

**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:** Erickson Residence, Use Permit Exception to the Conservation Regulations (P21-00067), Exception to the Napa County Road and Street Standards, Viewshed application (P22-00276), and Grading application (ENG22-00059).
2. **Property Owner:** Jessica Erickson; 829 Cole Street, San Francisco, CA 94104; (510) 684-4464; email: jericks88@gmail.com
3. **County Contact Person, Phone Number and email:** Curtis Sawyer, Planner II; (707) 299-1361; email: [curtis.sawyer@countyofnapa.org](mailto:curtis.sawyer@countyofnapa.org)
4. **Project Location and Assessor's Parcel Number (APN):** The project is located on an approximately 30-acre parcel, within the AW (Agricultural Watershed) zoning district approximately 2.5 miles northwest of St. Helena; APN: 022-070-023; St. Helena, CA 94574. The property is accessed via a shared driveway, which passes through the following parcels: (APN:022-080-024, APN:022-080-025, APN:022-080-026, APN:022-070-032, APN: 022-070-028, APN:022-070-046, APN # 022-070-047, APN: 022-070-024, and APN:022-070-023).
5. **Project sponsor's name and address:** Osborn Erickson, 235 Montgomery Street, 27<sup>th</sup> floor, San Francisco, CA 94104; (415) 337-0082; email: oz@emerald fund.com
6. **General Plan description:** Agriculture, Watershed, and Open Space (AWOS) Designation
7. **Zoning:** Agricultural Watershed (AW) District
8. **Background/Project History:** In December of 2021, the Napa County Planning Division received an application for an exception to the Napa County Conservation Regulations (P21-00067) for a proposed access road to encroach within the required 35-foot setback from an ephemeral drainage and allow grading on average slopes of 35% for the construction of a new 2,400 square foot single-family home, 1,200 square-foot accessory dwelling unit (ADU), access road, wastewater system, and a new well. The subject property is currently undeveloped. The parcel currently consists of 30 acres of moderately sloping, tree-covered hillside, a flatter saddle near the southern property line which is a naturally suitable homesite, and another suitable site for an ADU near the eastern property line. Much of the parcel, and tree canopy scattered throughout the parcel, was badly damaged due to the 2020 wildfire events. Although a majority of the trees are standing, they are considered to be dead or damaged. An existing dirt road passes through the parcel and leads up to the potential homesites. The property owner has implemented erosion control measures to preserve existing soil and aid in the natural process of revegetation; these include placing over 100 bales of hay as straw mulch and more than 1,600 linear feet of fiber rolls.
9. **Description of Project:** Request for a Use Permit Exception to the Conservation Regulations, an Exception to the Napa County Road and Street Standards (RSS), and a Viewshed application to allow the construction of a new 2,400 two-story residence, a new 1,200 square foot ADU, a new access road/driveway, associated infrastructure improvements, a new well, and a grading permit. The proposed homesite is about 7,075 feet by road from the nearest public road, State Highway 29 (St. Helena Hwy). Of this distance, approximately 4,100 feet of paved driveway serving 3211 State Highway 29 (APN 022-070-046) already exists and is well maintained. The remaining 2,975 feet of driveway access is proposed as follows: 2,225 feet of improvements to an existing dirt road (historic fire route), and 750 feet of new road construction to reach the homesite. The ADU will also

need approximately 800 feet of driveway, which will also consist of improvements to an existing dirt road. More than 90% of the access to the proposed homesites can be provided by using existing road alignments, which minimizes impacts to hillside and riparian zones on the parcel. The project will require the removal of approximately 2.13 acres of tree canopy along the driveway. Almost all of this canopy was damaged in the 2020 Glass Fire.

The existing paved driveway will be improved with turnouts as required by the RSS, and because much of this existing driveway parallels Hirsch Creek (a blue-line stream), the proposed turnouts will encroach into the stream setback at eight (8) locations. The lower section of the proposed improvements to the existing dirt road pass near to or cross over ephemeral streams within the required 35-foot setback in four (4) locations. There is no feasible alternative roadway alignment that both complies with the RSS and avoids the four (4) encroachments into ephemeral stream setbacks and eight (8) encroachments into blue-line stream setbacks.

In addition to road improvements within the stream setbacks NCC 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 average slopes of approximately 35.9%. Grading spoils will be hauled off site and deposited at a Napa County approved location.

The Viewshed application is triggered by NCC Section 18.106.030 because the proposed development locations exceed slopes of 15% and are located on a major ridgeline.

10. **Describe the environmental setting and surrounding land uses:** The 30-acre parcel is located on the west side of Highway 29, approximately 2.5 miles northwest of the City of St. Helena. Site topography within the existing and proposed development area consists of steep slopes where much of the existing land around the proposed road alignment is moderately steep. An analysis of the cross sections along the proposed road using the methodology described in NCC Section 18.108.060(C) finds that the average cross slope is approximately 35.9%. Slopes are relatively flatter at the proposed single-family home and ADU sites, at approximately 5% slope. The parcel is not currently developed, although an unpaved path begins at Dry Creek Road and continues for 2,400 feet to the site of the proposed residence. The existing habitats within the project area include oak woodlands and open grassland areas populated with primarily non-native annual, perennial forbs, Douglas fir – Tanoak forest (*Pseudotsuga menziesii* – *Lithocarpus densiflorus* Forest Alliance), Redwood forest (*Sequoia sempervirens* Forest Alliance), Eastwood manzanita chaparral (*Arctostaphylos glandulosa* Shrubland Alliance), Oak woodland, and developed land cover types occurring on a smaller proportion of the project site according to Napa County GIS records, soil types at the subject parcel include those of the Lodo-Maymen-Felton association and natural slopes range from 30-75 percent. The project site and access road are within an area designated as a sensitive biotic community of Douglas-Fir/Redwood forest mixed with oak.

The surrounding land uses are primarily agricultural and residential development on large parcels, the nearest of which is more than 700 feet to the west of the proposed project area. The project site is located outside the boundaries of the 100 and 500 year flood hazard zones.

11. **Other agencies whose approval is required** (e.g., permits, financing approval, or participation agreement). The project would also require various ministerial approvals by the County, including but not limited to building permits, grading permits, waste disposal permits, and an encroachment permit, in addition to meeting CalFire standards.

**Responsible (R) and Trustee (T) Agencies**  
California Department of Fish and Wildlife (DFW)  
Regional Water Quality Control Board (RWQCB)  
U.S. Army Corp of Engineers

**Other Agencies Contacted**  
None

12. **Tribal Cultural Resources. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resource, procedures regarding confidentiality, etc.?**

On May 18, 2022, County staff sent invitations to consult on the proposed project to Native American tribes who had a cultural interest in the area and who as of that date had requested to be invited to consult on projects, in accordance with the requirements of Public Resources Code section 21080.3.1. No request to initiate consultation was received.

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

**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.

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 MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

*Curtis Sawyer*

Signature

12/29/2022

Date

Name: Curtis Sawyer

Curtis Sawyer, Planner II  
Napa County Planning, Building and Environmental Services Department

I. <b>AESTHETICS.</b> Except as provided in Public Resources Code Section 21099, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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) In non-urbanized areas, 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 a 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-c. Visual resources are those physical features that make up the environment, including landforms, geological features, water, trees and other plants, and elements of the human cultural landscape. A scenic vista, then, would be a publicly accessible vantage point such as a road, park, trail, or scenic overlook from which distant or landscape-scale views of a beautiful or otherwise important assembly of visual resources can be taken-in. The project site is currently undeveloped. Proposed physical improvements as part of the project consist of a new two-story 2,400 square foot single-family house, and a new 1,200 square foot ADU. The proposed homesite is about 7,075 feet by road from the nearest public road, State Highway 29 (St. Helena Hwy). Of this distance, approximately 4,100 feet of paved driveway serving 3211 State Highway 29 (APN 022-070-046) already exist. The remaining 2,975 feet of driveway access is proposed as follows: 2,225 feet of improvements to an existing dirt road and 750 feet of new road construction to reach the homesite. The ADU will need approximately 800 feet of driveway, which will also consist of improvements to an existing dirt road. More than 90% of the access to the proposed homesites can be provided by using existing road alignments, which minimizes impacts to the hillsides on the parcel.

Construction of new buildings and roads on slopes of 15% or greater are subject to the County's Viewshed Protection Program when they are visible from scenic roadway candidates identified in the Community Character Element of the Napa County General Plan and/or a designated area under the Viewshed Protection Program (NCC Chapter 18.106) which includes State Route 29 (SR 29) and Spring Mountain Road. The new residential structures are proposed on a portion of the property that includes slopes up to 15%. The Community Character Element includes a policy that new development projects located within view of a scenic corridor should be subject to site and design review to ensure that such development does not destroy the scenic quality of the corridor. In conformance with this policy, the County's Viewshed Protection Program provides for review of projects in locations such as the project site, and establishes standards that must be met prior to project approval. Structures are required to be located and/or screened from view such that visual impacts are reduced. Use of existing natural vegetation, new landscaping, topographical siting, architectural design, and colortone are mentioned in the Viewshed Protection Program as viable ways to reduce the visual impact, and either these techniques must be applied to effectively "screen the predominant portion" (defined as 51% or more of viewable areas as it relates to views or screening of structures and benches and shelves from designated roads) of the proposed structures, or the applicant must seek an exception pursuant to NCC Section 18.106.070. Whether or not an exception is needed, the proposed project cannot be approved unless the County finds it to be in conformance with the Viewshed Protection Program, which is expressly designed to protect the scenic quality of the County and to promote architecture and designs that are compatible with hillside terrain and minimize

visual impacts (See NCC Section 18.106.010). For this reason, the project that is ultimately approved for this site must be one which has addressed potentially significant visual impacts. And by definition, such a project -- while noticeable from surrounding areas --- would not substantially degrade scenic views or visual quality pursuant to the California Environmental Quality Act (CEQA). In addition, prior to the issuance of a building permit, the property owner shall be required to execute and record in the County recorder's office a use restriction, in a form approved by county counsel, requiring building exteriors, existing and proposed covering vegetation, as well as any equivalent level of replacement vegetation, to be maintained by the owner or the owner's successors so as to maintain conformance with NCC Section 18.106.050(B).

As generally described in the **Environmental Setting and Surrounding Land Uses** section, above, the immediate surrounding land uses are primarily residential and agricultural. The project would not result in substantial damage to scenic resources or substantially degrade the visual character or quality of the site and its surroundings. Per the NCC, there are two designated Viewshed roads in proximity to the property, Highway 29 and Spring Mountain Road. The single-family home and driveway improvements would not be visible from Highway 29 due to the topography, existing vegetation, and location. However, due to loss of vegetation from the 2020 Glass Fire, the proposed single-family home would be visible from Spring Mountain Road, which is directly southwest of the proposed project site. Conversely, the ADU is not visible from Spring Mountain Road due to location on the parcel and topography, but due to a loss of vegetation from the 2020 Glass Fire, a portion of the ADU would potentially be seen from Highway 29. Design features associated with the Viewshed Application including, but not limited to, landscape screening, earthtone material colors, and design regulations compliant with NCC 18.106.030 would ensure the project areas are adequately screened from Highway 29 and Spring Mountain Road.

The proposed single-family home and ADU are proposed in areas of the site with slopes less than 5%; however, immediately surrounding these buildings are steeper slopes to both the east and west (generally 15-30% or greater). Due to recent fires, a significant amount of tree canopy and vegetation were lost at both the ADU site and single-family home site, and much of the mature vegetation between the project sites and both designated Viewshed roads (SR 29 and Spring Mountain Road) were badly damaged. Because of this, and because the proposed home sites are located on a major ridgeline, there are possible filtered views of the buildings from both SR 29 and Spring Mountain Road. The applicant is proposing a total of 58 new trees to screen the predominant portions of the new buildings and to comply with the screening requirements of the Viewshed Protection Program. This includes 45 new trees to screen the single-family home from Spring Mountain Road and 13 new trees to screen the ADU from Highway 29. Replacement tree species are that of evergreen species ranging in the following size parameters: thirty-two 15-gallon trees, six 24" box trees, and twenty 48' box trees. There are no rock outcroppings, historic buildings or other designated scenic resources on the property. Although much of the vegetative species on the site have been damaged due to fire, there is significant existing natural vegetation providing some screening. Given the screening by existing vegetation, proposed landscaping, and exterior earthtone colors, the project, while noticeable from surrounding areas, would not substantially degrade scenic views or the visual quality of the site.

- d. The proposed new buildings may result in the installation of new lighting that may have the potential to impact nighttime views. Although the project is in an area that has a certain amount of existing nighttime lighting, the installation of new sources of nighttime lights may affect nighttime views. Pursuant to standard Napa County conditions of approval, outdoor lighting will be required to be shielded and directed downwards. As designed, and as subject to the standard condition of approval, below, the project will not have a significant impact resulting from new sources of outside lighting.

### 6.3 LIGHTING – PLAN SUBMITTAL

- a. *Two (2) copies of a detailed lighting plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for Planning Division review and approval. All lighting shall comply with the CBC.*
- b. *All exterior lighting, including landscape lighting, shall be shielded and directed downward; located as low to the ground as possible; the minimum necessary for security, safety, or operations; on timers; and shall incorporate the use of motion detection sensors to the greatest extent practical. All lighting shall be shielded or placed such that it does not shine directly on adjacent properties or*

*impact vehicles on adjacent streets. No flood-lighting or sodium lighting of the building is permitted, including architectural highlighting and spotting. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards.*

**4.16 GENERAL PROPERTY MAINTENANCE – LIGHTING, LANDSCAPING, PAINTING, OUTDOOR EQUIPMENT STORAGE, AND TRASH ENCLOSURE AREAS**

*a. All lighting shall be permanently maintained in accordance with the lighting and building plans approved by the County.*

Mitigation Measure: None required

<b>II. AGRICULTURE AND FOREST RESOURCES.<sup>1</sup></b> Would the project:	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Important (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land as defined in Public Resources Code Section 12220(g), timberland as defined in Public Resources 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 in a manner that will significantly affect timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, or other public benefits?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

a-e. The project site is designated “Other Land” and would not result in the conversion of Prime Farmland, Unique Farmland or Farmland of Statewide Important as shown on the Napa County Important Farmland Map 2002 prepared by the California Department of Conservation District, Division of Land Resource Protection, pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. The proposed project would not conflict with existing zoning for agricultural use, or a Williamson Act contract. The project is zoned Agricultural Watershed (AW) which allows a single family residence, an ADU and other residential accessory

<sup>1</sup> “Forest land” is defined by the State as “land that can support 10-percent 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.” (Public Resources Code Section 12220(g)) The Napa County General Plan anticipates and does not preclude conversion of some “forest land” to agricultural use, and the program-level EIR for the 2008 General Plan Update analyzed the impacts of up to 12,500 acres of vineyard development between 2005 and 2030, with the assumption that some of this development would occur on “forest land.” In that analysis specifically, and in the County’s view generally, the conversion of forest land to agricultural use would constitute a potentially significant impact only if there were resulting significant impacts to sensitive species, biodiversity, wildlife movement, sensitive biotic communities listed by the California Department of Fish and Wildlife, water quality, or other environmental resources addressed in this checklist.

structures. The project site and access road are within an area designated as a sensitive biotic community of Douglas-Fir/Redwood forest mixed with oak. The project does not propose any timber harvesting, has tree removal to allow for the construction of the project, and proposes that the rest of tree canopy remain. Napa County General Plan Policy CON-24 promotes the maintenance and improvement of oak woodland habitat to provide for slope stabilization, soil, protection, species diversity, and wildlife habitat. This policy specifically calls for the replacement of lost oak woodlands or preservation of like habitat at a 2:1 ratio when retention of existing vegetation is found to be infeasible. In addition, NCC Section 18.108.020(C) requires that in the AW zoning district, a minimum of seventy percent vegetation canopy cover as configured on the parcel existing on June 16, 2018 shall be maintained as part of any use involving earth-disturbing activity. NCC Section 18.108.020(D) requires that in the AW zoning district, the removal of any vegetation canopy cover shall be mitigated by permanent replacement or preservation of comparable vegetation canopy cover, on an acreage basis at a minimum 3:1 ratio. The project includes the removal of approximately 2.6 acres of tree canopy, which would require approximately 6 acres of replacement or preserved tree canopy. Replacement or preservation shall first be accomplished on-site on lands with slopes of thirty percent or less and outside of stream and wetland setbacks. Due to the topography and slope of the site, it is not feasible to plant 6 acres of replacement trees on-site. NCC Section 18.108.020(E) requires that preserved vegetation canopy cover shall be enforceably restricted with a perpetual protective easement or perpetual deed restriction preserving and conserving the preserved vegetation canopy cover, which is included as a project condition of approval. Because sufficient canopy cover can be reasonably accomplished on-site, the conditions of approval will include a deed restriction for 6-acres of preservation.

Mitigation Measure: None Required.

<b>III. AIR QUALITY.</b> Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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:**

On June 2, 2010, the Bay Area Air Quality Management District’s (BAAQMD) Board of Directors unanimously adopted thresholds of significance to assist in the review of projects under the California Environmental Quality Act. These Thresholds are designed to establish the level at which the District believed air pollution emissions would cause significant environmental impacts under CEQA and were posted on the Air District’s website and included in the Air District’s updated CEQA Guidelines (updated 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 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 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. These 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 Guidelines dated May 2017, which includes revisions made to address the Supreme Court's opinion. The May 2017 Guidelines update does not address outdated references, links, analytical methodologies or other technical information that may be in the Guidelines or Thresholds Justification Report. The Air District 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 mountains bordering Napa Valley block much of the prevailing northwesterly winds throughout the year. Sunshine is plentiful in Napa County, and summertime can be very warm in the valley, particularly in the northern end. Winters are usually mild, with cool temperatures overnight and mild-to-moderate temperatures during the day. Wintertime temperatures tend to be slightly cooler in the northern end of the valley. Winds are generally calm throughout the county. Annual precipitation averages range from about 24 inches in low elevations to more than 40 inches in the mountains.

Ozone and fine particle pollution, or PM<sub>2.5</sub>, are the major regional air pollutants of concern in the San Francisco Bay Area. Ozone is primarily a problem in the summer, and fine particle pollution in the winter. In Napa County, ozone rarely exceeds health standards, but PM<sub>2.5</sub> occasionally does reach unhealthy concentrations. There are multiple reasons for PM<sub>2.5</sub> exceedances in Napa County. First, much of the county is wind-sheltered, which tends to trap PM<sub>2.5</sub> within the Napa Valley. Second, much of the area is well north of the moderating temperatures of San Pablo Bay and, as a result, Napa County experiences some of the coldest nights in the Bay Area. This leads to greater fireplace use and, in turn, higher PM<sub>2.5</sub> levels. Finally, in the winter easterly winds often move fine-particle-laden air from the Central Valley to the Carquinez Strait and then into western Solano and southern Napa County (BAAQMD, *In Your Community: Napa County*, April 2016)

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 (NO<sub>x</sub> and ROG), carbon monoxide (CO), nitrogen dioxide (NO<sub>2</sub>), and suspended particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>). Other criteria pollutants, such as lead and sulfur dioxide (SO<sub>2</sub>), 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. The Air District's threshold of significance provided in Table 3-1 has determined that 325 single family

dwelling units will not significantly impact air quality and do not require further study (BAAQMD CEQA Guidelines, May 2017, pages 3-2 and 3-3). Given the size of the proposed project, which includes construction of a 2,400 square foot single-family home, 1,200 square foot ADU, and associated road improvements in comparison to the BAAQMD's screening criterion of 325 single-family dwelling units for NOX (oxides of nitrogen), the project would contribute an insignificant amount of air pollution and would not result in a conflict or obstruction of an air quality plan.

- c-d. In the short term, potential air quality impacts are most likely to result from earthmoving and construction activities required for project construction. Earthmoving and construction emissions would have a temporary effect; consisting mainly of dust generated during grading and other construction activities, exhaust emissions from construction related equipment and vehicles, and relatively minor emissions from paints and other architectural coatings. The Air District recommends incorporating feasible control measures as a means of addressing construction impacts. If the proposed project adheres to these relevant best management practices identified by the Air District and the County's standard conditions of approval, construction-related impacts are considered less than significant:

### 7.1 SITE IMPROVEMENTS

#### c. AIR QUALITY

*During all construction activities the permittee shall comply with the most current version of BAAQMD Basic Construction Best Management Practices including but not limited to the following, as applicable:*

- 1. 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.*
- 2. Water all exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) two times per day.*
- 3. Cover all haul trucks transporting soil, sand, or other loose material off-site. Remove all visible mud or dirt traced onto adjacent public roads by using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.*
- 4. All vehicle speeds on unpaved roads shall be limited to 15 mph.*
- 5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.*
- 6. 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.*
- 7. 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 FAQ*

*[http://www.arb.ca.gov/portable/perp/perpfact\\_04-16-15.pdf](http://www.arb.ca.gov/portable/perp/perpfact_04-16-15.pdf) or the PERP website <http://www.arb.ca.gov/portable/portable.htm>.*

Furthermore, while earthmoving and construction on the site would 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:

### 7.1 SITE IMPROVEMENTS

#### b. DUST CONTROL

*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.*

While the Air District defines public exposure to offensive odors as a potentially significant impact, grading for driveways are not known as operational producers of pollutants capable of causing substantial negative impacts to sensitive receptors. The closest residence is approximately 1,000 feet from the closest point of the proposed

project site. Construction-phase pollutants would be reduced to a less than significant level by the above-noted standard condition of approval. The project would not create pollutant concentrations or objectionable odors affecting a substantial number of people. Impacts would be less than significant.

Mitigation Measure: None required.

IV.	BIOLOGICAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	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 Wildlife or the U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>
	d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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:

- a. According to the Biological Assessment Survey conducted by LSA dated September 15, 2021, and a follow-up Rare Plant Botanical Survey conducted on March 16, 2022, three natural community types occur on the subject parcels as classified in *A Manual of California Vegetation*: Douglas fir – tanoak forest (*Pseudotsuga menziesii* – *Lithocarpus densiflorus* Forest Alliance), redwood forest (*Sequoia sempervirens* Forest Alliance), Eastwood manzanita chaparral (*Arctostaphylos glandulosa* Shrubland Alliance).

The California Natural Diversity Database (CNDDDB), United States Fish and Wildlife Service Information for Planning and Consultation (IPaC) and California Native Plant Society (CNPS) identifies 102 occurrences of special-status plants in the project site region. Two special-status plant species, Napa false indigo (*Amorpha californica* var. *napensis*), Green monardella (*Monardella viridis* subsp. *viridis*) were identified on the project site during the May 20, 2021 survey while the remainder of the special status species potentially occurring

were determined to be unlikely to occur due to the absence of suitable habitat (i.e., vernal pools, wetlands, serpentine soils, and alkaline soils) and the difference in elevation ranges of the plant species from the elevations at the site. A third special-status plant species, Narrow-flowered California brodiaea (*Brodiaea leptandra*) was identified on the project site during the March 2022 botanical survey.

Napa false indigo has a California Rare Plant Rank (CRPR) rank of 1B.2 (rare, threatened, or endangered in California and elsewhere). It is a perennial shrub that occurs in chaparral, mixed evergreen forest, and northern oak woodlands below 2,625 feet in elevation. It is native to California and endemic to California. Napa false indigo typically blooms April – July. A total of 37 CNDDDB occurrences of Napa false indigo have been recorded in the search area, the nearest of which is located approximately 0.75 mile east of the project site. This population, CNDDDB occurrence #60, was last observed in 2011 and consists of 10 plants on a ridge with chaparral downslope and oak and Douglas fir woodlands upslope. This population is presumed extant. Approximately 475 - 515 individual Napa false indigo plants were identified at scattered locations along the driveway alignment. These plants are vigorously resprouting following the 2020 Glass Fire and are growing with tan oak, toyon, and bigleaf maple.

Green monardella has a CRPR rank of 4.3 (limited distribution). It is a perennial herb that occurs in chaparral, yellow pine forest, and foothill woodlands from 492 – 2,625 feet in elevation, occasionally on serpentine soils. It is native to California and is endemic (limited) to California. Green monardella typically blooms June – September. No recorded CNDDDB occurrences of Green monardella were in the search area. Approximately 100 - 150 Green monardella plants were observed in two locations. The first location was previously surveyed in 2021; approximately 80 – 100 plants were observed growing in openings in chaparral on a ridge top with poison oak, short podded lotus, smooth western morning glory, purple false brome, climbing bedstraw, and rattail sixweeks grass. A second location was discovered just outside of the survey area near the proposed location of the ADU; approximately 20 – 50 plants were observed growing in a grassy area surrounded by chaparral with rattail sixweeks grass, smooth western morning glory, short podded lotus, and resprouting leather oak.

Narrow-flowered California brodiaea also has a CRPR rank of 1B.2. It is a perennial bulbiferous herb found on gravelly soils in open mixed evergreen forest and chaparral from 131 – 4,002 feet in elevation. It is native to California and endemic to California. Narrow-flowered California brodiaea typically blooms May – July. A total of 23 CNDDDB occurrences of Narrow-flowered California brodiaea have been recorded in the search area, the nearest of which is located approximately 0.75 mile east of the project site. This population, CNDDDB occurrence #39, was last observed in 2011 and consists of 30 plants at the top of bank along a north-facing road cut slope in chaparral. This population is presumed extant. Approximately 20 – 50 Narrow-flowered California Brodiaea plants were observed at the edge of the survey area at the proposed ADU location. Plants were observed in a grassy chaparral opening growing with rattail sixweeks grass, deerweed, hill lotus (*Acmispon parviflorus*), pearly everlasting (*Anaphalis margaritacea*), and lace parsnip (*Lomatium dasycarpum*).

Construction, earthmoving, and disturbance activities associated with the project would potentially significantly impact these special status. Mitigation measure BIO-1 has been proposed which, if implemented, would reduce impacts to these special status plant species to less than significant.

The CNDDDB lists extant occurrence records for ten special-status wildlife species within 5 miles of the project site (Table B): steelhead - Central California Coast Distinct Population Segment (DPS) (*Oncorhynchus mykiss irideus*), foothill yellow-legged frog (*Rana boylei*), California giant salamander (*Dicamptodon ensatus*), redbellied newt (*Taricha rivularis*), western pond turtle (*Emys marmorata*), northern spotted owl (*Strix occidentalis caurina*), American peregrine falcon (*Falco peregrinus anatum*), purple martin (*Progne subis*), pallid bat (*Antrozous pallidus*), and Townsend's big-eared bat (*Corynorhinus townsendii*). In addition, olive-side flycatcher (*Contopus cooperi*) and western red bat (*Lasiurus blossevillei*) are evaluated for the project site because these species are known from northern Napa County.

While Hirsch Creek provides potentially suitable habitat for steelhead, foothill yellow-legged frog, California giant salamander, redbellied newt, and western pond turtle, no suitable riparian habitat is present in the ephemeral drainages crossing the proposed driveway improvements and observation of the drainages indicated that they only support flows during storm events.

Two peregrine falcon occurrences have been recorded in the vicinity of the project site. Peregrine falcons typically nest on high cliffs, but will also use tall human constructed structures such as buildings and bridges; none of these habitats or structures occur on or adjacent to the project site. This large wide-ranging raptor could forage over the project site, but the proposed development on the project site would not likely to affect this species. No CNDDDB occurrence records for the olive-side flycatcher occur within 5 miles of the project site; however, this species, along with purple martins, are highly migratory and nest in northwestern Napa County (Berner et al. 2003). Therefore, these species could occur on the project site. Tall trees, such as coast redwood, Douglas fir, California bay, Pacific madrone, or trees with cavities, on the project site could provide nesting habitat for these birds. The reconnaissance survey was conducted before these species generally arrive on their nesting grounds in April so it was not possible to make a determination of their occurrence during the survey. Thus mitigation measure BIO-2 has been proposed which, if implemented, would reduce impacts to nesting birds protected under the Migratory Bird Treaty and/or California Fish and Game code to a less than significant impact.

Although spotted owls have been recorded nearby, the project site likely does not support suitable nesting habitat for spotted owls because of the recent wildfire that has resulted in a more open forest canopy. Such habitat is generally favored by great horned owls (*Bubo virginianus*), a larger species that will prey on spotted owls. Additionally, no houses for dusky-footed woodrats (*Neotoma fuscipes*), an important prey for the spotted owl, were observed at the site, which likely is attributed to the recent fire. Due to these factors, northern spotted owls are unlikely to regularly occur on or near the project site and they are not likely to be affected by the proposed project. However, because this species is known to occur nearby, spotted owls could nest in trees in the vicinity, especially where the tree canopy is denser. Thus mitigation measure BIO-3 has been proposed which, if implemented, would reduce impacts to spotted owls to less than significant impact.

Pallid bat and Townsend's big-eared bat occurrences have been recorded within approximately 2 miles from the project site, but suitable day or maternity roost habitat (e.g., deep tree hollows, abandoned buildings, caves) for Townsend's big-eared bat are not likely to be present in the project area. Pallid bat, however, could roost in the smaller tree cavities, if present. Both species could forage on the project site if suitable roosting sites occur nearby. The western red bat is a tree roosting species and could use trees on the project site as roosting habitat, but the lack of surface water and typical riparian vegetation favored by this species reduces the likelihood that western red bat occurs regularly. Because there is available roosting and foraging habitat in the vicinity of the project mitigation measure BIO-4 has been proposed which, if implemented, would reduce impacts to special status bat species to less than significant impact.

- b. Sensitive biotic communities on the project site consist of approximately 3.2 acres of Douglas fir – tan oak forest and approximately 0.6 acre of Redwood forest. Each of these two communities has a State ranking of S3, which means that each of these communities have 21-100 viable occurrences statewide and/or more than 2,590-12,950 hectares. Hirsch Creek supports a riparian woodland, which is a sensitive community. The proposed project has the potential to impact this riparian woodland. Trees to be removed shall be replaced per the Napa County Conservation Regulations requirements and sensitive biotic communities shall be preserved per Con-17 (E) of the Napa County General Plan, as identified on the project landscape plan and retention exhibit. The ephemeral drainages do not support wetland or typical riparian vegetation, such as willows (*Salix sp.*).

Other than where an existing unpaved dirt road begins at the adjacent property to the north east (APN 022-070-040), the project sites are currently undeveloped. The total existing tree canopy for the property is approximately 28.73 acres. Many of the trees along the existing and proposed driveway areas and other project areas were badly damaged in the 2020 Glass Fire. The project will require the removal of approximately 2.13 acres of tree canopy along the driveway. Per the Napa County Conservation Regulations requirements of 3:1 replacement, approximately 6 acres of new tree canopy would be required to be planted. A condition of approval will include a deed restriction for 6-acres of on-site preservation as identified by a certified biologist, in compliance with NCC 18.108.020 D. (2). Additionally, Sheet L1.0 of the landscape plan summarizes 15 trees to be removed around/near the main residence, and Sheet L2.0 summarizes three (3) trees to be removed near the ADU. As a total of 18 trees are proposed for removal at the proposed site of the single-family home and ADU, per the Napa County Conservation Regulations requirements of 3:1 replacement, a minimum of 54 new trees are required to be planted. The applicant is proposing to plant a total of 58 trees, including 45 new trees to screen the single-family home and 13 new trees to screen the ADU, as discussed in the aesthetics section above. Mitigation Measure BIO-5 listed below is incorporated to ensure the applicant submits a certified arborist report,

highlighting tree replacement and landscaping specifications prior to grading permit or building permit issuance, whichever comes first.

Various non-native plant species occur on or adjacent to the project site, including four species that are considered moderately to highly invasive: French broom (*Genista monspessulana*), field hedge parsley (*Torilis arvensis*), bull thistle (*Cirsium vulgare*), and ripgut brome (*Bromus diandrus*). Large patches of French broom were observed along the existing dirt road. Invasive plant species have the potential to spread within the existing sensitive natural communities due to project activities. Implementation of mitigation measure BIO-6 below would reduce potential impacts from the accidental spread of invasive species due to project activities to a less than significant level.

- c. Napa County Environmental Sensitivity Maps and the Baseline Data Report (Chapter 15. Surface Water Hydrology, Map 15-6, Land Cover) do not indicate the presence of any wetlands or potential wetlands within the project boundary. The project would not result in substantial impacts to federally protected or potentially sensitive wetlands as these resources are not present at the site. No impacts would occur.
- d. Natural habitats in the San Francisco Bay Area have been fragmented and isolated by urban and agricultural development. For various reasons, isolated tracts of natural habitat tend to lose biodiversity over time unless they are connected to other areas of natural habitat. These areas of connection are generally referred to as wildlife corridors. In addition, ridges, canyons, and other prominent linear features in the natural landscape are often used by larger wildlife species such as ungulates and carnivores as movement corridors within large tracts of natural habitat. The project site has not been identified as part of a major regional movement corridor on the Calwild linkage map (Napa County General Plan Update DEIR 2007) and is not located along a riparian system or other natural landscape feature that can be considered an important local wildlife movement corridor. Nonetheless, the project site is within a forested area where resident mid-sized to large mammals such as gray fox (*Urocyon cinereoargenteus*), coyotes (*Canis latrans*), and blacktailed deer (*Odocoileus hemionus*) can move with relative ease. Individual mid-sized to large mammals are likely to periodically pass through the project site during their local movements. Impacts would be less than significant.
- e. According to the application materials, the project will require the removal of approximately 2.13 acres of vegetation canopy, all of which is part of the road construction/widening. Per the Napa County Conservation Regulations approximately 6 acres of new tree canopy would be required to be planted. As previously mentioned, this is not feasible on-site due to site topography and slope; therefore, a condition of approval will include a deed restriction for 6-acres of on-site preservation, in compliance with NCC Section 18.108.020 D. (2). No vegetation canopy removal is proposed in the area of the residence or the ADU. However, 45 trees will be planted around the residence and 13 trees will be planted around the ADU. In addition, NCC 18.108.020(C) requires that in the AW zoning district, a minimum of seventy percent vegetation canopy cover as configured on the parcel existing on June 16, 2016 must be maintained and NCC Section 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. Further, NCC Section 18.108.020(E) requires that preserved vegetation canopy cover shall be enforceably restricted with a perpetual protective easement or perpetual deed restriction preserving and conserving the preserved vegetation canopy cover, which is included as a project condition of approval.
- f. The project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plans because there are no plans applicable to the project site. No impacts would occur.

#### Mitigation Measures:

**MM BIO-1:** Seed shall be collected by a qualified botanist from all special status plants which shall be removed due to construction, earthmoving, and disturbance activities associated with the project and from adjacent preserved plants, as needed, to preserve genetic diversity of the population. If a less than ideal amount of Napa false indigo seed is collected, Napa false indigo plants may be propagated by use of soft wood vegetative cuttings. Collected seed shall be distributed in suitable habitat identified by a qualified botanist within the boundaries of the property parcels but outside of the proposed development footprint. Seeds should be distributed in the fall following the first major rain event. If cuttings are used for Napa false indigo, they shall be rooted for a maximum of 1 year and planted in the fall following

the first major rain event. The goal of the mitigation is for the impacted plants to be replaced at a minimum 1:1 ratio. To account for attrition, approximately three times the number of Napa false indigo plants shall be propagated (if by cuttings) to provide additional plants for planting. All plant populations and plantings shall be monitored for up to 3 years.

**Method of Monitoring:** Prior to issuance of any grading or building permits pursuant to this approval a report shall be prepared, by a qualified botanist, demonstrating that sufficient seed, from impacted special status species and adjacent preserved plants, or in the case of Napa false indigo, soft wood vegetative cuttings, have been collected. The report will identify locations for seed and/or vegetative cutting distribution.

Prior to the project's Certificate of Occupancy a report shall be prepared, by a qualified botanist, demonstrating that special status species' seed and/or vegetative cuttings have been distributed or rooted on the project site in the identified locations. Distribution and rooting shall take place in the late fall, preferably following the first major rain event. At the end of the monitoring period (up to 3 years following seeding or planting), net cover of special status plants shall be no less than 75 percent of the existing population coverage.

**MM BIO-2:** 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 and experienced with conducting pre-construction nesting bird and raptor surveys) shall conduct pre-construction surveys for nesting birds and raptors, within all suitable habitat on the project site, and all suitable nesting habitat within 500 feet of the Project site. The preconstruction survey shall be conducted no earlier than seven (7) days prior to vegetation removal and ground disturbing activities are to commence. Should ground disturbance commence later than seven (7) days from the survey date, or if there is a lapse in Project activities of 7 days or more during the nesting season surveys shall be repeated. A copy of the survey report shall be provided to the Napa County Planning Division and the CDFW prior to commencement of work.

In the event that nesting birds are found, the qualified biologist shall determine adequate no-disturbance buffer distances from all active nests based on the species and in consultation with the County Planning Division and the U.S. Fish and Wildlife Service (USFWS) and/or CDFW prior to initiation of project activities.

All active nests shall be monitored by a qualified biologist for the first week during Project activities to ensure the established buffer distances are adequate to avoid disturbances to the nest. If the qualified biologist observes bird behavior that may indicate nest disturbance, the qualified biologist shall have the authority to immediately cease Project activities. In this event, the qualified biologist shall consult with CDFW regarding larger buffer distances, and buffer zones shall be re-fenced accordingly, prior to resuming Project activities. If larger buffer distances cannot be established, Project activities shall be delayed until the nest is no longer active (i.e. the young have fledged the nest and can feed independently, or the nest fails due to natural causes), as determined by a qualified biologist.

Exclusion buffers shall be fenced with temporary construction fencing (or the like), the installation of which shall be verified by Napa County Planning Division 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.

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) would be considered an impact to nesting birds and is prohibited. Any act associated with flushing birds from project areas should undergo consultation with the Napa County Planning Division, USFWS and/or CDFW prior to any activity that could disturb nesting birds.

**Method of Monitoring:** If construction/earthmoving activity is to occur between February 1 and August 31 the survey prepared by a qualified biologist shall be submitted to Planning Division staff prior to issuance of the grading/building permit.

**MM BIO-3:** Tree removal/trimming and construction activities that could disturb nesting spotted owls shall be restricted to the spotted owl non-breeding season (July 1 through January 31). If construction activities need to occur during the spotted owl nesting season (February 1 through June 30), three focused nesting spotted owl surveys shall be conducted within 500 feet of the site. If an active nest is found, a buffer (250 to 500 feet depending on the location of the nest) around the nest would be required and the nest may have to be periodically monitored by a qualified

biologist until the young have fledged and are foraging independently or until the nest is determined to be inactive.

**Method of Monitoring:** Prior to issuance of the grading/building permit, a report by a qualified biologist shall be submitted to the Napa County Planning division. The report will include the results of the three focused nesting spotted owl surveys. If an active nest was identified on site the report will include suggestions for nest buffers and monitoring.

**MM BIO-4:** Tree-roosting bats, such as the western red bat, and cavity-roosting bats, such as the pallid bat, could occur in the trees (typically with greater than 16 inches diameter at breast height (DBH) on or near the project site. A roosting bat survey shall be conducted by a qualified biologist within suitable roosting habitat within 30 days prior to the start of construction activities to determine whether or not bats are roosting within or adjacent to the project area. Surveys should consist of daytime pedestrian surveys to look for visual signs of bats (e.g., guano), and if determined necessary, evening emergence surveys to note the presence or absence of bats. If roosting bats are detected and directly impacted by the project, excluding any bats from roosts should be accomplished by a qualified biologist in consultation with CDFW prior to the removal of the roosts. Exclusionary devices, such as plastic sheeting, plastic or wire mesh, may be used to allow for bats to exit but not re-enter any occupied roosts. If special-status bats (i.e., pallid bat) are found onsite, and the roost would be destroyed during development, an artificial roost should be provided for the bats. The roost should be constructed and placed on-site prior to removal of the original roost. Removal of maternity roosts for special-status bats would be coordinated with CDFW prior to removal. Maternity roosts for any species of bat, either common or special-status, should not be demolished or removed until the young are able to fly independently of their mothers. Trees and branches that support potential bat roosts that are being removed as part of the project, should be left in-place overnight before being wood-chipped or hauled away to allow any possible roosting bats present within the fallen trees to fly away. If maternity roosts are found in trees near the work area and the trees would not be removed during development, a qualified biologist should determine an appropriate no-work buffer zone. Species-specific noise tolerance levels (including high frequency noise) should be established for work taking place near the buffer around the maternity roost.

**Method of Monitoring:** The permittee shall have a bat habitat assessment and survey, as applicable, prior to any tree removal during the bat maternity season (April 1 to August 31). In the event special-status bat species or bat maternity roosts are detected, construction activities shall be scheduled to avoid the maternity roosting season.

**MM BIO-5:** Prior to issuance of a grading permit, a final tree removal plan shall be prepared by a certified arborist and submitted to the Planning Division for review. The final tree removal plan shall identify trees to be removed, trees to be retained, locations of replacement plantings, size and of replacement plantings or locations for habitat preservation, and the plan's compliance with NCC Section 18.108.020, which mandates the removal of any vegetation canopy cover to be mitigated by permanent replacement or preservation of comparable vegetation canopy cover, on an acreage basis at a minimum 3:1 ratio. Additionally, the final tree removal plan shall be in compliance with Con-17 (E) of the Napa County General Plan, which requires a 2:1 preservation ratio of like habitat.

**Monitoring:** Prior to issuance of a grading permit a final tree removal plan shall be submitted for review and approval to Planning Division staff. The areas proposed for habitat preservation shall be identified in a perpetual protective easement or perpetual deed restriction preserving and conserving the preserved vegetation canopy cover and shall be submitted to the Planning Division for review. Recordation of the easement or deed restriction must be completed with the Napa County Assessor prior to building or grading permit issuance.

**MM BIO-6:** Standard Best Management Practices shall be implemented to deter the spread of invasive plant species. Temporarily disturbed areas shall be seeded with a native seed mix to discourage the colonization of invasive plants.

**Monitoring:** Prior to issuance of any grading or building permits pursuant to this approval the standard BMP's and locations for their implementation shall be proposed on the project plans to the satisfaction of the Planning Division. Ongoing compliance with these standard BMP's shall be monitored by the Engineering Division on an ongoing basis.

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

Discussion:

a/b According to the Napa County Environmental Resource Maps (based on the following layers – Historical sites points & lines, Archaeology surveys, sites, sensitive areas, and flags) no historic sites or archaeological resources have been identified on the property. According to the Cultural Resource survey conducted by LSA, dated April 2021, the study identified one archaeological cultural resource plotted within the northeast portion of, and adjacent to, the project site (multi-component site P-28-000923); however, the field survey did not result in positive findings for any surficial contributors of P-28-000923 or other archaeological or historic cultural resources within the project site. However, if resources are found during any earth disturbing activities associated with the project, construction of the project is required to cease, and a qualified archaeologist would be retained to investigate the site in accordance with the County’s standard conditions of approval:

7.2 ARCHEOLOGICAL FINDING

*In the event that archeological artifacts or human remains are discovered during construction, work shall cease in a 50-foot radius surrounding the area of discovery. The permittee shall contact the PBES Department for further guidance, which will likely include the requirement for the permittee to hire a qualified professional to analyze the artifacts encountered and to determine if additional measures are required.*

*If human remains are encountered during the development, all work in the vicinity must be by law, halted, and the Napa County Coroner informed, so that the Coroner can determine if an investigation of the cause of death is required, and if the remains are of Native American origin. If the remains are of Native American origin, the permittee shall comply with the Public Resources Code Section 5097.98.*

c. No human remains have been encountered on the property and no information has been encountered that would indicate that this project would encounter human remains. However, if resources are found during project grading, construction of the project is required to cease, and a qualified archaeologist would be retained to investigate the site in accordance with the standard conditions of approval noted below.

Mitigation Measure: None required.

VI.	ENERGY. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Result in potentially significant environmental impact due to wasteful, inefficient or unnecessary consumption of energy resources during project	<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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

- a.
- i.) There are no known faults on the project site as shown on the most recent Alquist-Priolo Earthquake Fault Zoning Map. As such, the proposed project would result in a less than significant impact with regards to rupturing a known fault.
  - ii.) All areas of the Bay Area are subject to strong seismic ground shaking. Construction of the project would be required to comply with the current California Building Code which would reduce any potential impacts to a less than significant level.
  - iii.) No subsurface conditions have been identified on the project site that indicated a susceptibility to seismic-related ground failure or liquefaction. Compliance with the current California Building Code for seismic stability would result in less than significant impacts.
  - iv.) According to the Napa County Environmental Resource Maps (Landslides line, polygon, and geology layers) there is a small landslide deposit along located at an adjacent parcel (022-070-047). However, as no grading or development is proposed for this area impacts would be less than significant.
- b. The proposed improvements would occur on slopes of zero percent to slopes of approximately thirty-five percent. The project would require incorporation of best management practices and would be subject to the Napa County Stormwater Ordinance which addresses sediment and erosion control measures and dust control, as applicable. Impacts would be less than significant.
- c/d. The following soil type is present at the subject site: The northernmost end of the project site, where the existing driveway extends onto the valley floor, sits on Holocene alluvial fan deposits (Qhf) (Delattre and Gutierrez 2013). The remainder of the existing and proposed driveway, as well as the proposed residence location and ADU, sits on Pliocene volcanic rock formations (Tstp and Tsa). Soils mapped within the project site consist of well-drained loams that include Aiken loam (15 to 50 percent slopes), Boomer gravelly loam, volcanic bedrock (14 to 60 percent slopes), Perkins gravelly loam (1 to 10 percent slopes), and Kidd loam (15 to 75 percent slopes) (USDA 2021). The majority of the proposed driveway improvements occur within Aiken loam, while the locations of the proposed residence and ADU contain Kidd loam.
- Based on the Napa County Environmental Sensitivity Maps (liquefaction layer) the improvements are proposed for an area which has a very low susceptibility for liquefaction. Impacts would be less than significant.
- e. The project consists of grading for a driveway, as well as the construction of a single-family home, accessory dwelling unit, wastewater system, and related infrastructure improvements. The project sites consist of soils capable 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 and has been reviewed and approved by Environmental Health.
  - f. The project will not directly destroy a unique paleontological resource or site or unique geologic feature. If resources are found during any earth disturbing activities associated with the project, construction of the project is required to cease, and a qualified archaeologist would be retained to investigate the site in accordance with standard condition of approval 7.2 identified in Section V above.

Mitigation Measure: None required.

VIII. GREENHOUSE GAS EMISSIONS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Generate a net increase in greenhouse gas emissions in excess of applicable thresholds adopted by the Bay Area Air Quality Management District or the California Air Resources Board which may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with a county-adopted climate action plan or another 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:

a/b. On April 20, 2022, the Bay Area Air Quality Management District (BAAQMD) adopted new recommended thresholds for determining the significance of individual projects' greenhouse gas impacts under CEQA. Under the new thresholds, proposed land use projects may be analyzed for consistency with a qualified greenhouse gas (GHG) reduction strategy in the event one has been adopted. To date, Napa County has not adopted a qualified GHG reduction strategy pursuant to CEQA Guidelines section 15183.5. Absent an adopted strategy, BAAQMD recommends that a land use project must include specified minimum design elements to ensure that the project is contributing its "fair share" toward achieving the state's key climate goal of carbon neutrality by 2045. Napa County has not adopted a qualified GHG reduction strategy or an air quality plan, therefore projects will be evaluated per the BAAQMD recommended minimum design elements.

Overall increases in Greenhouse Gas (GHG) emissions in Napa County were assessed in the Environmental Impact Report (EIR) prepared for the Napa County General Plan Update and 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. Note: Pursuant to State CEQA Guidelines Section 15183, because this initial study assesses a project that is consistent with an adopted General Plan for which an environmental impact report (EIR) was prepared, it appropriately focuses on impacts which are "peculiar to the project," rather than the cumulative impacts previously assessed.

Consistent with the 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. During our ongoing planning effort, the County requires project applicants to consider methods to reduce GHG emissions consistent with Napa County General Plan Policy CON-65(e). For the purposes of this analysis potential GHG emissions associated with residential 'construction' and 'development' and with 'ongoing' residential operations have been discussed.

Greenhouse gas (GHG) emissions from construction represent a very small portion of a project's lifetime GHG emissions. The BAAQMD recommended thresholds do not include a construction-related climate impact threshold at this time. One time "Construction Emissions" associated with the project include: emissions associated with the energy used to develop and prepare the project area, construction, and construction equipment, and residential vehicle trips (hereinafter referred to as Equipment Emissions). The physical improvements associated with this project includes minor driveway widening the construction of a new single-family home, ADU, and associated physical improvements. As discussed in Section III. Air Quality, construction emissions would have a temporary effect and BAAQMD recommends incorporating feasible control measures as a means of addressing construction impacts. If the proposed project adheres to relevant best management practices identified by the BAAQMD and the County's standard conditions of project approval, construction-related impacts are considered less than significant. See Section III. Air Quality for additional information.

The BAAQMD proposed thresholds for land use projects are designed to address “Operational” GHG emissions which represent the vast majority of project GHG emissions. Operational emissions associated with a residence generally include: i) any reduction in the amount of carbon sequestered by existing vegetation that is removed as part of the project compared to a “no project” scenario (hereinafter referred to as Operational Sequestration Emissions); and ii) ongoing emissions from the energy used to maintain a residence, including vehicle trips associated with the residence (hereinafter referred to as Operational Emissions).

As noted above, Napa County has not adopted a qualified GHG reduction strategy or an air quality plan, therefore projects will be evaluated per the BAAQMD recommended minimum design elements.

Specifically for buildings, the project must not:

- Include natural gas appliances or natural gas plumbing (in both residential and nonresidential development); and
- Result in any wasteful, inefficient, or unnecessary electrical usage as determined by the analysis required under CEQA section 21100(b)(3) and CEQA Guidelines section 15126.2(b).

The project will be required, through conditions of project approval, to prohibit the use of natural gas appliances or plumbing. Additionally, at the time of construction the project will be required to comply with the California Building Code, which is currently being updated to include regulations to assist in the reduction of air quality impacts associated with construction, such as prohibiting natural gas appliance and plumbing. The new construction will be required to install energy efficient fixtures complying with CA building code Title 24 standards. See section VI. Energy for additional information on energy usage.

Specifically for transportation, the project must:

- Achieve compliance with electric vehicle requirements in the most recently adopted version of CAL Green Tier 2, and;
- Achieve a reduction in project-generated vehicle miles traveled (VMT) below the regional average consistent with the current version of the California Climate Change Scoping Plan (currently 15 percent) or meet a locally adopted Senate Bill 743 VMT target reflecting the following recommendations:
  - Residential projects: 15 percent below the existing VMT per capita;
  - Office projects: 15 percent below the existing VMT per employee; or
  - Retail projects: no net increase in existing VMT.

The project will be required to comply with the recently adopted version of CALGreen Tier 2. Project approval will include a condition of approval to ensure this is reviewed and implemented at the time of construction through adherence to the California Building Code.

As discussed in section XVII. Transportation, the County maintains a TIS Guidelines that include VMT analysis requirements for projects based on trip generation. The project trip generation numbers are below the County threshold of 110 trips for requiring a VMT analysis and is therefore presumed to have a less than significant impact for VMT.

A condition of approval will be included to require implementation of the checked Voluntary Best Management Practices Measures submitted with the project application. For these reasons, project impacts related to GHG emissions are considered less than significant.

Mitigation Measure: None Required.

<b>IX.</b>	<b>HAZARDS AND HAZARDOUS MATERIALS.</b> Would the project	<b>Potentially Significant</b>	<b>Less Than</b>	<b>Less Than Significant</b>	<b>No Impact</b>
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	Impact	Significant With Mitigation Incorporation	Impact	
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 wild-land fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a. The proposed project would not involve the transport of hazardous materials other than those small amounts utilized for grading a new driveway, widening of an existing driveway to accommodate turnouts, and general construction of a single-family home and ADU. Impacts would be less than significant.
- b. Hazardous materials such as diesel, maintenance fluids, and paints would be used onsite during construction. Should they be stored onsite, these materials would be stored in secure locations to reduce the potential for upset or accident conditions. The proposed project consists of the construction a new driveway and road improvements to serve a new single-family home and accessory dwelling unit which would not be expected to use any substantial quantities of hazardous materials. Therefore, it would not be reasonably foreseeable for the proposed project to create upset or accident conditions that involve the release of hazardous materials into the environment. Impacts would be less than significant.
- c. There are no schools located within one-quarter mile from the proposed project site. According to Google Earth, the nearest schools, St. Helena High School, St. Helena Elementary, St. Helena Primary School, and Robert Louis Stevenson Middle School are located more than 3 miles to the Northeast. No impacts would occur.
- d. Based on a search of the California Department of Toxic Substances Control database, the project site does not contain any known EPA National Priority List sites, State response sites, voluntary cleanup sites, or any school cleanup sites. No impact would occur as the project site is not on any known list of hazardous materials sites.

- e. Based upon the Napa County Planning General Maps (Angwin Airport and Napa Airport layers), the project site is not located within an airport land use plan or within two miles of a public airport. No impacts would occur.
- f. No impact would occur as the project site is not located within the vicinity of any private airports.
- g. The project would not increase exposure of people and/or structures to a significant loss, injury or death involving wild land fires. The proposed project would comply with current California Department of Forestry and California Building Code requirements for fire safety. This project has been evaluated by the Napa County Engineering Division, which supports the Road and Street Standards Exception request as presented. The access road will provide sufficient access to the nearest public road, Highway 29. Impacts would be less than significant.

Mitigation Measure: None required.

X.	HYDROLOGY AND WATER QUALITY. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater 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 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?	<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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

On April 21, 2021, Governor Gavin Newsom declared a drought emergency in the state of California and as of July 8, 2021, 50 counties are under the drought state of emergency, including Napa County. The Governor directed the

Department of Water Resources to increase resilience of water supplies during drought conditions. On June 8, 2021, the Napa County Board of Supervisors adopted a resolution declaring a Proclamation of Local Emergency due to drought conditions which are occurring in Napa County. On October 19, 2021, the Governor issued a proclamation extending the drought emergency statewide. The County requires all discretionary permit applications (such as use permits and ECPAs) to complete necessary water analyses in order to document that sufficient water supplies are available for the proposed project and to implement water saving measures to prepare for periods of limited water supply and to conserve limited groundwater resources.

In March 2022, Governor Newsom enacted Executive Order N-7-22, which requires prior to approval of a new groundwater well (or approval of an alteration to an existing well) in a basin subject to the Sustainable Groundwater Management Act and that is classified as medium- or high-priority, obtaining written verification from the GSA (Groundwater Sustainability Agency) managing the basin that groundwater extraction would not be inconsistent with any sustainable groundwater management program established in any applicable GSP (Groundwater Sustainability Plan) and would not decrease the likelihood of achieving sustainability goals for the basin covered by a GSP, or that it is determined first that extraction of groundwater from the new/proposed well is (1) not likely to interfere with the production and functioning of existing nearby wells, and (2) not likely to cause subsidence that would adversely impact or damage nearby infrastructure.

On March 8, 2022 and August 9, 2022, the Napa County Board of Supervisors adopted resolutions proclaiming a continued state of Local Emergency due to the 2021-2022 drought. On June 7, 2022, the Napa County Board of Supervisors provided direction regarding interim procedures to implement Executive Order N-7-22 for issuance of new, altered or replacement well permits and discretionary projects that would increase groundwater use during the declared drought emergency. The direction limits a parcel's groundwater allocation to 0.3 acre feet per acre per year, or no net increase in groundwater use if that threshold is exceeded already for parcels located in the GSA Subbasin. For parcels not located in the GSA Subbasin (i.e., generally located in the hillsides), a parcel-specific Water Availability Analysis would suffice to assess potential impacts on groundwater supplies. Because the parcel is located outside of the GSA Subbasin, there are no adjacent wells within 500 feet, and the project includes a new well which is more than 1,500 feet from a significant stream (the proposed well is approximately 1,650 feet from York Creek), a parcel-specific Water Availability Analysis was not required. To assess the potential impacts of groundwater pumping on hydrologically connected navigable waterways, the County's WAA guidance requires applicants to perform a Tier 3 analysis for new or replacement wells, or discretionary projects that would result in an increase in groundwater demand on existing wells that are located within 1,500 feet of designated "Significant Streams." As identified on the associated plan sets, the proposed onsite well is located approximately 1,650 feet from the nearest significant stream, York Creek. Additionally, there are no wells within 500 feet of the proposed well location. Proposed water usage of the two residential structures is estimated to be approximately 0.49 acre-feet per year, well within the State of California Emergency Executive Order limiting a new domestic well to 2 acre-feet per year.

- a/b. The project would not violate any water quality standards or waste discharge requirements nor substantially deplete local groundwater supplies. The project consists of the construction of a new 2,400 two-story residence, 1,200 square-foot accessory dwelling unit (ADU), as well as new access road/driveway, wastewater system, and associated improvements. Future additional residential development would be subject to review by the Environmental Health Division concerning wastewater system consistency with County standards.

One well is proposed on the project parcel. The site is currently undeveloped with no existing project water demand.

The project proposes a new single-family residence and an ADU. Water use would total to 0.49 af/yr, not resulting in a substantial increase the demand of ground water supplies or interfere with groundwater recharge or lowering of the local groundwater level given the large parcel size. Additionally, the total water use of 0.49 acre-feet per year is well below the 2.0 acre-feet per year standard for domestic purposes. According to Napa County environmental resource mapping (*Water Deficient Areas/Storage 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.

- c. The project would not substantially alter the drainage pattern on site or cause a significant increase in erosion or siltation on or off the project site. The grading and drainage plan and stormwater control plan have been

reviewed and approved by the Engineering Division. The proposed project would implement standard stormwater quality treatment controls to treat runoff prior to discharge from the project site. The incorporation of these features into the project would ensure that the proposed project would not create substantial sources of polluted runoff. In addition, the proposed project does not have any unusual characteristics that create sources of pollution that would degrade water quality. Impacts would be less than significant.

- d. No portion of the project site is located within the FEMA-designated 100-year floodplain. The parcel is not located in an area that is subject to inundation by tsunamis, seiches, or mudflows. No impact would occur.
- e. The proposed project would not conflict with a water quality control plan or sustainable groundwater management plan because there are no such plans applicable to the subject site. No impacts would occur.

Mitigation Measure: None required

XI.	LAND USE AND PLANNING. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	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 project would not occur within an established community, nor would it result in the division of an established community.
- b. The project complies with the Napa County Code, vegetation management requirements, and all other applicable regulations with the exception of a Use Permit for an Exception to the Conservation Regulations as the proposed road alignment passes near stream setbacks in eight (8) locations. Additionally, the lower section of the proposed improvements to the existing dirt road also pass near to or cross over ephemeral streams within the required 35-foot setback in four (4) locations. Additionally, the average cross slope exceeds 30% (but does not exceed 50%). There is no feasible alternative roadway alignment that both comply with the Napa County Road and Street Standards (RSS) and avoid the steam encroachments into blue-line and ephemeral stream setbacks. Additionally, the applicant is requesting an Exception to the Napa County RSS for the following standards:
  1. Maximum sustained profile grade of 18% for lengths greater than 300 feet;
  2. Minimum number of turnouts;
  3. Required turnout dimensions; and,
  4. Maximum distance from turnaround to ADU.

The subject parcel is located in the AW zoning district which allows single family residences, ADU's and associated access roads. The proposed project is compliant with the physical limitations of the Napa County Zoning Ordinance. The property's General Plan land use designation is Agriculture, Watershed, and Open Space (AWOS) which allows single-family dwellings and ADUs. Impacts would be less than significant.

Mitigation Measure: None required

XII.	<b>MINERAL RESOURCES.</b> Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	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. Historically, the two most valuable mineral commodities in Napa County in economic terms have been mercury and mineral water. More recently, building stone and aggregate have become economically valuable. Mines and Mineral Deposits mapping included in the Napa County Baseline Data Report (Mines and Mineral Deposits, BDR Figure 2-2) indicates that there are no known mineral resources nor any locally important mineral resource recovery sites located on the project site. No impacts would occur.

Mitigation Measure: None required.

XIII.	<b>NOISE.</b> Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	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 a 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 project would result in a temporary increase in noise levels during grading and construction of the proposed residence, ADU, and road improvements. Construction activities would be limited to daylight hours using properly muffled vehicles. Noise generated during this time is not anticipated to be significant. As such, the project would not result in potentially significant temporary construction noise impacts or operational impacts. Because the nearest residence to the project site is more than 700 feet to the southwest of the subject sites, there is a low potential for impacts related to construction noise to result in a significant impact. Further, construction activities would occur during the period of 8am-5pm on weekdays, during normal hours of human

activity. All construction activities would be conducted in compliance with the Napa County Noise Ordinance (Napa County Code Chapter 8.16). The proposed project would not result in long-term significant construction noise impacts. Conditions of approval identified below would require construction activities to be limited to daylight hours, vehicles to be muffled, and backup alarms adjusted to the lowest allowable levels. The proposed project would not result in long-term significant permanent noise impacts because a residential land use is proposed. Continuing enforcement of Napa County's Noise Ordinance, as needed, would further ensure that the single-family residence does not create a significant noise impact. Impacts would be less than significant.

8.3. 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 normally be staged, loaded, and unloaded 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 shall only occur daily between the hours of 8 am to 5 pm.*

- c. The project site is not located within an airport land use plan or the vicinity of a private airstrip. No impacts would occur.

Mitigation Measure: None required.

XIV. POPULATION AND HOUSING. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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. The proposed project includes the construction of two dwellings and an access road. The Association of Bay Area Governments' *Projections 2003* figures indicate that the total population of Napa County is projected to increase approximately 23 percent by the year 2030 (*Napa County Baseline Data Report*, November 30, 2005). Additionally, the County's *Baseline Data Report* indicates that total housing units currently programmed in county and municipal housing elements exceed ABAG growth projections by approximately 15 percent. The additional two housing units proposed would not significantly impact population growth in Napa County.

Cumulative impacts related to population and housing balance were identified in the 2008 General Plan EIR. As set forth in Government Code §65580, the County of Napa must facilitate the improvement and development of housing to make adequate provision for the housing needs of all economic segments of the community. Similarly, CEQA recognizes the importance of balancing the prevention of environment damage with the provision of a "decent home and satisfying living environment for every Californian." (See Public Resources Code §21000(g).) The 2008 General Plan sets forth the County's long-range plan for meeting regional housing needs, during the present and future housing cycles, while balancing environmental, economic, and fiscal factors and community goals. The policies and programs identified in the General Plan Housing Element function, in combination with the County's housing impact mitigation fee, to ensure adequate cumulative volume

and diversity of housing. Cumulative impacts on the local and regional population and housing balance would be less than significant.

- b. No existing housing or people would be displaced as a result of the project. Therefore, the project would not displace substantial numbers of existing housing or numbers of people necessitating the construction of replacement housing elsewhere and no impact would occur.

Mitigation Measure: None required.

XV. PUBLIC SERVICES. Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
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 currently provided to the surrounding project area and the additional demand placed on existing services as a result of the proposed project would be minimal. Fire protection measures would be required as part of the development pursuant to Napa County Fire Marshall conditions and there would be no foreseeable impact to emergency response times with compliance with these conditions of approval. The Fire Department and Engineering Services Division have reviewed the application and recommend approval, as conditioned. School impact fees, which assist local school districts with capacity building measures, would be levied pursuant to building permit submittal. The proposed project would have minimal impact on public parks. Impacts to public services would be less than significant.

Mitigation Measure: None required.

XVI. RECREATION. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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 checked="" type="checkbox"/>	<input 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. The project would not significantly increase use of existing park or recreational facilities based on its limited scope. Impacts would be less than significant.
- b. No recreational facilities are proposed as part of the project. No impact would occur.

Mitigation Measure: None required.

XVII. TRANSPORTATION. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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 section 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 checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with General Plan Policy CIR-14, which requires new uses to meet their anticipated parking demand, but to avoid providing excess parking which could stimulate unnecessary vehicle trips or activity exceeding the site's capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a. The 30 acre project site is located west of State Highway 29, in unincorporated Napa County. The development areas are located on an existing undeveloped hillside parcel approximately 2.5 miles northwest of the City of St. Helena. An existing dirt road passes through the parcel and up to the potential homesite and ADU site and will

be improved as part of this project. The project includes the construction of a new access road to serve the primary residence and an ADU, a Use Permit for an Exception to the Conservation Regulations, a Road and Street Standards Exception request, Viewshed application, and a Grading application. According to Madrone Engineering, the total soil amount of off-haul from project grading is ±15,400 cubic yards, which would result in ±400 truck trips during project construction.

The proposed single-family residence and accessory dwelling unit, including the construction trips are anticipated to generate approximately 9.57 new daily trips each based upon the ITE Trip Generation Manual, 10<sup>th</sup> Edition. The daily trips to and from the proposed homesites are not anticipated to impact nearby circulation systems. The generated daily trips are not expected to overly burden adjacent public roadways. Additionally, the project lacks bicycle and pedestrian facilities.

- b. As part of the statewide implementation of Senate Bill (SB) 743, the Governor’s Office of Planning and Research (OPR) settled upon automobile vehicle miles of travel (VMT) as the preferred metric for assessing passenger vehicle-related impacts under CEQA and issued revised CEQA Guidelines in December 2018, along with a Technical Advisory on Evaluating Transportation Impacts in CEQA to assist practitioners in implementing the CEQA Guidelines revisions.

The County’s General Plan Circulation Element contains a policy statement (Policy CIR-7) indicating that the County expects development projects to achieve a 15% reduction in project-generated VMT to avoid triggering a significant environmental impact. Specifically, the policy directs project applicants to identify feasible measures that would reduce their project’s VMT and to estimate the amount of VMT reduction that could be expected from each measure. The policy states that “projects for which the specified VMT reduction measures would not reduce unmitigated VMT by 15 or more percent shall be considered to have a significant environmental impact.” That policy is followed by an action item (CIR-7.1) directing the County to update its CEQA procedures to develop screening criteria for projects that “would not be considered to have a significant impact to VMT” and that could therefore be exempted from VMT reduction requirements.

The County maintains a set of Transportation Impact Study Guidelines (TIS Guidelines) that include VMT analysis requirements for projects based on trip generation, which includes a screening approach that provides a structure to determine what level of VMT analysis may be required for a given project. The TIS Guidelines state that if the net cumulative result of all project modifications after January 1, 2022, would generate less than 110 net new daily passenger vehicle and truck trips the project is presumed to have a less than significant impact for VMT. As noted above, the proposed single-family residence and accessory dwelling unit, are anticipated to generate approximately 9.57 new daily trips each, well below the screening criteria.

The project would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).

- c-e. After implementation of the proposed project, the site would be accessed via a driveway from Highway 29. The project would result in no significant off-site circulation system operational impacts nor any sight line impacts at the project driveway. The project also includes a request for an exception to the Napa County Road and Street Standards (NCRSS). The request proposes an exception to the roads and street standards to accommodate the number of required turnouts and required turnout detentions, the maximum distance from turnaround to the ADU, as well as the maximum sustained profile grade of 18% for lengths greater than 300 feet. Proposed site access and the RSS Exception was reviewed and approved by the Napa County Fire Department and Engineering Services Division. Three parking spaces (total) would be required for the proposed single-family dwelling and accessory dwelling unit, pursuant to Section 18.110.030. Sufficient parking is included in the proposed project and impacts would be less than significant. The proposed project would not be in conflict with General Plan Policy CIR-14 as adequate parking is provided for the primary residence and accessory dwelling unit.

Mitigation Measure: None required.

**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:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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 type="checkbox"/>	<input checked="" type="checkbox"/>
b) 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 type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a/b. According to the Napa County Environmental Resource Maps (based on the following layers – Historical sites points & lines, Archaeology surveys, sites, sensitive areas, and flags) no historic sites or tribal resources have been identified on the property. Invitation for tribal consultation was completed on May 18, 2022, pursuant to AB 52 and no request to initiate consultation was received. No impact would occur.

Mitigation Measure: None required.

**XIX. UTILITIES AND SERVICE SYSTEMS.** Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of a 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

provider's existing commitments?

- 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?
- e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Discussion:

- a. The project requires the construction of a new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas or telecommunications facilities. This project has been evaluated by the Napa County Environmental Health division, who support this project as presented. Environmental impacts are less than significant.
- b. Water for the primary dwelling and ADU will be provided by a new well to be drilled on the parcel APN 022-070-023). Demand is expected to be minimal, roughly 0.49 acre-feet per year, for the proposed 2-bedroom residence, 2-bedroom ADU, and incidental residential landscaping. This increase falls below the acre-feet per year allowable threshold for domestic purposes.
- c. Wastewater from the residences will be treated and dispersed via code-compliant wastewater systems, and suitable primary and reserve areas for wastewater disposal have been noted in site evaluations completed in 2012 and 2019 and on file with the Napa County Environmental Health Division.
- d/e. According to the Napa County Baseline Data Report, all of the solid waste landfills where Napa County's waste is disposed have more than sufficient capacity related to the current waste generation. The project would comply with federal, state, and local statutes and regulations related to solid waste. Therefore, impacts would be less than significant.

Mitigation Measure: None required.

XX.	WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

environment?

- 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?

Discussion:

- a-d. The proposed project is located within the local responsibility area. There are no project features that would substantially impair an adopted emergency response plan or emergency evacuation plan. Although the project site includes moderate to steep slopes, the Napa County Engineering Division and Napa County Fire Department are in support of the project. The project site possesses slopes ranging from zero percent slope to slopes less than fifty percent and is accessed from a private driveway off of Highway 29. The project would comply with current California Department of Forestry and California Building Code requirements for fire safety. Impacts would be less than significant.

Mitigation Measure: None required.

XXI.	MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a. As discussed in **Section IV** above, the project site contains vegetation suitable for nesting birds and oak woodlands protected by County regulations. Additionally, the project site contains several special status plant species, such as the Napa False Indigo, Green Monardella, and Narrow-flowered California Brodiaea.

Proposed construction, earthmoving, and disturbance activities do have the potential to be impact these sensitive biotic communities and special status plant species. Additionally, these project activities do have the potential to impact tree roosting bats, such as the western red bat, and cavity-roosting bats, such as the pallid bat. The mitigation measures highlighted above, such as replacing and monitoring the success criteria of replacement habitat, monitoring special status plant species replacement, and requiring nesting bird and bat habitat assessment surveys, are proposed for those biological topics that would reduce potentially significant impacts to a level of 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, standard conditions of approval would be implemented. In summary, all potentially significant effects on biological and cultural resources can be mitigated to a level of 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 have a very nominal increase on public services, traffic and air pollution, ground water extraction, and greenhouse gases, none of which rise to the level of being a considerable contribution to a cumulative effect. Impacts would be less than significant.
- c. All impacts identified in this MND are either less than significant after mitigation or 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.

Mitigation Measure: None required.