erosion prevention and sediment control best management practices contained in latest editions of the San Francisco Bay Regional Water Quality Control Board, Association of Bay Area Governments and the California Storm Water Quality Association. Construction activities include but are not limited to clearing, grading, excavation, stockpiling and reconstruction of existing facilities involving removal and replacement. Preservation of existing vegetation shall occur to the maximum extent practicable, with protection fencing at the drip line for any trees not intended for removal. Erosion control measures include fiber roll barriers and silt fence, construction best management practices (concrete washout, construction stabilized entrance, linear controls), rock-lined swales along the proposed driveway, the retaining wall, and a culvert with storm drain inlet sediment barrier which would discharge to a bioretention facility for treatment and retention before the drainage returns to sheet flow. As discussed above, the project site is not located in an area prone to landslides, ground failure or liquefaction.

Implementation of the proposed project vegetation removal and earthmoving activities would not result in a substantial increase in soil erosion or loss of topsoil. Further, the proposed project identifies the soil types in the project site and addresses any potential soil instability. Therefore, impacts from offsite landslides, lateral spreading, subsidence, liquefaction or collapse, or expansive soils would be less than significant.

e-f. The proposed project involves the development of driveway. No septic tanks or alternative wastewater disposal systems are needed or proposed at the project site. Therefore, no impact would occur with regard to soils supporting septic tanks or alternative wastewater disposal systems. The Sonoma County parcel would support a new single family residence and has vesting certificate for septic system and an approved well study (Sonoma County permits VES20-00206 and SEP19-0807, and WEL19-0254). There are no unique geologic features on the project site. Due to the nature of the soils in the project site and the nature of the proposed project utilizing an existing roadway, the probability of encountering paleontological resources within the project site is minimal. Furthermore, project approval, if granted, would be subject to the standard conditions described below that would avoid and reduce potential paleontological resource impacts. Therefore, impacts to geologic features and paleontological resources are anticipated to be less than significant.

Paleontological Resources – Conditions of Approval: Discovery of paleontological resources during construction, grading, or other earth moving activities:

- In the event that a discovery of a breas, true, and/or trace fossils are discovered during ground disturbing activities, all work within 100 feet of the fined shall be temporarily halted or diverted until the discovery is examined by a qualified paleontologist. The paleontologist shall notify the appropriate agencies to determine procedures that should be followed before ground disturbing activities are allowed to resume at the location of the find.
- All persons working onsite shall be bound by contract and instructed in the field to adhere to these provisions and restrictions.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. GREENHOUSE GAS EMISSIONS. Would the project:				
a) Generate a net increase in greenhouse gas, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

See **Section III (Air Quality)** for other air quality emissions disclosures and impact assessments.

Napa County has been working to develop a Climate Action Plan (CAP) for several years. The 2012 Draft CAP (March 2012) recommended using the emissions checklist provided therein, on a trial basis, to determine potential GHG emissions associated with project development and operation. At the December 11, 2012, Napa County Board of Supervisors (BOS) hearing, the BOS considered adoption of the proposed CAP. In addition to reducing Napa County’s GHG emissions, the proposed plan was intended to address compliance with CEQA for projects reviewed by the County and to lay the foundation for development of a local offset program. While the BOS acknowledged the plan’s objectives, it requested that the CAP be revised to better address transportation-related GHG emissions, to acknowledge and credit past accomplishments and voluntary efforts, and to allow more time for establishment of a cost-effective local offset program. The BOS also requested that BMPs be applied and considered when reviewing projects until a revised CAP is adopted to ensure that projects address the County’s policy goal related to reducing GHG emissions. In addition, the BOS recommended utilizing the emissions checklist and associated carbon stock and sequestration factors in the Draft CAP to assess and disclose potential GHG emissions associated with project development and operation pursuant to CEQA.

In July 2015, the County recommenced preparation of the CAP to: i) account for present day conditions and modeling assumptions (such as methods, emission factors, and data sources); ii) address the concerns with the previous CAP effort as outlined above, iii) meet applicable state requirements, and iv) result in a functional and legally defensible CAP. As the part of the first phase of development and preparation of the CAP, the County released Final Technical Memorandum #1: 2014 Greenhouse Gas Emissions Inventory and Forecast, April 13, 2016. This initial phase included: i) updating and incorporating the County’s community-wide GHG emissions inventory to 2014, and ii) preparing new GHG emissions forecasts for the 2020, 2030, and 2050 horizons. On July 24, 2018, the County prepared a Notice of Preparation of a Draft Focused EIR for the Climate Action Plan. The review period was from July 24, 2018 through August 22, 2018. Additional information on the County CAP can be obtained at the Napa County Department of Planning, Building and Environmental Services or online at <https://www.countyofnapa.org/592/Climate-Action-Plan>.

a-b. Overall increases in GHG emissions in Napa County were assessed in the EIR prepared for the Napa County General Plan Update certified in June 2008. GHG emissions were found to be significant and unavoidable in that document, despite the adoption of mitigation measures incorporating specific policies and action items into the General Plan. Consistent with these General Plan action items, Napa

County participated in the development of a community-wide GHG emissions inventory and “emission reduction framework” for all local jurisdictions in the County in 2008-2009. This planning effort was completed by the Napa County Transportation and Planning Agency in December 2009, and served as the basis for development of a refined inventory and emission reduction plan for unincorporated Napa County.

In 2011, the Bay Area Air Quality Management District (BAAQMD) released California Environmental Quality Act (CEQA) Project Screening Criteria and Significance of Thresholds [1,100 metric tons per year (MT) of carbon dioxide and carbon dioxide equivalents (CO_{2e})]. This threshold of significance is appropriate for evaluating projects in Napa County. The County requires project applicants to consider methods to reduce GHG emissions consistent with Napa County General Conservation Element Plan Policy CON-65e. Pursuant to State CEQA Guidelines Section 15183, this assessment focuses on impacts that are “peculiar to the project,” rather than the cumulative impacts previously assessed, because this Initial Study assesses a project that is consistent with an adopted General Plan for which an EIR was prepared.

GHGs are the atmospheric gases whose absorption of solar radiation is responsible for the greenhouse effect, including carbon dioxide (CO₂), methane, ozone, and the fluorocarbons, which contribute to climate change. CO₂ is the principal GHG emitted by human activities, and its concentration in the atmosphere is most affected by human activity. It also serves as the reference gas to which to compare other GHGs. Agricultural sources of carbon emissions include forest clearing, land-use changes, biomass burning, and farm equipment and management activity emissions. Equivalent Carbon Dioxide (CO_{2e}) is the most commonly reported type of GHG emission and a way to get one number that approximates total emissions from all the different gasses that contribute to GHG, as described in BAAQMD’s CEQA Guidelines. In this case CO₂ is used as the reference atom/compound to obtain atmospheric carbon CO₂ effects of GHG. Carbon stocks are converted to CO_{2e} by multiplying the carbon total by 44/12 (or 3.67), which is the ratio of the atomic mass of a carbon dioxide molecule to the atomic mass of a carbon atom (<http://ncasi2.org/COLE/faq.html>).³

One-time “Construction Emissions” associated with the proposed driveway construction include emissions associated with the energy used to grade the project area and construct the road, including construction equipment and worker vehicle trips (hereinafter referred to as “equipment emissions”). These emissions also include underground carbon stocks (or soil carbon) associated with existing vegetation that is proposed to be removed.

The proposed project consists of construction and use of a new, approximately 848-foot long, private driveway to a future new residence, in addition to construction of a 30-foot retention wall and associated erosion control facilities, including a bioretention facility, rock-lined swale and other best management practices. The project would utilize the existing dirt road alignment, which would reduce the construction emissions relative to a brand new road. Standard conditions of development (see Air Quality discussion, above), would require limitations on idling times of construction equipment and vehicles in order to reduce emissions from engine combustion. During construction, the combustion process of engines in heavy duty vehicles would be a source of air pollutants, including particulate matter as well as carbon dioxide and nitrogen dioxide. Emissions from heavy duty off-road vehicles (e.g., construction equipment) would increase as a result of those vehicle’s use in earthwork and soil off-hauling associated with the project. Although the use of these vehicles would increase emissions in the vicinity of the site, the 2010 Bay Area Clean Air Plan notes that emissions from heavy duty and industrial vehicles are regulated by standards of the U.S. Environmental Protection Agency and California Air Resources Board, and that as those standards have intensified, emissions (particularly nitrogen oxides and particulate matter) from these types of vehicles have and will continue to decrease). U.S. Department of Transportation, Bureau of Transportation Statistics data demonstrates this downward trend in heavy duty vehicle emissions since 1990. It is again noted that use of these vehicles would be temporary, generating GHG in the property vicinity only for the duration of construction but not thereafter.

The impact screening criteria of the BAAQMD CEQA Guidelines derives from various land uses that are anticipated to generate air and GHG emissions from vehicle trips and utilities, including energy needed for heating, cooling and lighting spaces. The proposed driveway would allow access to a portion of the property that is currently undeveloped; however, while the future single family residence is not explicitly included in the proposed project, the implementation of the proposed project would result in increased operational emissions when compared to existing condition due to the subsequent new trip-generating land use. The construction of the future residence would result in additional short-term construction-related emissions for the duration of the construction timeline. Operational emissions of the project would be the primary source of emissions over the long-term when compared to one-time construction emissions.

In 2011, the Bay Area Air Quality Management District released CEQA Project Screening Criteria and Significance of Thresholds [1,100 metric tons per year of carbon dioxide and carbon dioxide equivalents. This threshold of significance is appropriate for evaluating projects in Napa County. As identified in Table 3-1 Criteria Air Pollutants and Precursors and GHG Screening Level Sizes, a single family residence is not considered a producer of a significant amount of air pollution that would result in a conflict or obstruction of any air quality plans.

³ “Carbon stock” refers to the total amount of carbon stored in the existing plant material including trunks, stems, branches, leaves, fruits, roots, dead plant material, downed trees, understory, and soil organic material. Carbon stock is expressed in units of metric tons of carbon per acre. When land is cleared, some percentage of the carbon stored is released back to the atmosphere as CO₂. Land clearing or the loss of carbon stock is thus a type of GHG emission (County of Napa, March 2012, Napa County Draft Climate Action Plan).

The proposed project has been evaluated against the BAAQMD thresholds and determined that the project would not exceed the threshold. The increase in emissions expected as a result of the project would be relatively modest and the driveway project is in compliance with the County's efforts to reduce emissions as described above. For these reasons, project impacts related to GHG emissions are considered less than significant.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. 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 or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

- a-b. As an improved driveway providing access to a future new single family residence, the proposed project would result in an incremental increase in the transport of hazardous materials typically associated with construction and operation of a single family residence and associated landscaping. Impacts related to routine transport, use, disposal or accidental conditions are less than significant, given the low quantities of hazardous materials and the limited duration of the use of the construction-related materials
- c. The closest school (Browns Valley Elementary School) is located approximately 3.6 miles northeast of the project site in the City of Napa (Napa County GIS, School Layer). There are no schools proposed within 0.25 mile of the project site. Therefore, no impact would occur.
- d. The project site is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5 (Napa County GIS hazardous facility layer). Therefore, no impact would occur.
- e. The closest public airport to the project site is the Napa County Airport, located approximately 6.6 miles east of the project. No portion of the proposed project is within an airport compatibility zone identified in the Airport Compatibility Plan (Napa County Airport Land Use Compatibility Plan, and Napa County GIS Airport layer). Therefore, no impact would occur.
- f. The proposed project is anticipated to introduce a small number of workers visiting the project site on a temporary basis for construction in addition to the future residents, resulting in a minor increase in the number of people working or residing at the project site. However, given the relatively small size of the proposed project, it is not anticipated that the minor increase would impair implementation of or physically interfere with any adopted emergency response plan or emergency evacuation plan. Construction of the driveway would occur entirely on private property, where there is also adequate space for staging of equipment. The proposed project would not result in permanent closure or obstruction of adjacent public rights-of-way. Therefore, no impact would occur.

- g. While no structures are directly proposed as part of the driveway project requiring the use permit, construction of the new driveway would result in the construction of a single family residence in the future. The project site is located in an area identified as having moderate fire severity (CALFIRE 2007 - <https://egis.fire.ca.gov/FHSZ/>). The proposed layout includes a Firesafe Turnout per Napa County Road and Street Standards and space for a future Firesafe Turn Around at the terminus of the drive aisle on the Sonoma County parcel. The proposed project was reviewed for adequacy for emergency vehicle access (W-TRANS – Exhibit XX) and has been reviewed and approved by Napa County Fire. Per correspondence on December 12, 2020 with Sonoma County Fire Division (Steve Mosiurchak – Exhibit XX), a hold was placed on the parcel to ensure the building permit application is reviewed by Napa County for fire access. Therefore, while the proposed project would incrementally increase the exposure of people or structures to wildland fires, impacts are considered to be less than significant.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
X. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<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 or through the addition of impervious surfaces, in a manner which would:				
i. Result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. 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"/>
iii. 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; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

a/c. The proposed project improvements have been designed in accordance with the County-applicable, Bay Area Stormwater Management Agencies Association (BASMAA) Post-Construction Manual (**Exhibit D**). The guidance in this manual is intended to ensure that stormwater runoff generated from a development is treated prior to entering a storm drain system, and that quantity of post-construction stormwater runoff does not exceed the quantity of runoff generated by the pre-construction condition of the site.

The impervious surface of the new roadway would be graded to drain into rock-lined swales, through a culvert to a rip rap outlet that will allow the flows to slow, return to sheet flow and percolate back into the soil, where any pollutants would be naturally filtered out through landscaping. Therefore, the proposed system is designed to manage both the quantity and quality of stormwater runoff before discharge of the runoff into the unnamed blue line stream to the east of the project. The driveway would increase the volume of stormwater runoff as compared to the existing condition; however, as described above, the project has been designed in accordance with BASMAA guidance. As these design elements are currently absent from the existing road, the proposed project is considered to provide an improvement to the on-site treatment of stormwater runoff. The future single family residence would be constructed to Sonoma County standards, in accordance with similar guidance regarding stormwater management. The grading and drainage plan and stormwater control plan for the

driveway has been approved by the Napa County Engineering Department. Less than significant impacts would result from project implementation, if approved.

b/e. In response to regional drought and the general Statewide need to protect groundwater resources, the Governor enacted new legislation requiring local governments to monitor and management groundwater resources. Napa County's prior work on the Napa Valley Groundwater Management Plan provides a strong foundation for Napa County to comply with this State mandated monitoring and management objective. As a direct result, the project site is now subject to this new legislation requiring local agencies to monitor groundwater use. Assembly Bill - AB 1739 by Assembly member Roger Dickinson (D-Sacramento) and Senate Bills 1168 and 1319 by Senator Fran Pavley (D-Agoura Hills) establish a framework for sustainable, local groundwater management for the first time in California history. The legislation requires local agencies to tailor sustainable groundwater plans to their regional economic and environmental needs. The legislation prioritizes groundwater basin management Statewide, which includes the Napa Valley/Napa River Drainage Basin, and sets a timeline for implementation of the following:

- By 2017, local groundwater management agencies must be identified;
- By 2020, overdrafted groundwater basins must have sustainability plans;
- By 2022, other high and medium priority basins not currently in overdraft must have sustainability plans; and
- By 2040, all high and medium priority groundwater basins must achieve sustainability.

The State has classified the Napa River Drainage Basin as a medium priority resource. Additionally, the legislation provides measurable objectives and milestones to reach sustainability and a State role of limited intervention when local agencies are unable or unwilling to adopt sustainable management plans. Napa County supports this legislation and has begun the process of developing a local groundwater management agency, which is anticipated to be in place and functioning within the timeline prescribed by the State.

The proposed project would not result in a substantial increase the demand of ground water supplies or interfere with groundwater recharge or lowering of the local groundwater level. According to Napa County environmental resource mapping (Groundwater Deficient Areas), the project site is not located within a water deficient area and the County is not aware of, nor has it received any reports of groundwater deficiencies in the area. Impacts would be less than significant. The proposed project consists of construction of a new driveway that would have no ongoing demand for water for consumption or irrigation. Implementation of the proposed project would facilitate the eventual construction of a single family residence on the Sonoma County parcel, which would be subject to review by Sonoma County. The Sonoma County parcel had a well yield certification test approved by Sonoma County (WEL19-0254). With the addition of approximately 0.44-acre of new or replaced impervious surface within the roadway, the majority of the approximately 8.75-acre Napa County parcel would remain pervious. The rock-lined swales and rip rap outlet will allow stormwater from the roadway to infiltrate back into adjacent soils. Impacts are less than significant.

d. There would be a less than significant risk to life in the event of a flood on the project site. The project is not located within a 100-year or 500-year flood zone, nor is it within a dam failure inundation zone. The project area is located at approximately 590 to 730 feet above mean sea level, and there is no known history of mud flow in the vicinity. The project will not subject people or structures to a significant risk of inundation from tsunamis, seiche or mudflow.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. 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) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

a. The proposed site is located in a rural area of Napa County predominantly established with agricultural, open space and rural residences. The proposed use and improvements proposed in this project are consistent with the ongoing uses in the area. The project would not divide an established community. No impact would occur.

b. The subject parcel is located in the AW (Agricultural Watershed) zoning district, which allows residences and accessory structures without a use permit. The proposed project would provide access to a future single family residential site on the Sonoma County parcel. Surrounding land uses include undeveloped land, rural residences, wineries and vineyards. Surrounding parcels are zoned Agricultural Watershed (AW) and designated Agriculture, Watershed and Open Space (AWOS) in the Napa County General Plan Land Use Element. The proposed project is compliant with the physical limitations of the Napa County Zoning Ordinance.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

a-b. The project site is not in an area with a known mineral resource of value to the region or state or within a known mineral resource recovery area (Napa County Baseline Date Report, Figure 2-2 and Map 2-1, Version 1, November 2005; Napa County General Plan Map, December 2008; Special Report 205, Update of Mineral Land Classification, Aggregate Materials in the North San Francisco Bay Production-Consumption Region, Sonoma, Napa, Marin and Southwestern Solano Counties, California Geological Survey, 2013). The nearest known mineral resource area in Napa County is located over 7 miles to the east of the project site. Proposed site improvements and development of vineyard on the parcel would not physically preclude future mining activities from occurring. Therefore, no impact would occur.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. NOISE. Would the project:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project 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) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For project located within the vicinity of a private airstrip or 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 type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

a-b. The proposed project would cause a temporary increase in noise levels as a result of operation of equipment for grading and construction of the roadway. However, construction would be at or just below ground surface and would not require driving of piles or similar construction methods that would cause excessive ground vibration. Standard conditions of development in Napa County are intended to reduce to acceptable levels the potential impacts of construction-related noise on neighboring uses by requiring mufflers on construction equipment and prohibiting off-site project equipment staging between the hours of 5:00 p.m. and 8:00 a.m. Project impacts are considered to be less than significant.

Condition of Approval – Construction Noise: Construction noise shall be minimized to the greatest extent practical and feasible under State and local safety laws, consistent with construction noise levels permitted by the General Plan Community Character Element and the County Noise Ordinance. Construction equipment muffling and hours of operation shall be in compliance with the County Code. Equipment shall be shut down when not in use. Construction equipment shall be staged, loaded, and unloads on the project site,

if at all practicable. If project terrain or access road conditions require construction equipment to be staged, loaded, or unloaded off the project site (such as on a neighboring road or at the base of a hill), such activities only shall occur daily between the hours of 8:00 AM and 5:00 PM.

- c. The proposed project is not located within two miles of any public airport or airstrip. Napa County Airport and Sonoma Valley Airport are located more than 6.5 miles to the east and west of the project site, respectively. No impacts would result.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. POPULATION AND HOUSING. Would the project:				
a) Induce substantial unplanned 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 people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

a-b. The project would not induce substantial unplanned population growth, nor would it displace existing people or housing. While the proposed driveway project would allow access to a new single family residential building site, the growth is consistent with the surrounding land uses and with the Napa County General Plan and Zoning Ordinance. No impact would result.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. PUBLIC SERVICES. Would the project:				
a) Result in 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:				
i. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
v. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

a. Public services are already provided to the project area and the additional demand placed on existing services would be marginal. Fire protection measures are required as part of the development pursuant to Napa County Fire Marshall conditions and there will be no foreseeable impact to emergency response times with the adoption of standard conditions of approval. Napa County schools would not be impacted, as no building permit is required by Napa County as part of this project. The project would have little to no impact on public parks. The proposed project would have a less than significant impact on public services.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. 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 does not include any recreational facilities, and would not increase the use of existing facilities. As discussed in **Sections XIV (Population and Housing) and XV (Public Services)**, the proposed project would not result in substantial population growth, resulting in no increase in the use of recreational facilities and requiring no construction or expansion of recreational facilities. Therefore, no impact would occur.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. TRANSPORTATION. Would the project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA guidelines § 15064.3 subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

The project parcel in Napa County is accessed by the County road network via a shared private road that connects with Lovall Valley Road, a two-lane, County-managed roadway. The proposed project consists of a new roadway on private property, with no modification to the public road or the point at which the private road terminates at the public road.

a/b. The proposed driveway project would provide new access to a future single family residence that requires access through Napa County due to topography and accessible roadways. The proposed project and the subsequent residence is not anticipated to have a significant impact on the transportation network in the vicinity of the site. According to the Institute of Transportation Engineers, a single-family residence would generate 10 vehicle trips per day, 2-4 total trips during the PM peak hours (4-6 PM). Construction of the proposed project and eventually of the single family residence it would serve would not discernibly change the level of service or traffic volumes within the vicinity. The project is consistent with the Napa County Road and Street Standards and is consistent with the General Plan. For these reasons, impacts would be less than significant.

c/d. The proposed project would not increase hazards related to design or incompatible uses. The driveway design was reviewed and deemed adequate for emergency vehicle access (**Exhibit F**); no impacts would result.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVIII. TRIBAL CULTURAL RESOURCES. Would the project:				

Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| a) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion

Notice of the proposed project was sent to Middletown Rancheria, Mishewal Wappo Tribe of Alexander Valley, and Yocha Dehe Wintun Nation on September 27, 2021. No responses were received within the 30-day notification period to the invitation to consult, and on November 22, 2021, the County mailed letters to all three of the Tribes notifying them about closure of consultation invitation.

- a-b. As discussed in **Section V (Cultural Resources)**, the proposed project's Cultural Resource Reconnaissance did not identify any historical or archaeological resources within the project area. Therefore, the proposed project would result in less than significant impacts to Tribal Cultural Resources, including those that may be eligible for the CHRIS or local register or cultural resources as defined in Public Resources Code Section 5024.1(c).

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIX. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a determination by the waste water 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"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

a-e. The proposed project subject to this use permit would not require new or relocated water, wastewater treatment, electric or other utilities. The Napa County parcel is already serviced by electric and other utilities. Extensive stormwater treatment facilities such as detention basins or ponds, which would require extensive grading or installation of infrastructure are not proposed with this project. The proposed project subject to this use permit would not require water supplies to serve the project above and beyond any water required for driveway construction, nor would it result in wastewater generation, or solid waste in excess of standards. There is a well on site on the Napa

County parcel (#E07-00785, approved 10/24/2007). The reasonably foreseeable single family residence would be served by an anticipated well and septic for which permits have been approved at Sonoma County. No impact would result.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XX. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

The project site is located in a State Responsibility Area (SRA) that is designated as a Moderate Fire Hazard Severity Zone (CALFIRE, 2007, Napa County GIS Fire Hazard Layer). The project site is moderately sloped on generally northeastern-facing slopes and elevations range from approximately 590 to 730 feet above msl.

- a. Project construction and operation would not require any road closures and would not substantially increase traffic in the area compared to current conditions. Existing roads would continue to provide adequate emergency access to the project site. Therefore, the proposed project would not impact an adopted emergency response plan or emergency evacuation plan.
- b-d. Although the proposed project is located on steep slopes, and in an area that recently burned, the Napa County Engineering Division and Napa County Fire Division are in support of the project. The proposed layout includes a Firesafe Turnout per Napa County Road and Street Standards and space for a future Firesafe Turn Around at the terminus of the driveway in Sonoma County. A 30-foot radius wall is included to accommodate a proposed reduced inside radius of curvature; adequate clearance will be achieved based on the Emergency Vehicle Access Analysis (Exhibit F).

Although the proposed project would alter land cover, the proposed project includes temporary and permanent erosion control measures which would reduce the impact of stormwater runoff or drainage changes being discharged on or offsite. The future single family residence would comply with current California Department of Forestry and California Building Code requirements for fire safety. Therefore, impacts would be less than significant with project implementation.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XXI. MANDATORY FINDINGS OF SIGNIFICANCE. Would the project:				
a) Does the project have the potential to substantially 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, substantially 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 the 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)?
- c) Does the project have environmental effects which will cause substantial effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Discussion

Project impacts have been analyzed to determine potentially significant project-specific and cumulatively considerable impacts. All areas of impact analysis were found to have a less than significant negative effect on the environment or human beings due to project design with conditions of approval.

- a. As discussed in **Section IV**, above, the project site contains habitat that may support bats, nesting birds, Western Pond turtle and American badger, and contains oak woodlands protected by County regulations. The project as proposed includes pre-construction surveys and subsequent measures to avoid disturbing these special status species, as well as an Oak Woodland Preservation Area that would serve to mitigate cumulative impacts on oak woodlands that would reduce potentially significant impacts to a level of less than significant as project design features. The conditions of approval identified in **Section IV** would ensure these measures are implemented; therefore, impacts are less than significant. As identified in **Section V** above, no known historically sensitive sites or structures, archaeological or paleontological resources, sites or unique geological features have been identified within the project site. In the event archaeological artifacts are found, the County’s standard condition of approval for discovery of potential cultural resources would be implemented. Therefore, impacts related to substantial cumulative impacts on quality of environment, biological and cultural resources are less than significant.
- b. The project does not have impacts that are individually limited, but cumulatively considerable. Potential air quality, greenhouse gas emissions, hydrology, and traffic impacts are discussed in the respective sections above. The project would also increase the demands for public services to a limited extent, increase traffic and air pollution, all of which contribute to cumulative effects when future development in Napa Valley is considered. Operational noise, air quality and traffic impacts are also anticipated to be less than significant due to the limited use of the roadway for a future single family residence. Cumulative impacts of these issues are discussed in previous sections of this Initial Study.
- c. All impacts identified in this Initial Study are less than significant and do not require mitigation. Therefore, the proposed project would not result in environmental effects that cause substantial adverse effects on human being either directly or indirectly. Impacts would be less than significant.

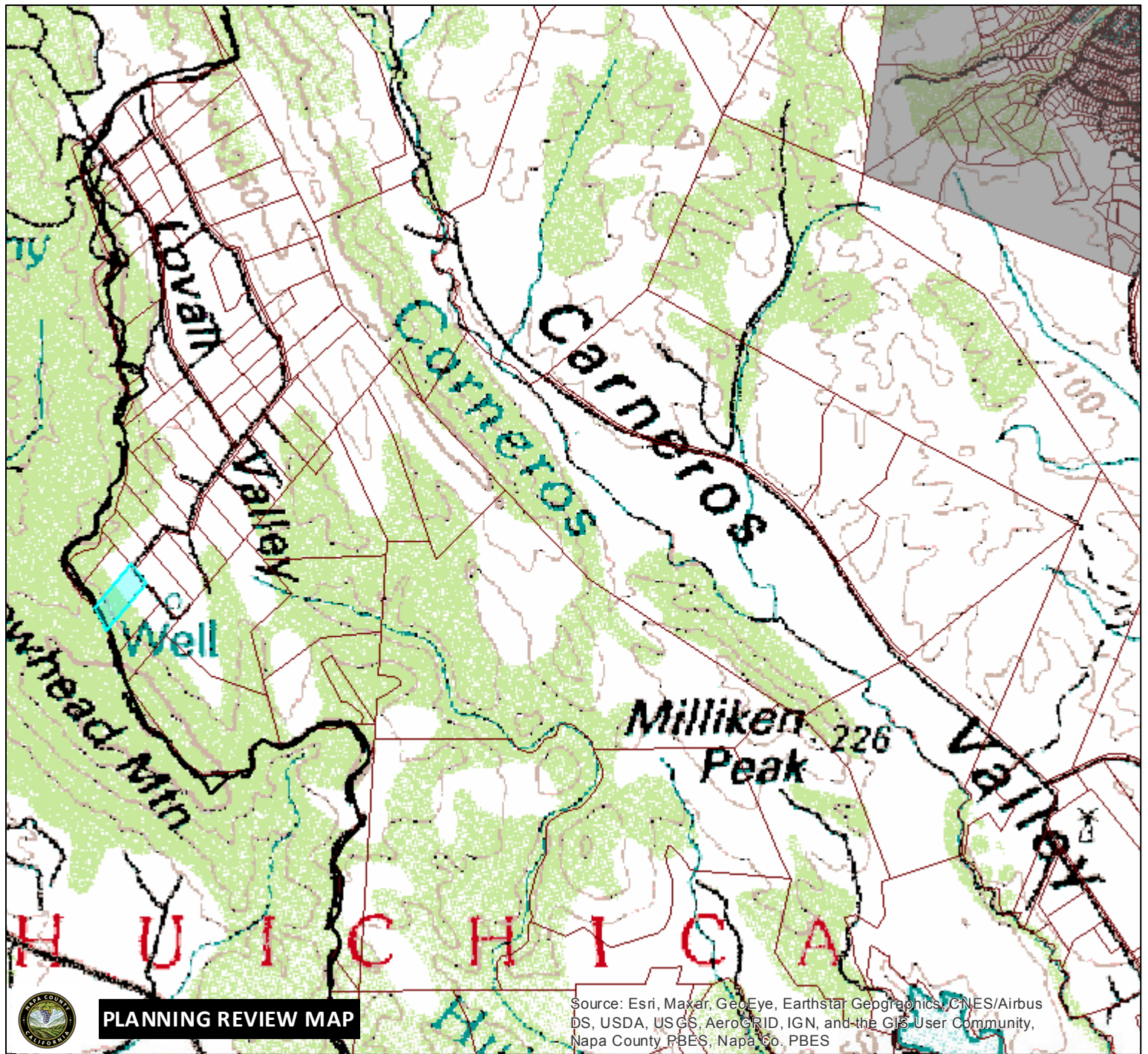
LIST OF FIGURES:

- Figure 1 Site Location Map (USGS)
 Figure 2 Site Location Map (2018 Aerial)

LIST OF EXHIBITS:

- Exhibit A Hogan Land Services, June 18, 2021, Lands of McLaughlin & Konolige Grading & Drainage Roadway Design; February 1, 2021 Hydrology Map; and 5575 Lovall Valley Road, Napa, APN 050-361-013-000; 5302 Lovall Valley Road, Sonoma APN 127-132-005
- Exhibit B-1 SolEcology, Inc., July 16, 2020, Biological Resources Report, Lovall Road Project (Number 1929), Napa and Sonoma Counties.
- Exhibit B-2 SolEcology, Inc., December 22, 2020, Addendum to July 16, 2020 Biological Resources Report for the 5575 Lovall Road Project, and August 27, 2021, P20-00269-UP Response to Napa County Comments – Vegetation Cover, Biological Resources Report, Lovall Road Project (Number 1929), Napa and Sonoma Counties.
- Exhibit C Hogan Land Services, July 9, 2020, Drainage Analysis – Lands of McLaughlin & Konolige, 5575 Lovall Valley Road, Napa California, APN 050-361-013-000 HLD Project #3567

- Exhibit D Hogan Land Services, June 18, 2021, Stormwater Control Plan – Single Family Home (BASMAA) Lands of McLaughlin & Konolige, 5575 Lovall Valley Road, Napa California, APN 050-361-013-000 HLD Project #3567
- Exhibit E PJC & Associates, Inc., April 24, 2019, Geotechnical Investigation, Proposed McLaughlin Residence & Driveway, Lovall Valley Road Napa APN 050-361-013; Sonoma APN 127-132-005
- Exhibit F W-Trans, October 28, 2020, Emergency Vehicle Access Analysis for 5575 Lovall Valley Road Project (P20-00269-UP)
- Exhibit G Application Submittal Materials & Approval Letters



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Napa County PBES, Napa Co. PBES

COUNTY OF NAPA, PLANNING, BUILDING, AND ENVIRONMENTAL SERVICES DEPARTMENT

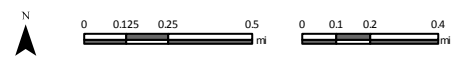
DATE: 12/17/2021

LEGEND

- City Limits
- County Boundary
- Parcels

Figure 1: Site Location map (USGS)

DISCLAIMER: The County of Napa makes no warranty, representation or guaranty as to the content, sequence, accuracy, timeliness or completeness of any of the data provided herein and explicitly disclaims any representations and warranties, including, without limitation, the implied warranties of merchantability and fitness for a particular purpose. The County of Napa assumes no liability for any errors, omissions, or inaccuracies in the information provided regardless of how caused and assumes no liability for any decisions made or actions taken or not taken by the user of the data in reliance upon any information or data furnished hereunder.





PLANNING REVIEW MAP

COUNTY OF NAPA, PLANNING, BUILDING, AND ENVIRONMENTAL SERVICES DEPARTMENT

DATE: 12/17/2021

- LEGEND
- Major Roads
 - City Limits
 - County Boundary
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3

Figure 2: Site Location Map (2018 aerial)

DISCLAIMER: The County of Napa makes no warranty, representation or guaranty as to the content, sequence, accuracy, timeliness or completeness of any of the data provided herein and explicitly disclaims any representations and warranties, including, without limitation, the implied warranties of merchantability and fitness for a particular purpose. The County of Napa assumes no liability for any errors, omissions, or inaccuracies in the information provided regardless of how caused and assumes no liability for any decisions made or actions taken or not taken by the user of the data in reliance upon any information or data furnished hereunder.

