FCS
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Zinfandel Subdivision Project

Draft Mitigated Negative Declaration

City of Napa, Napa County, California

PREPARED FOR:

City of Napa

Community Development Department
1600 First Street
Napa, CA 94559
707.257.9590

Contact: Michael Allen, Senior Planner

PREPARED BY:

FirstCarbon Solutions

2999 Oak Road, Suite 250
Walnut Creek, CA 94597
925.357.2562

Contact: Mary Bean, Project Director
Laura Campion, Project Manager

July 25, 2025

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Exhibits

ACRONYMS AND ABBREVIATIONS

ADU	accessory dwelling unit
APN	Assessor's Parcel Number
ARB	California Air Resources Board
Bay Area Air District	Bay Area Air Quality Management District
BASMAA	Bay Area Stormwater Management Agencies Association
BRA	Biological Resources Assessment
Caltrans	California Department of Transportation
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CNDDB	California Natural Diversity Database
CNPS	California Native Plant Society
CNPS Inventory	CNPS Inventory of Rare Plants
CWA	Clean Water Act
EIR	Environmental Impact Report
EPA	United States Environmental Protection Agency
FEIR	Final Environmental Impact Report
FEMA	Federal Emergency Management Agency
GIS	Geographic Information System
HDR	High Density Residential
HOA	Homeowner's Association
IS/MND	Initial Study/Mitigated Negative Declaration
LDR	Low Density Residential
MM	Mitigation Measure
MBTA	Migratory Bird Treaty Act
MND	Mitigated Negative Declaration
NapaSan	Napa Sanitation District
NRWS	Napa Recycling and Waste Services
OHWM	ordinary high water mark
PG&E	Pacific Gas and Electric Company
PQP	Public/Quasi-Public
RM	Multi-Family Residential
RWQCB	Regional Water Quality Control Board
SCH	State Clearinghouse

SFR	Single-Family Residential
SR	State Route
TPZ	Tree Protection Zone
USGS	United States Geological Survey
WDP	Waste Discharge Permit
WRA	Wildlife Research Associates
Zentner	Zentner Planning & Ecology

1 - INTRODUCTION

1.1 - Purpose

The purpose of this Draft Mitigated Negative Declaration (Draft MND) is to identify any potential environmental impacts that would result from implementation of the Zinfandel Subdivision Project (proposed project) in the City of Napa, California. Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15367, the City of Napa (City) has discretionary authority over the proposed project and is the Lead Agency in the preparation of this Draft MND and any additional environmental documentation required for the proposed project.

The remainder of this section provides a brief description of the project location and the primary project characteristics. Section 2 includes an environmental checklist that provides an overview of the potential impacts that may result from project implementation, elaborates on the information contained in the environmental checklist, and provides justification for each checklist response. Feasible mitigation measures are analyzed to reduce all impacts to below a level of significance. Section 3 contains the List of Preparers.

1.2 - Project Location and Setting

1.2.1 - Project Location

The proposed project is located on an approximately 9.56-acre site located at 1583 and 1687 El Centro Avenue in the City of Napa, Napa County, California (Exhibit 1). The project site corresponds to Assessor's Parcel Numbers (APNs) 038-361-009 and 038-361-010. Regional access is provided by State Route (SR) 29, which is approximately 0.22 mile west of the project site.

The project site is bounded by El Centro Avenue to the north, Salvador Channel to the south, and single-family homes to the east and west. The single-family residence located at 1657 El Centro is not part of the proposed project and is excluded from the project boundary (Exhibit 2). The project site is located on the Napa, California United States Geological Survey (USGS) 7.5-minute Topographic Quadrangle Map (Latitude 38° 18'15.19" N, Longitude 122° 19'08.48" W).

1.2.2 - Existing Development and Land Use Activities

The project site is currently developed with vineyards and also contains one single-family residence, a detached garage, small outbuildings, and a driveway connecting to El Centro Avenue. Salvador Channel runs through the southern portion of the project site, separating approximately 1.07 acres from the main project site. A pedestrian bridge in the southeastern portion of the project site crosses Salvador Channel, providing access to the southernmost portion of the project site. Aside from the vineyards and structures, the project site currently contains native oak trees and landscape fruit trees near the Salvador Channel and residence. Additionally, roughly half of the site is located within the

Federal Emergency Management Agency's (FEMA's) National Flood Hazard Zone AE, which represents an area with a 1 percent chance of flooding annually (Exhibit 3).

1.2.3 - General Plan and Zoning Designations

The project application was deemed complete by the City on July 1, 2021, prior to adoption of the 2040 General Plan. Pursuant to Government Code Section 66474.2, the application is subject to the ordinances, policies, and standards in effect when the application was deemed complete. Therefore, the Envision Napa 2020 General Plan (2020 General Plan), adopted on December 1, 1998, applies to the proposed project, and the land use designations in the City of Napa 2040 General Plan (2040 General Plan), adopted on October 18, 2022, are not applicable. Accordingly, references in this document are to the 2020 General Plan.

The project site has a land use designation of Single-Family Residential (SFR-20) in the operative 2020 General Plan.[1] The SFR-20 designation provides for detached single-family homes, second units, planned unit and cluster developments, mobile homes, manufactured housing, and compatible uses, such as day care and residential care facilities. Residential densities range from four to eight dwelling units per acre. The proposed project would have a housing density of approximately 5.33 dwelling units per acre, which is within the identified range.[2]

The site is zoned Single-Family Residential with a minimum lot size of 4,000 square feet (RS 4).[3] The RS 4 zone implements the single-family residential category of the General Plan and applies to areas intended to develop into a single-family detached unit pattern. The RS areas typically include custom home subdivisions on hillsides or constrained sites; the presence of Salvador Channel across the southern portion of the site constrains the potential for development. This district provides opportunities for low-density detached single-family homes, accessory dwelling units (ADUs), clustered and planned developments, mobile homes, manufactured housing, and compatible uses such as day care and smaller residential care facilities.[4]

Proposed lot sizes would range from approximately 3,531 to 9,708 square feet To meet the minimum lot size requirements of the RS 4 zone (4,000 square feet), the applicant requests approval for the use of Small Lot Development Standards for nine of 51 proposed lots. This would ensure that the proposed project would achieve the required density given the site constraints, which include the parcel shape and the need to observe required setbacks from Salvador Channel. Setbacks would be consistent with Section 17.52.110 of the City of Napa Municipal Code (Napa Municipal Code), which pertains to creek setbacks, and with Section 17.52.470, which pertains to small lots (less than 4,000 square feet in size).

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1 City of Napa. Envision Napa 2020: City of Napa General Plan, Land Use. December 1, 1998.

2 Calculated by dividing 51 lots by 9.56 acres.

3 City of Napa. Zoning Map. Website: https://cityofnapa.maps.arcgis.com/apps/webappviewer/index.html?id=85c06f646a1e4896a9099dc1076ea217&extent=13645050.4719%2C4607164.0679%2C-13578359.1647%2C4638197.5014%2C102100. Accessed May 7, 2025.

4 City of Napa. 2022. Municipal Code 17.08.010 Specific purposes. Website: https://ecode360.com/43396456#43396456. Accessed May 7, 2025.

1.2.1 - Surrounding Land Uses

The project site is surrounded by the following land uses:

North: El Centro Avenue; single-family residential properties designated as Low Density Residential (LDR) and zoned Single-Family Infill with a minimum lot size of 4,000 square feet (RI 4) and Single-Family Residential with a minimum lot size of 5,000 square feet (RS 5). Additionally, multi-family residential properties zoned as Multi-Family Residential (RM) are located to the northwest, and Willow Elementary School is located to the northeast on land zoned Public/Quasi-Public (PQP).

South: Salvador Channel; single-family residential properties designated as LDR and zoned RI 4 and RS 5.

East: Single-family residential properties designated as LDR and zoned RS 4.

West: Multi-family residential properties designated as High Density Residential (HDR) and zoned RM.

1.3 - Project Background and Previous Environmental Review

1.3.1 - General Plan

The City prepared and adopted the 2020 General Plan on December 1, 1998, which is an update from its 1982 General Plan providing policy guidance and implementation strategies to meet future planning needs for the City. The 2020 General Plan is comprised of two documents: the Draft Policy Document which presents goals, policies, and implementation programs for each of the General Plan elements to guide future development within the City's planning area over the next 25 years, and the Draft Background Report which outlines existing conditions for each General Plan element with an understanding for the policies and programs presented in the Draft Policy Document. As previously mentioned, the application for the proposed project was deemed complete prior to the adopted 2040 General Plan; thus, the application is subject to the goals, policies, and implementation programs of the 2020 General Plan.

1.3.2 - General Plan Environmental Impact Report

The City certified a Final Program Environmental Impact Report (FEIR, State Clearinghouse [SCH] No. 95-03-3060) for implementation of the 2020 General Plan to evaluate the significant environmental effects of adopting and implementing the 2020 General Plan. The 2020 General Plan FEIR provides baseline environmental information and evaluates the potential environmental impacts for any foreseeable future development that may occur with implementation of the 2020 General Plan without site plans associated with those future projects. The City may use the 2020 General Plan FEIR when making decisions that implement the policies and programs identified in the 2020 General Plan and when preparing any additional environmental documents.

1.3.3 - CEQA Guidelines Section 15183 Consistency Checklist

California Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 provide that environmental review for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, is limited to an analysis of effects on the environment which are peculiar to the parcel or to the project and which were not addressed as significant effects in the prior EIR, or which substantial new information shows will be more significant than described in the prior EIR. In the case of the proposed project, the approval of the applicant's use of Small Lot Development Standards would allow the proposed project to meet the minimum lot size requirements of the RS 4 zone. As such the proposed project would be consistent with the development density established by the existing zoning of the project site with use of the City's established Small Lot Development Standards. Section 15183 specifies that examination of environmental effects for projects meeting the requirements of this section shall be limited to those effects that:

(1) Are peculiar to the project or the parcel on which the project would be located,

(2) Were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent,

(3) Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action, or

(4) Are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR.

Section 15183(c) further specifies that if an impact is not peculiar to the parcel or to the proposed project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards, then an additional EIR need not be prepared for that project solely on the basis of that impact. Therefore, it follows that environmental review evaluating the limited effects identified under Section 15183 may be properly addressed in an MND.

To perform the required examination pursuant to Section 15183, the City a comprehensive environmental analysis for the proposed project in a Consistency Checklist, evaluating all of the potential environmental effects from the proposed project to determine whether it would have any effects that were not identified and adequately addressed in the 2020 General Plan EIR. The City's process for complying with Section 15183 is described in greater detail within the Consistency Checklist, which is attached as Appendix A and incorporated into this MND in its entirety without limitation.

The Consistency Checklist concluded that the proposed project was consistent with the development density and zoning established by the City's 2020 General Plan, which was adopted pursuant to a certified Program EIR (SCH No. 95-03-3060). The Consistency Checklist further demonstrated that

the proposed project's potential impacts on all environmental factors, except biological resources, have been previously analyzed and mitigated as needed, consistent with the 2020 General Plan and other regulatory frameworks, and the proposed project's environmental impacts are within and/or consistent with the anticipated and analyzed impacts of the 2020 General Plan EIR. Therefore, these topics are exempt from further evaluation under CEQA, and no further review is required for these areas as documented in Appendix A. The Consistency Checklist also demonstrates that the proposed project does not present impacts that are peculiar to the project or the parcel on which the project would be located, nor does the proposed project present impacts that were not analyzed as significant effects in the 2020 General Plan EIR with which the proposed project is consistent. Additionally, the proposed project does not present any potentially significant off-site impacts or cumulative impacts which were not discussed in the 2020 General Plan EIR. The Consistency Checklist further demonstrated that the proposed project does not present any previously identified significant effects which, as a result of substantial new information which was not known at the time the 2020 General Plan EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR. Accordingly, the following analysis is limited to an evaluation of biological resources as mandated by CEQA Guidelines Section 15183.

1.4 - Project Description

1.4.1 - Development Summary

The project applicant, Crown Realty Property Management, proposes to develop a 51-lot subdivision containing 51 single-family homes, 12 ADUs, 10 junior ADUs, and related improvements on approximately 9.56 acres (Exhibit 4). The 51 lots would be developed into two distinct areas separated by the Salvador Channel. The northern area is significantly larger and would contain 49 of the residential lots, while the smaller southern area would contain the remaining two residential lots.

The existing single-family dwelling, the detached garage, and the private pedestrian bridge on the site would be demolished. Additionally, the existing vineyards on the project site would be removed, as well as 29 trees.

The proposed project would also include the following off-site improvements (Exhibit 5) totaling approximately 1.3 acres:

- Creation of a terrace along Salvador Channel's northern and southern bank and two stormwater outfalls above the channel's ordinary high water mark (OHWM).
- Construction of an eight-foot-wide walking trail along the southern side of Salvador Channel with 2-foot-wide shoulders on each side (replacing an existing informal walking path) connecting to a future Class I trail planned along Salvador Channel between Jefferson Street and SR-29.
- Dedication to the City of a 10-foot-wide right-of-way along the El Centro frontage, totaling approximately 0.17 acre.

- Implementation of improvements along the entire frontage with El Centro Avenue consistent with existing adjacent improvements that have already been made, as well as the City's future plans for the roadway. Such improvements include widening El Centro Avenue by approximately 12 feet and providing a separate sidewalk that would improve access for pedestrians and connect the site to the surrounding pedestrian network.

1.4.2 - Design and Appearance

The proposed project would include home designs that are a combination of two styles, Urban Farmhouse and Napa Valley Contemporary. All home designs would include a mix of high-quality exterior finishes intended to complement one another and the existing traditional home styles of the surrounding neighborhood. There are a total of eight different floor plans, ranging in size from 1,004 square feet to 2,362 square feet. The proposed project would include 21 single-story homes, 30 two-story homes, 12 ADUs, and 10 junior ADUs. The 12 ADUs would range in size from approximately 384 square feet to approximately 682 square feet.

1.4.3 - Circulation

Vehicular Circulation

The northern area of the site would be accessed via a proposed residential street called Clementina Circle, which would form a loop on the south side of El Centro Avenue. The portion of the project site located south of Salvador Channel would be accessed via a private driveway extending east from Lassen Street.

Parking

Each residence would have two on-site parking spaces. Garages would have a 20-foot minimum setback from the back of the sidewalk or edge of the private driveway to provide on-site parking within driveways. A total of 244 parking spaces would be provided (Exhibit 6), which exceeds the 200 parking spaces required by Section 17.54.040 of the Municipal Code. Of the 244 parking spaces, 91 would be garage spaces, 95 would be driveway spaces, and 58 would be on-street parking spaces.

Pedestrian Access

Pedestrian access would be provided via sidewalks on both sides of the proposed Clementina Circle and along the project's frontage on El Centro Avenue.

Bicycle Access

The proposed project would implement markings for Class III bike lanes along El Centro Avenue between Byway East and Jefferson Street as a condition of approval to be imposed by the City.

1.4.4 - Landscaping and Open Space

Landscaping would include trees with moderate irrigation needs, such as trident maple (*Acer buergerianum*), red maple (*Acer rubrum*), eastern redbud (*Cercis canadensis*), ginkgo (*Ginkgo*

biloba), Chinese pistache (*Pistacia chinensis*), and valley oak (*Quercus lobata*) (Exhibit 7). A bioretention area would be provided in the northern portion of the project site, between Lot 19 and Lot 20. A second bioretention area would be provided in the southern portion of the project site, adjacent to Lot 50. Additionally, bioretention areas would be provided adjacent to Lot 27 and Lot 28 along El Centro Avenue. Front yard landscaping would be installed but not maintained by the Homeowner's Association (HOA). The channel and terraced areas would be landscaped, compliant with current local water district regulations.

1.4.5 - Utilities

Water and Wastewater

The proposed project would connect to existing water and sanitary sewer lines in El Centro Avenue for the northern portion of the project site (Exhibit 8a) and in Lassen Street for the southern portion of the project site (Exhibit 8b). All lots would be served by a separate gravity sewer lateral. Sewer laterals would be 4 inches in diameter with a 2 percent minimum slope to the sewer main. All sewer laterals would be a minimum of 5 feet from any neighboring property lines. Additionally, sewer laterals would not be located within driveways. Furthermore, all lots would be served from the water main in the streets.

Storm Drainage

Stormwater runoff from the project site would be routed to four bioretention areas. These bioretention areas would be constructed pursuant to the criteria in the Bay Area Stormwater Management Agencies Association (BASMAA) Post-Construction Manual, providing a 6-inch ponding reservoir per BASMAA requirements, which is a sufficient depth so that the 1-year, 1-hour storm event would not reach the overflow elevations.

The following utility providers would provide services to the project site:

- Sewer: Napa Sanitation District (NapaSan)
- Water: City of Napa Water Division
- Electricity: Pacific Gas and Electric Company (PG&E)
- Storm Drain: City of Napa
- Solid Waste/Recycling: Napa Recycling and Waste Services (NRWS)

1.4.6 - Phasing and Construction

Construction of the proposed project is anticipated to begin in late 2025 and would last approximately 18 to 36 months. Construction activities would consist of demolition, grading, underground utilities and street construction, building construction, and landscaping.

The proposed project would require that all construction equipment be maintained and tuned to meet appropriate United States Environmental Protection Agency (EPA) and California Air Resources Board (ARB) emissions requirements, including use of only Tier 4 engines in off-road equipment and cleaner heavy-duty trucks to reduce air pollutant emissions associated with the proposed project.

1.5 - Discretionary Approvals

The proposed project requires the following discretionary approvals from the City of Napa who is the CEQA Lead Agency for the proposed project.

- Approval of the MND
- Tentative Subdivision Map–Vesting
- Design Review Permit–Subdivision and Homes
- Use Permit–Small Lot Development

In addition, the following ministerial actions would be required by the City for implementation of the proposed project:

- Demolition permits
- Grading permits
- Building permits

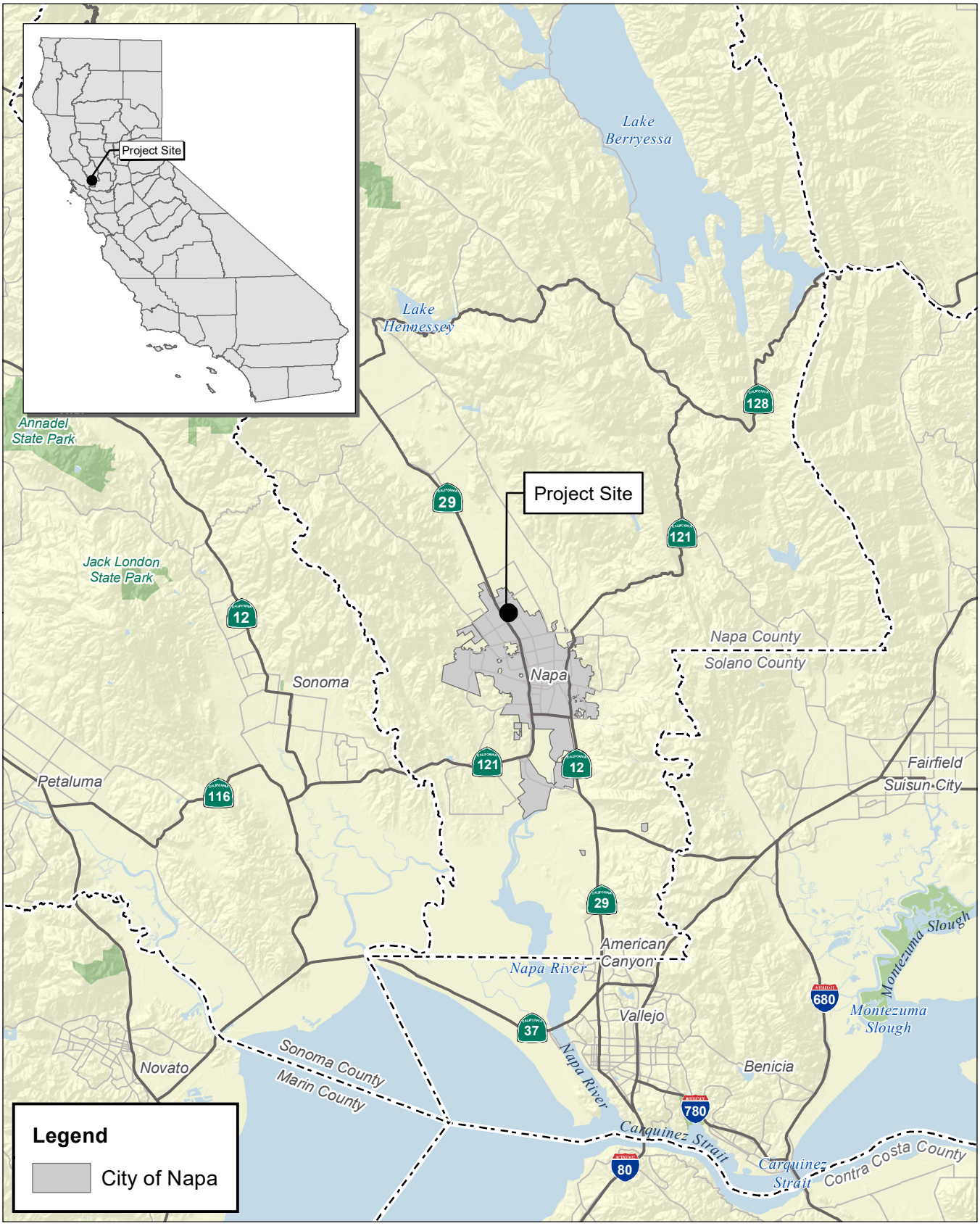
A number of other agencies, in addition to the City, will serve as Responsible and Trustee Agencies, pursuant to CEQA Guidelines Section 15381 and Section 15386, respectively. This Draft MND will provide environmental information to these agencies and other public agencies, which may be required to grant approvals or coordinate with other agencies, as part of project implementation. These agencies may include but are not limited to the following:

- California Department of Transportation (Caltrans)
- California Department of Fish and Wildlife (CDFW)
- Bay Area Air Quality Management District (Bay Area Air District)
- North Coast Regional Water Quality Control Board (North Coast RWQCB)

1.6 - Intended Uses of this Document

This Draft MND, inclusive of all appendices, has been prepared to document the potential significant adverse environmental impacts associated with the proposed project and identify feasible mitigation that would reduce impacts to below a level of significance. This document will also serve as a basis for soliciting comments and input from members of the public and public agencies regarding the proposed project. The Draft MND will be circulated for a minimum of 30 days, during which comments concerning the analysis contained in the Draft MND should be sent to:

Michael Allen, Senior Planner
City of Napa
Community Development Department
1600 First Street
Napa, California 94559
Phone: 707.257.9590
Email: mallen@cityofnapa.org



Source: Census 2000 Data,The California Spatial Information Library (CaSIL).

Exhibit 1
Regional Location Map

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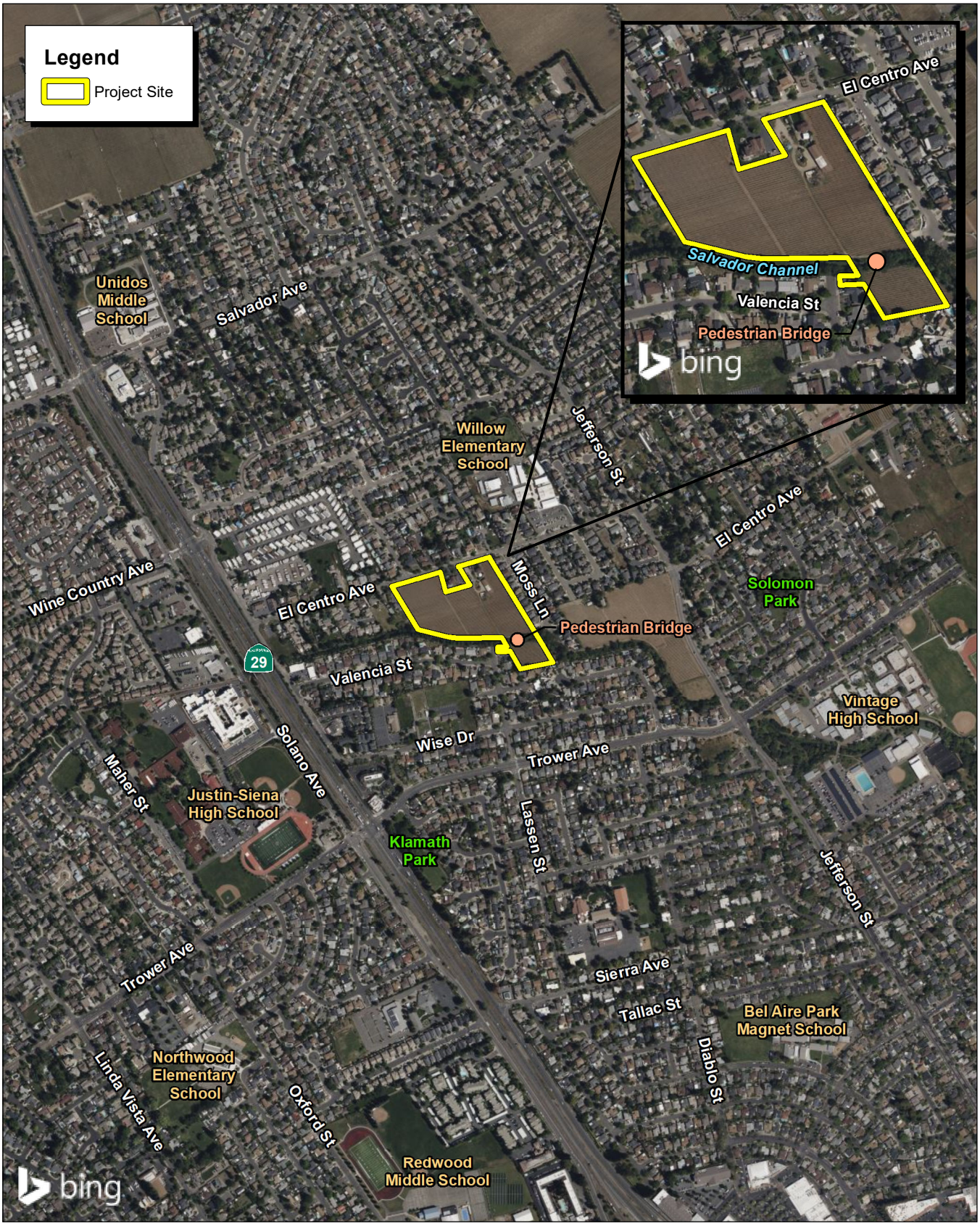

Source: Bing Aerial Imagery. RSA Consulting Civil Engineers.

1,000 500 0 1,000 Feet

Exhibit 2
Local Vicinity Map

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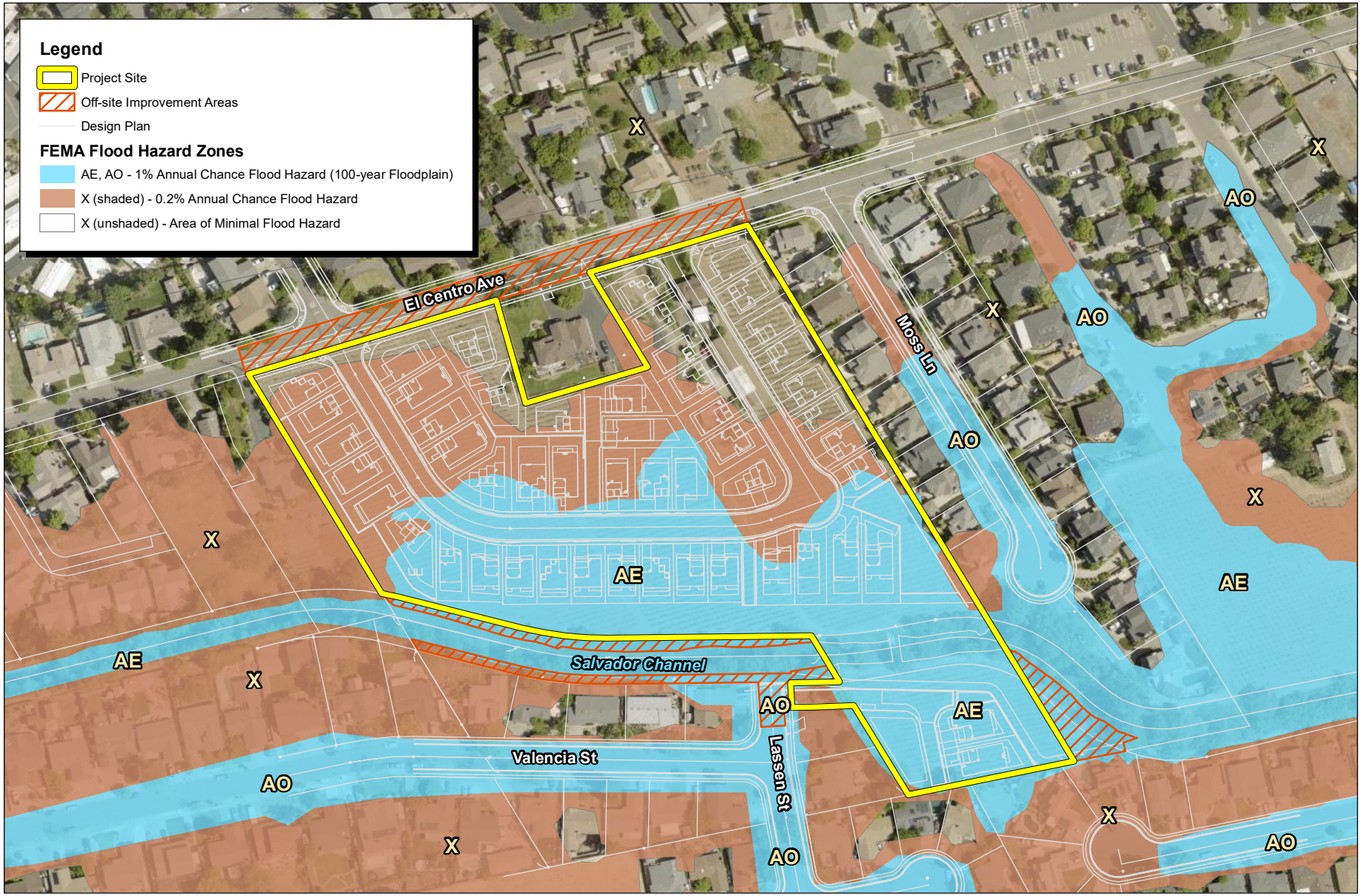

Source: ESRI World Imagery. RSA Consulting Civil Engineers. FEMA National Flood Hazard Layer (NFHL).

200 100 0 200 Feet

Exhibit 3
Flood Hazard Zone Map

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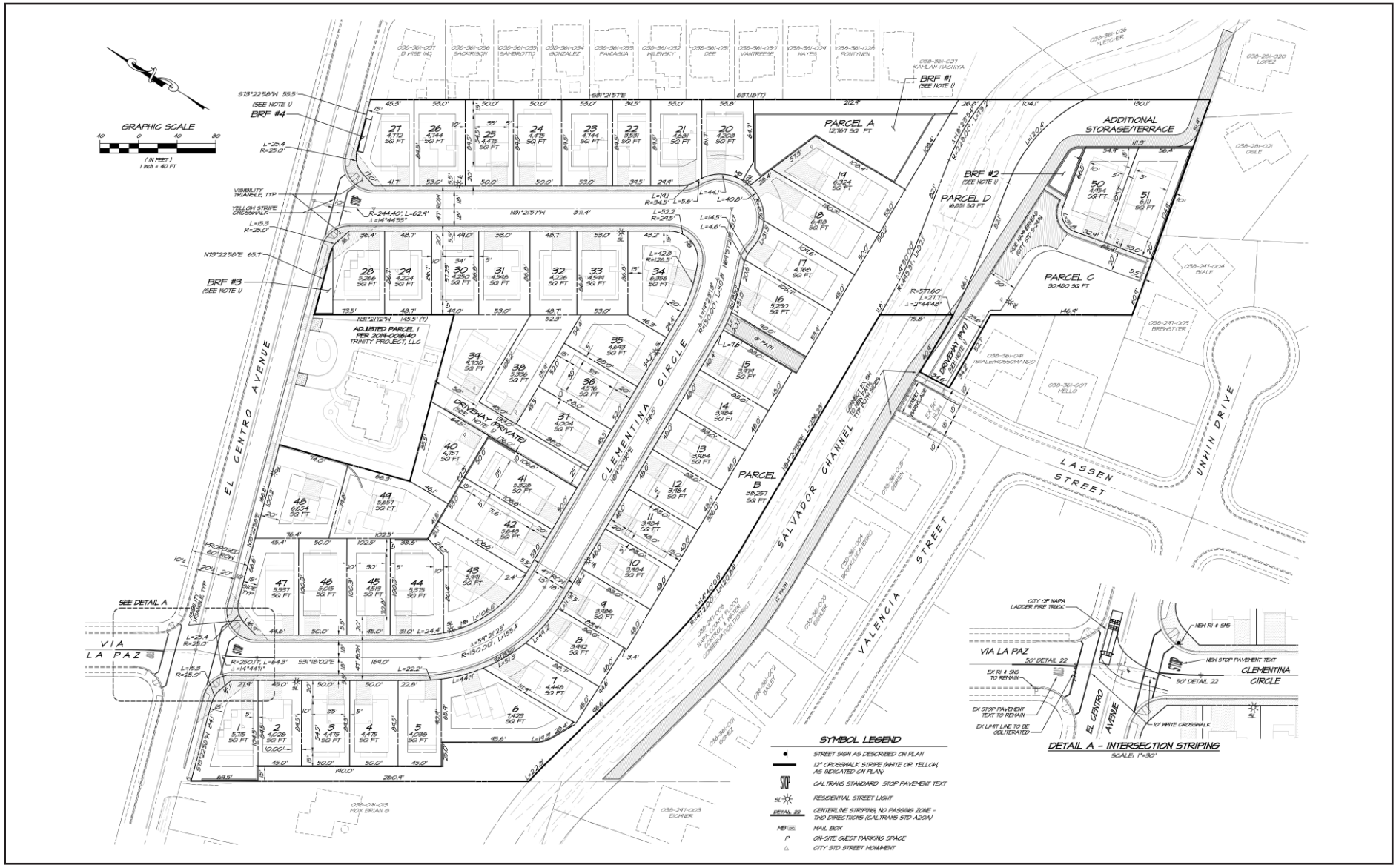

Source: RSA. Sept 15, 2023.

Exhibit 4
Site Plan

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Source: ESRI World Imagery. RSA Consulting Civil Engineers.

150 75 0 150
Feet

Exhibit 5
Off-Site Improvements and Right-of-Way

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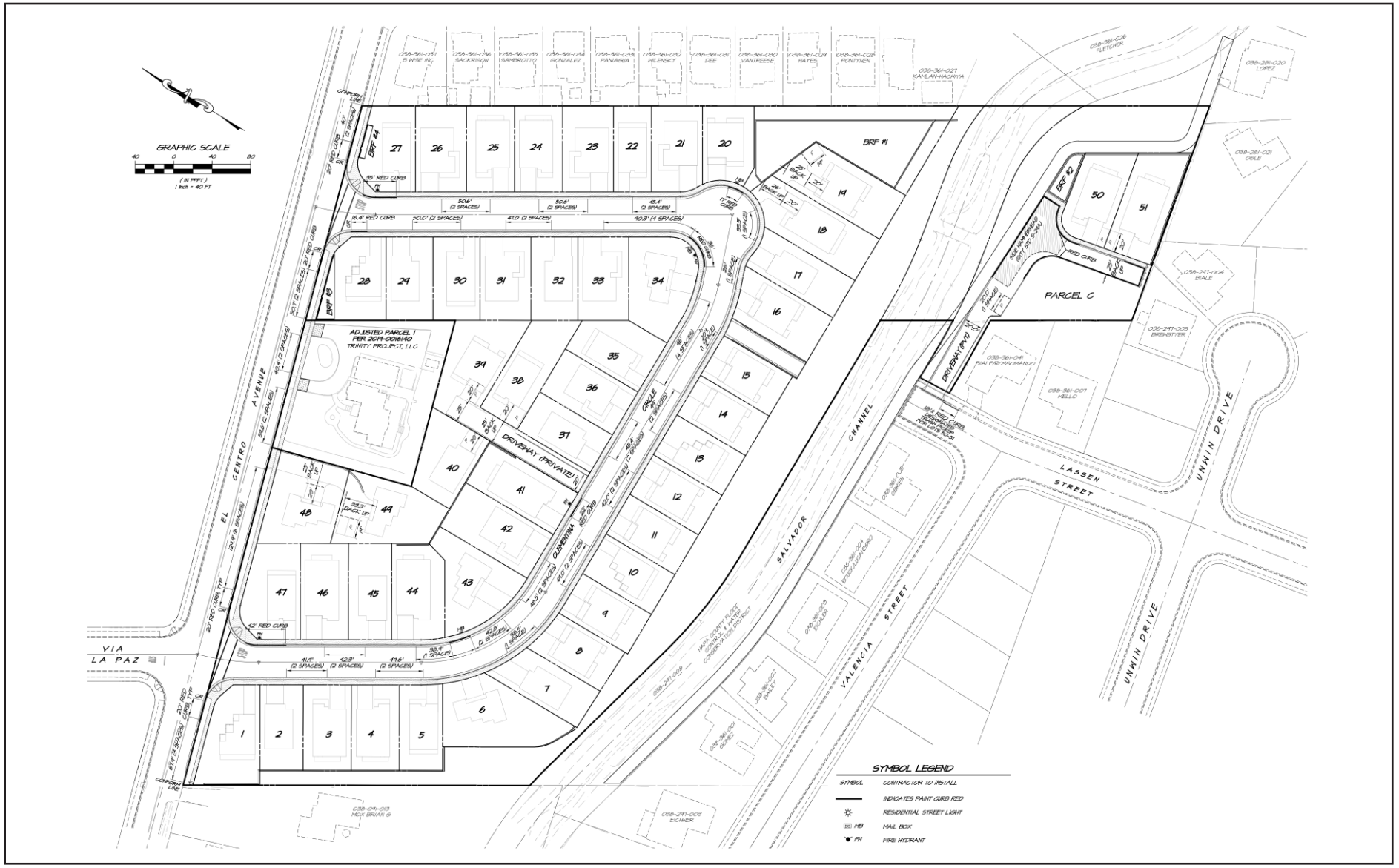

Source: RSA Consulting Civil Engineers & Surveyors, 9/15/2023.

Exhibit 6
Parking Plan

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Source: GSM Landscape Architects, Inc. Sept 15, 2023.

Exhibit 7
Landscaping Plan

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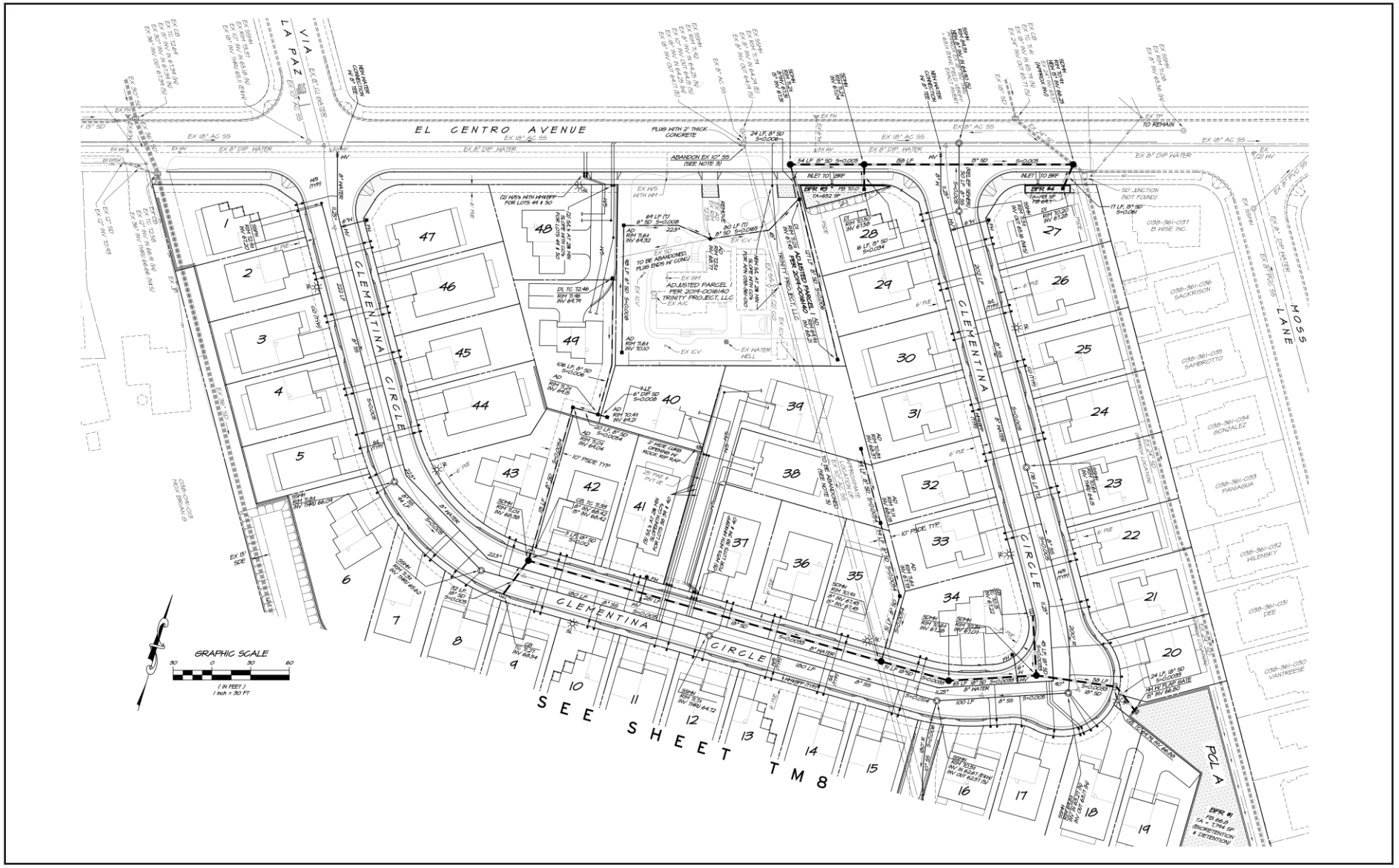

Source: RSA Consulting Civil Engineers & Surveyors, 9/15/2023.

Exhibit 8a
Utility Plan - North

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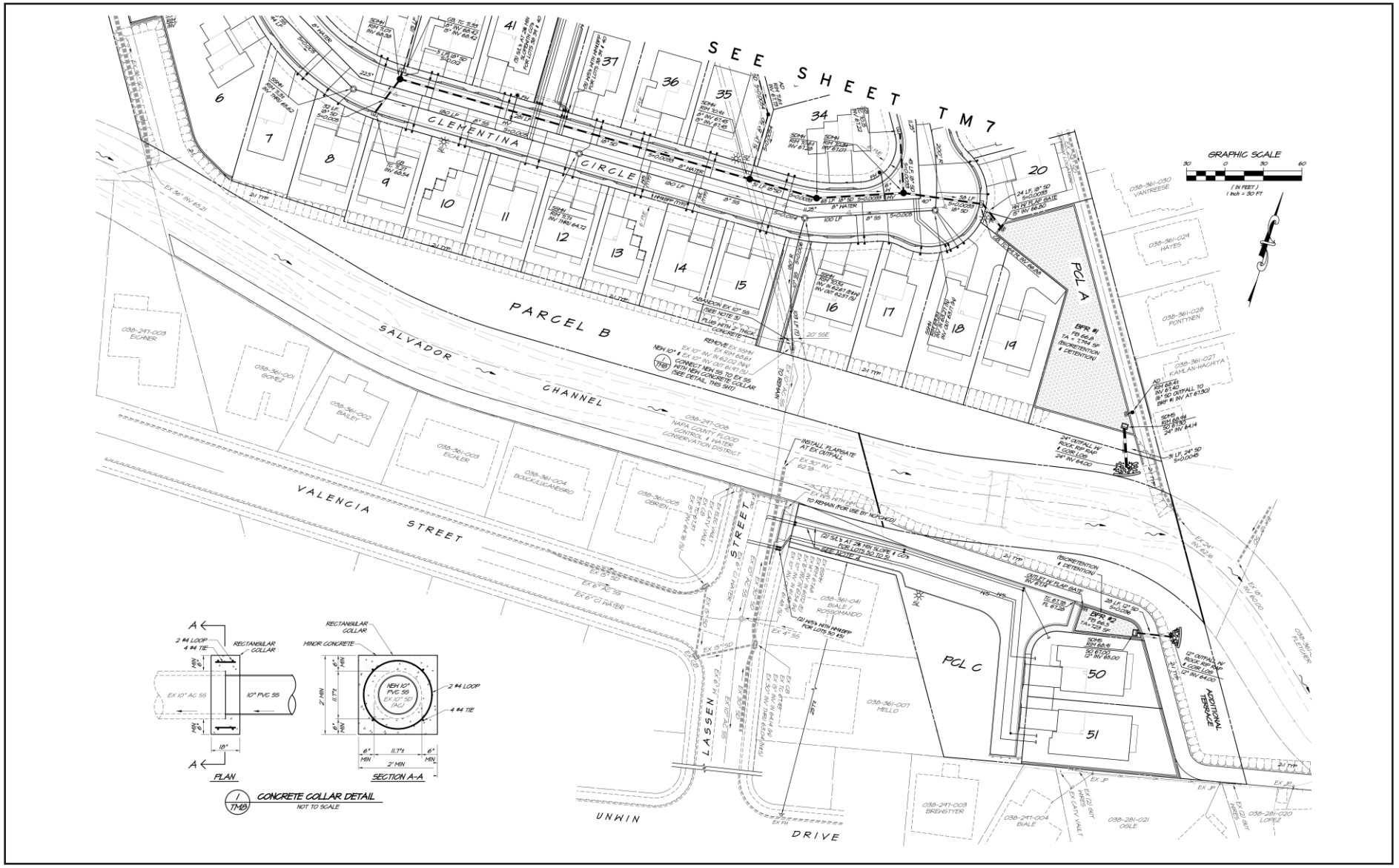

Source: RSA Consulting Civil Engineers & Surveyors, 9/15/2023.

Exhibit 8b
Utility Plan - South

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2 - ENVIRONMENTAL CHECKLIST AND ENVIRONMENTAL EVALUATION

Environmental Factors Potentially Affected					
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.					
☐	Aesthetics	☐	Agriculture and Forestry Resources	☐	Air Quality
☐	Biological Resources	☐	Cultural Resources and Tribal Cultural Resources	☐	Energy
☐	Geology and Soils	☐	Greenhouse Gas Emissions	☐	Hazards and Hazardous Materials
☐	Hydrology and Water Quality	☐	Land Use and Planning	☐	Mineral Resources
☐	Noise	☐	Population and Housing	☐	Public Services
☐	Recreation	☐	Transportation	☐	Mandatory Findings of Significance
☐	Utilities and Services Systems	☐	Wildfire		

Environmental Determination

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a 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 measure 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.

Date: _____ Signed: _____

Environmental Issues	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
2.1 Biological Resources *Would the project:*				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service?	☐	☒	☐	☐
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?	☐	☐	☐	☒
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 wildlife nursery sites?	☐	☐	☒	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☐
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?	☐	☐	☐	☒

Environmental Evaluation

Setting

The following environmental evaluation is based on Zinfandel Estates Biological Resources Assessment (BRA), prepared by Zentner Planning & Ecology (Zentner), dated October 2019, revised in June 2024 and later revised in August 2024 (Appendix B). An additional Botanical Survey Report focusing on Sanford's arrowhead (*Sagittaria sandfordii*) was prepared by Zentner, dated August 2024. Field surveys in support of the BRA were conducted in August 2019 and on May 7, 2024, by Zentner Biologist(s). A Habitat Assessment Report, prepared by Wildlife Research Associates (WRA) and Jane Valerius Environmental Consulting in January 2018, was used to support the BRA Report. A field survey to support the Habitat Assessment was conducted in January 2018 by WRA Biologist(s). Additional documentation to support tree-related analysis is based on an Arborist Report prepared by Pramuk, dated January 2019 and later revised in May 2024 (Appendix B). Field surveys in support of the Arborist Report were conducted in January 2019 and May 2024 by Randy Gularte, a consulting Arborist.

A detailed description of the environmental setting as it relates to biological resources is included in Section 2 of the BRA. The project site is composed of an existing vineyard with an annual grassland understory, one residence with associated ornamental vegetation, valley oak, and riparian habitat associated with Salvador Channel. Salvador Channel is a seasonal channel that flows west to east through the southern portion of the site and eventually flows into Napa Creek, a tributary to the Napa River, approximately 2 miles downstream of the project site. Riparian habitat is present along the perimeter of the channel, including valley oak woodland (*Quercus lobata*); coast live oak (*Quercus agrifollia*), willow trees (*Salix sp.*), and other ornamental trees. Salvador Channel contains several areas of perennial marsh habitat, including Uruguay water-primrose (*Ludwegia hexapetala*), marsh purslane (*Ludwigia peploides*), cattails (*Typha latifolia*), and umbrella sedge (*Cyperus sp.*).

Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service?

Less than significant impact with mitigation incorporated. As discussed above, potential impacts to special-status species and associated mitigation are based on the BRA, prepared by Zentner in August 2024; the Botanical Survey Report, prepared by Zentner in August 2024; and the Habitat Assessment Report, provided by WRA and Jane Valerius Environmental Consulting in January 2018. Prior to the 2019 and 2024 reconnaissance-level field surveys, Zentner conducted literature reviews to identify potential biological resources that could be present on-site, including database searches of the CDFW California Natural Diversity Database (CNDDB) and the California Native Plant Society

(CNPS) Inventory of Rare Plants (CNPS Inventory).[5] Both search queries were focused within the *Napa, California* USGS 7.5-minute Topographic Quadrangle Map and eight surrounding quadrangles (Appendix B).

The literature review performed by Zentner identified a total of 128 special-status species within the project vicinity. The database identified 74 potential special-status plant species, one of which (Sanford's arrowhead) has the potential to occur on-site, and 54 special-status wildlife species, six of which have the potential to occur on-site, including foothill yellow-legged frog (*Rana boylii*), northwestern pond turtle (*Actinemys marmorata*), pallid bat (*Antrozous pallidus*), Townsend's big-eared bat (*Corynorhinus townsendii*), western red bat (*Lasiurus blossevillii*), and longfin smelt (*Spirinchus thaleichthys*).

Special-status Plant Species

The BRA identifies 74 special-status plant species that have been recorded within the vicinity of the site, one of which (Sanford's arrowhead) has the potential to occur on-site (Appendix B). An additional eight special-status plant species were assessed for potential to occur on the project site by WRA and Jane Valerius Environmental Consulting in their 2018 Habitat Assessment. The project site consists of an active vineyard and developed residential area. Salvador Channel and its riparian habitat are the only habitats that have a potential to support special-status plant species. Therefore, the majority of the special-status plant species known within the region are unlikely to occur on the project site due to lack of suitable habitat. The project site does not contain rhyolitic, sandy, or alkaline soils, and there are no coastal scrub, coastal prairie, closed-cone coniferous forest, North Coast coniferous forest, lower montane coniferous forest, chaparral, meadows and seeps, marshes and swamps, or vernal pool habitats that would support the special-status species recorded within the project vicinity (Appendix B). Sanford's arrowhead is the only special-status species potentially occurring on the project site and is further discussed below.

Sanford's Arrowhead

A focused botanical survey was performed in May 2024, during the May through October blooming period for Sanford's arrowhead, by WRA biologists. It was determined that Sanford's arrowhead is not present on the project site and that the presence of rock rip-rap and invasive plant species limits habitat for this species.[6] No other special-status plant species were observed during the 2024 survey. Therefore, special-status plant species are not likely to be present on the project site or be impacted by the proposed project and will not be further discussed in this section.

Special-status Wildlife Species

The BRA identifies 54 special-status wildlife species that have been recorded within the project vicinity, six of which have the potential to occur on-site. Special-status wildlife species that have potential to occur on the project site, including foothill yellow-legged frog, northwestern pond turtle,

[5] Zentner Planning & Ecology (Zentner). October 2019. Zinfandel Estates – Riparian Special-Status habitat and Species Analysis.

[6] Wildlife Research Associates (WRA). January 2018. Habitat Assessment – 1583 and 1657 El Centro Avenue, Napa County CA.

pallid bat, Townsend's big-eared bat, western red bat, and longfin smelt, are described in more detail below. The vast majority of these species are highly unlikely to occur on the project site due to the absence of suitable habitat. However, these species could move through the site or otherwise depend on the site for some function given the presence of potentially suitable habitat and known occurrences in the surrounding area.

Foothill Yellow-legged Frog

According to the BRA, there are three records of the foothill yellow-legged frog within 5 miles of the project site; one of these records is listed as “possibly extirpated” (Record No. 781). The closest of these records is located approximately 3 miles west of the project site in habitat described as a perennial seep that flows into a small tributary to Dry Creek (Record No. 415). This record was recorded in 2003. The other extant record is located north of the project site in Dry Creek in Yountville (Record No. 119).[7]

Salvador Channel provides low-quality potential habitat for the foothill yellow-legged frog because the channel has been heavily disturbed and fails to contain the gravel or rock bottom that generally supports the species. Instead, relatively fine sediments have covered most of the channel, which has developed a growth of emergent plants, such as cattail. Additionally, there are no records of the species within Salvador Channel, nor are there any records of the species closer than 3 miles from the project site. No foothill yellow-legged frogs were observed within the channel corridor or project site during surveys. Therefore, foothill yellow-legged frog is unlikely to occur at the project site or be impacted by the proposed project.

Northwestern Pond Turtle

The northwestern pond turtle is an aquatic species found in ponds, lakes, rivers, marshes, and irrigation ditches with abundant vegetation within woodlands, grasslands, or forests. They may also move along creek channels until they find an isolated pool. Within the project site, Salvador Channel provides marginally suitable habitat for the northwestern pond turtle during winter and spring when it holds water with the presence of existing on-site beaver dams. By late summer and fall, once the channel has dried, it is unlikely that the channel could support northwestern pond turtle.

A juvenile northwestern pond turtle was observed within Salvador Channel during the April 2024 site survey. [8] There are four CNDDB records of northwestern pond turtles within 5 miles of the project site. The closest record is approximately 2.5 miles west of the project site and describes several adults observed in two agricultural reservoirs used for vineyard irrigation (Record No. 507). The other records described observations in a dredged channel that is a tributary to the Napa River (Record No. 494), in Tulucay Creek (Record No. 584), and in Goose Lake (Record No. 602).[9] The channel banks and riparian areas along Salvador Channel could be used by northwestern pond turtle. Although the proposed project would avoid Salvador Channel and would occur within upland areas, temporary

[7] Zentner Planning & Ecology (Zentner). October 2024. Zinfandel Estates – Biological Resources Assessment.

[8] Ibid.

[9] Ibid.

indirect impacts to portions of the channel banks and associated riparian habitat may occur. These construction-related activities could result in the loss of individual western pond turtles that may utilize the channel banks and associated riparian habitat. However, with implementation of pre-construction surveys and protection measures (Mitigation Measure [MM] BIO-1a), potential impacts to northwestern pond turtle would be reduced to less than significant levels.

Protected Nesting Birds

The project site's existing trees, shrubs, and riparian woodland habitats may provide potential nesting habitat for birds.[10] The entirety of the project site, channel banks and riparian vegetation along Salvador Channel, and areas adjacent to the project site contain a number of trees and shrubs that could provide potential nesting habitat that could be used by the special-status birds. Should these be present, construction-related activities could result in their loss, which would result in a significant impact to special-status bird species. With implementation of pre-construction nesting bird surveys, as well as the establishment of avoidance buffers, where required (MM BIO-1b), potential impacts to special-status bird species would be reduced to less than significant levels.

Bats (Including Pallid Bat, Townsend's Big-eared Bat, and Western Red Bat)

Special-status bat species, including pallid bat, Townsend's big-eared bat, and western red bat, occur throughout the San Francisco Bay Area. These bats roost in a variety of habitats, such as oak woodlands, caves, and cave-like roosting habitat (i.e., abandoned mines, buildings, bridges, rock crevices, and hollow trees) and forage adjacent to wooded habitats and streams.

The project site contains potentially suitable habitat for these species, and they are known to occur in the region. Existing trees and structures on-site provide potentially suitable roosting habitat for special-status bats. Though no signs of pallid bat, Townsend's big-eared bat, western red bat, nor any other bat species have been observed within the project site, there is a possibility that these bat species could use the marginally suitable trees, existing shed, and bridge structure for roosting. The existing structures and several trees would be removed as part of the proposed project, resulting in potentially significant impacts to protected bat species, if present during ground-disturbing activities. However, with the implementation of pre-construction bat surveys, as well as the establishment of avoidance buffers where required (MM BIO-1c), potential impacts to special-status bat species would be reduced to less than significant levels.

Longfin Smelt

Longfin smelt have been found in freshwater bodies of water and spawn in dead-end sloughs with shallow, weedy areas. According to the BRA, there is one record of longfin smelt within 5 miles of the project site (Record No. 26). This record is located just under 5 miles south of the project site and describes a 17-mile stretch of the Napa River that has been periodically sampled since 1995.[11] Most recently, in 2012, 536 longfin smelt were encountered at the CDFW sampling stations. Though the Napa River is known to support longfin smelt and the proposed project is located on a tributary to

[10] Zentner Planning & Ecology (Zentner). October 2024. Zinfandel Estates – Biological Resources Assessment.

[11] Ibid.

Napa River, the species has never been recorded in the upper portions of Napa River near its intersection with Salvador Channel. Moreover, Salvador Channel does not support the salinity levels required for this species, as it is entirely freshwater. This species is unlikely to occur in Salvador Channel near the project site or be impacted by the proposed project.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service?

Less than significant impact with mitigation incorporated. Potential impacts to sensitive natural communities and associated mitigation are based on the BRA, prepared by Zentner in August 2024, and the Habitat Assessment Report, provided by WRA and Jane Valerius Environmental Consulting in January 2018. Riparian habitat is present along the perimeter of Salvador Channel (Exhibit 9). There are several willows growing in this area and several young valley oak trees have been planted linearly along the bank. Larger valley oaks on the east side of the project site, downstream of the existing bridge, are more integrated into the riparian community. The understory in this area is dominated by non-native species including Himalayan blackberry (*Rubus armeniacus*) and Harding grass (*Phalaris aquatica*).

Salvador Channel contains marsh habitat within the channel's OHWM. Marsh habitat within the channel was dominated by Uruguay water-primrose, cattails, and umbrella sedge. Several beaver dams were noted this year in the channel, which led to increased ponding behind the dams. All streams and associated riparian habitat, whether a sensitive vegetation alliance or association or not, are also considered sensitive by CDFW and are protected under Section 1600, *et seq.* of the State Fish and Game Code. The proposed project could impact sensitive riparian habitat directly if trees or other vegetation in the riparian zone are removed or damaged during demolition or construction. Indirect impacts could also occur due to pollutants entering runoff water that flows into the riparian zone during project construction or over the long term. The project proposes to construct two culvert outfalls, remove the existing bridge, build a flood terrace along the northern edge of Salvador Channel, and establish a flood plain and walking path along the southern edge of Salvador Channel. None of these project components require work below the OHWM of Salvador Channel. These project components are analyzed further below.

Culvert Outfalls

Two stormwater outfalls would be constructed in the upland portion of the project site, outside the channel and associated riparian habitat; see Exhibit 9 for the proposed culvert outfall locations. The larger of two outfalls would be constructed on the north side of the project site and would service two bioswales. The outfall would contain a 24-inch storm drain outfall with a rip-rap splash pad that would lead from the outfall release. The second, smaller stormwater outfall would have a 12-inch storm drain that would drain to a small rip-rap splash pad. Both outfalls and their rip-rap splash pads would be located in upland habitats. The construction of these two outfalls would be completed outside of the wetted portion of the channel and associated riparian habitat. Therefore, no impact to riparian habitat or any other sensitive natural community would result from the proposed culvert outfalls.

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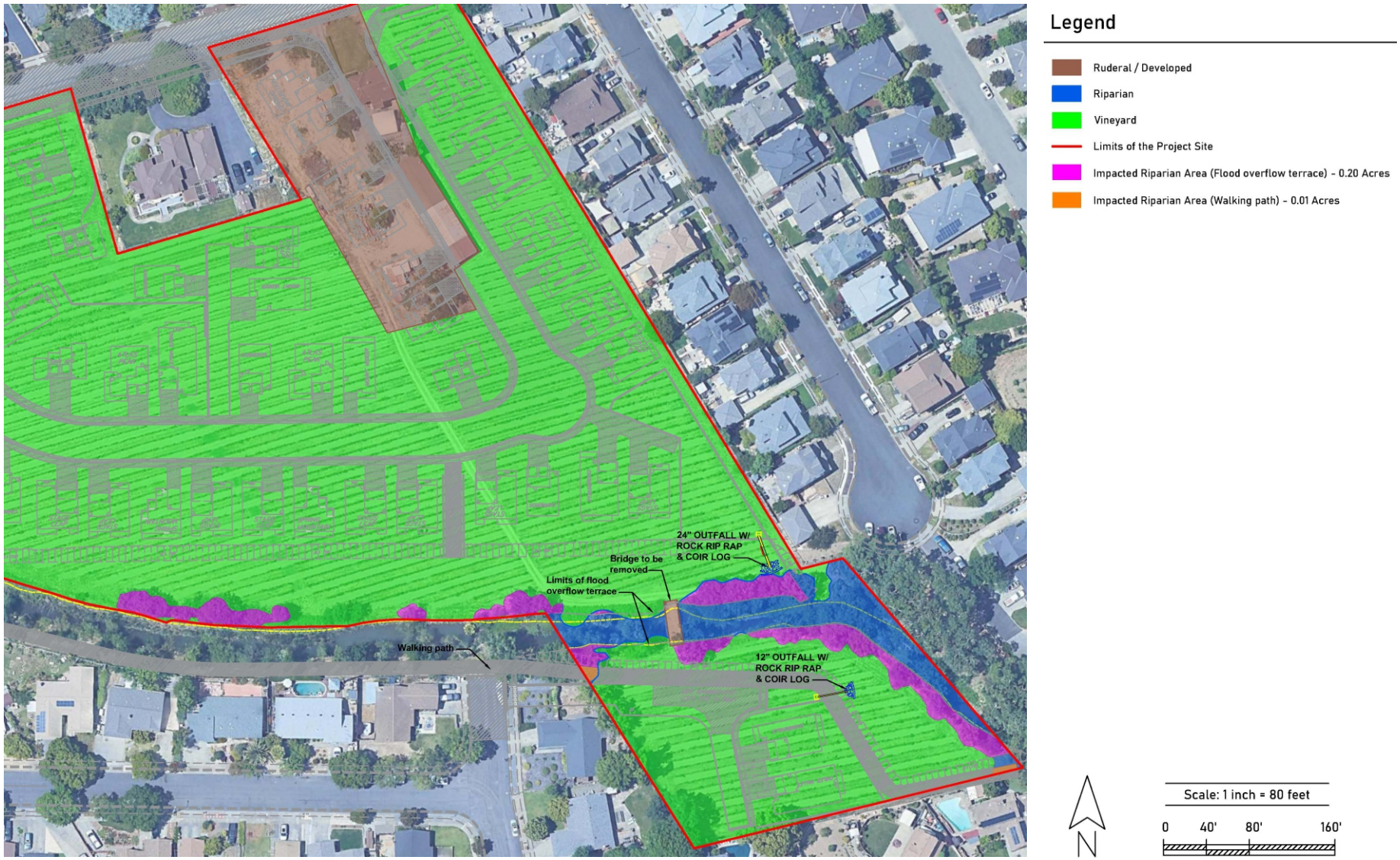

Source: Zentner Planning and Ecology, August 2024.

Exhibit 9
Riparian Impact Map

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Bridge Removal

The proposed project would include removal of the bridge that provides access for the current property owners across Salvador Channel. The bridge has three supports, one on either side of the channel and one in the center, as discussed on page 4 of the BRA. The two side supports are above the OHWM of the channel, while the center support is below the OHWM. All three supports are within the top of the bank and associated riparian habitat. The proposed bridge removal would be completed in late fall or early summer, when the channel has dried, to avoid potential impacts to Salvador Channel. Because of the small footprint and nature of the bridge-support removal activities, impacts are considered minor and temporary. The removal of the bridge would not result in any fill action below the OHWM as the structure removal does not involve fill of any kind and is solely removing an existing structure. Construction equipment would be staged within the top of the bank and would not significantly impact any associated riparian vegetation. Therefore, less than significant impacts to riparian habitat, or any other sensitive natural community, would result from the proposed bridge removal.

Flood Terrace and Walking Path

The proposed project would include construction of an approximately 50-foot-wide, 800-foot-long flood terrace along the north edge of Salvador Channel. As discussed on page 4 of the BRA, all work associated with the terrace construction would occur above the OHWM of the channel. However, the proposed project would result in a small area of impact below the top of the bank along the length of the work, just above the OHWM of the channel as shown in Exhibit 9. Beyond the top of the bank, an approximately 15 foot wide, 2:1 slope would be constructed along the length of the terrace leading up to the residential lots. The top of this 15-foot slope would be the new top of the bank. All excavated soil would be utilized in upland habitats elsewhere on the project site. Once the final grade is achieved, the terrace would be enhanced with newly planted native vegetation to ensure the stability of the slope. Construction of the flood terrace would result in 0.20 acre of temporary impacts to riparian habitat.

An existing walking path along the south side of Salvador Channel would be modified as a multiuse trail, including maintenance access for flood control. Construction of the walking path would result in 0.01 acre of permanent impacts to riparian habitat (Exhibit 9). Temporary and permanent impacts to riparian habitat would be considered potentially significant under CEQA. To reduce potential impacts to riparian habitat, the project applicant shall implement MM BIO-2, which requires the applicant to coordinate with CDFW, and obtain and file a 1602 Notification of a Streambed Alteration Agreement, to the extent required by applicable laws and regulations. Additionally, while the proposed project would not include permanent impacts (e.g., placement of fill) to the channel, the proposed project has the potential for adverse impacts to the channel through work that may occur below the channel's top of bank and associated riparian canopy. Potential impacts include pollutant loading, increased erosion and sedimentation, and debris dispersal into the channel. As such, the project applicant shall implement MM BIO-2, which requires the applicant to coordinate with the RWQCB to obtain a Waste Discharge Permit (WDP) under Section 401 of the Clean Water Act (CWA).

Impacts to riparian habitats would be mitigated at a minimum 1:1 ratio (or at a ratio determined by CDFW and the RWQCB), reducing impacts to riparian habitat or sensitive natural communities to a less than significant level through the implementation of MM BIO-2, which requires the project applicant to obtain a 1602 Notification of a Streambed Alteration Agreement and WDP from CDFW and the RWQCB, respectively.

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?

No impact. The 2024 jurisdictional delineation determined that no jurisdictional wetlands were observed within the project site. Existing vegetation, soils, and hydrology were assessed for wetland indicators. No wetland indicators were present at any of the data collection points on-site. The BRA concluded that the project site does not contain any State or federally protected wetlands; therefore, no impacts would occur.

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 wildlife nursery sites?

Less than significant impact. Wildlife corridors are generally described as pathways or habitat linkages that connect discrete areas of natural open space otherwise separated or fragmented by topography, changes in vegetation, and other natural or human induced factors, such as urbanization. The fragmentation of natural habitat creates isolated “islands” of vegetation that may not provide sufficient area or resources to accommodate sustainable populations for a number of species and thus, adversely affecting both genetic and species diversity. Corridors often partially or largely eliminate the adverse effects of fragmentation by (1) allowing wildlife to move between remaining habitats to replenish depleted populations and increase the gene pool available; (2) providing escape routes from fire, predators, and human disturbances, thus reducing the risk that catastrophic events (such as fire or disease) would result in population or species extinction; and (3) serving as travel paths for individual animals moving throughout their home range in search of food, water, mates, and other needs, or for dispersing juveniles in search of new home ranges.

The channel and associated riparian habitat along Salvador Channel are likely a wildlife movement corridor. The area surrounding Salvador Channel has already been developed, which has left the channel and riparian habitats as a likely movement corridor for common area wildlife (i.e., raccoon, skunk, opossum, deer, and coyote).

The proposed project would result in less than significant impacts to wildlife movement corridors. While the proposed project may result in minor, temporary impacts to wildlife movement during construction, the completed project would likely enhance wildlife movement by providing a broader riparian corridor, which could potentially provide easier movement and larger buffers from existing and proposed development. Removal of the existing bridge and other existing debris would reduce artificial fill within the channel and allow water to move more freely through the corridor, lessening

stressors on the adjacent banks, and facilitating movement for wildlife. Overall, the proposed project would result in potentially long-term benefits to wildlife movement.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Less than significant impact with mitigation incorporated. Potential impacts to protected trees and associated mitigation are based on the Arborist Report, prepared by Pramuk, dated January 2019, revised in May 2024. The proposed project could damage or remove trees protected by the City of Napa Municipal Code, Chapter 12.45–Trees on Private Property. Both "protected native trees" and "significant trees" are protected under the City's ordinance. A "significant tree" is defined as a tree possessing special qualities.[12] No trees on-site are considered significant trees under City regulations. However, the project vicinity contains two protected native trees. The ordinance identifies a "protected native tree" as a native tree species, including valley oak and coast live oak, 12 inches or greater in diameter. [13] An Arborist Report, prepared by Pramuk in 2024, determined that the project site contains a small grove of trees located at the top of the channel bank (Tree Nos. 2, 3, 4, 5, 6, 7, 8, and 10, as shown on Exhibit 10), that are not considered significant trees or protected native trees as defined by the City's Municipal Code. Additionally, the small grove of trees is not proposed for removal or at risk from construction-related impacts. The landscape-ornamental trees clustered around the existing residential structure on-site (Trees Nos. 11 through 18) are proposed for removal and would not require permitting as they do not qualify as significant trees under the City's Municipal Code. Exhibit 10 locates all trees on the project site and also identifies trees considered significant or protected, as evaluated in the 2024 Arborist Report pursuant to the City's ordinance. As shown, the project site does not contain any significant trees but does contain two protected native trees, as further discussed below.

The 2024 Arborist Report identified one protected native tree on-site and one on the southwestern project boundary. The proposed project would remove a small number of native riparian trees for the construction of the overflow terrace and walking path. The single protected native tree on-site is a valley oak that is approximately 14.2 inches in diameter, on the top of the channel bank (No. 9). Another protected native tree located on the southwest project boundary is a multi-trunk coast live oak (No. 1), approximately 30 inches in diameter (Appendix B–Tree Survey Map on Page 4 of Arborist Report). Both protected trees could be at risk of severe damage or death due to construction-related ground disturbance. Chapter 12.45 of the City's Municipal Code requires protection and avoidance measures for any construction activity within 30 feet of the drip line of a protected native tree. Additionally, the removal of any protected native tree is prohibited unless a permit is obtained by the applicant in accordance with City regulations. Project work around native trees could adversely affect these trees if adequate protection measures are not implemented. Impacts to native trees would be mitigated to a less than significant level through the implementation of MM BIO-5a and MM

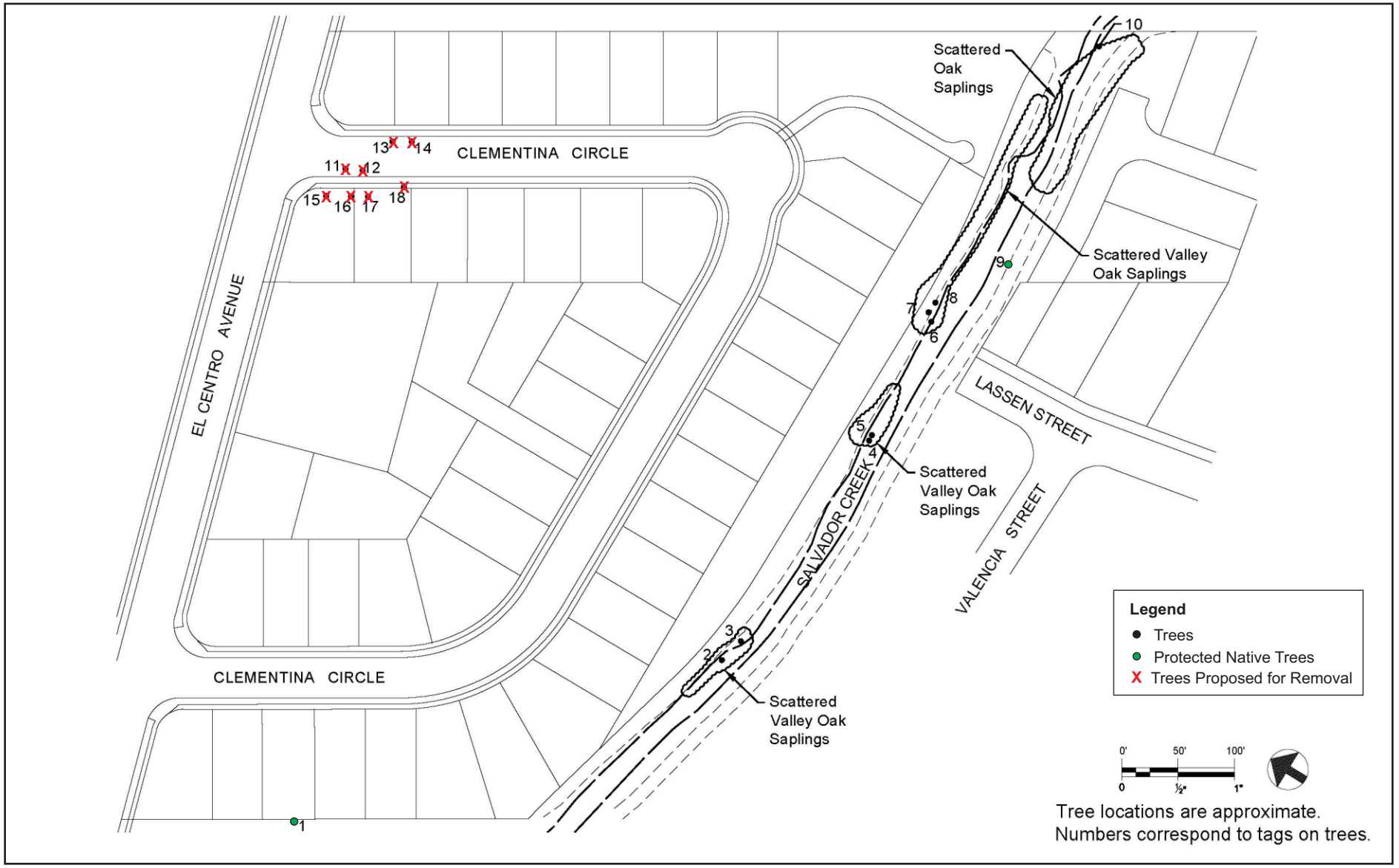
[12] City of Napa 2024. City of Napa Municipal Code Chapter 12.45 – Trees on Private Property. Website: https://ecode360.com/43393111#43393113. Accessed May 21, 2025.

[13] Ibid.

BIO-5b. Adherence to the City's Municipal Code would ensure potential conflict with any local policies or ordinances would be considered less than significant.

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?

No impact. The project site is not within an area covered by an adopted habitat conservation plan or natural community conservation plan. Therefore, the proposed project would not conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or State Habitat Conservation Plan.



Source: Zentner Planning and Ecology, August 2024.

Exhibit 10
Tree Survey Map

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Mitigation Measures

The following MMs are based, in part, on those identified in the BRA to reduce any potential significant impacts on biological resources to a level considered less than significant:

MM BIO-1a Northwestern Pond Turtle Pre-construction Surveys and Protection Measures

A qualified Biologist (i.e., a Biologist with at least 2 years of experience conducting surveys for western pond turtle detections) shall submit a wildlife exclusion fencing plan to the California Department of Fish and Wildlife (CDFW) for review and approval prior to the start of construction. Exclusion fencing shall be installed along the Salvador Channel, above the ordinary high water mark (OHWM) to prevent the species from traveling from the channel into the upland areas during project construction. Because of the existing placement of cement and other debris along the channel banks, installation of the fencing is not likely to be feasible until this debris is removed. Therefore, a Biologist shall be present during the removal of the debris prior to the installation of the exclusion fence. If necessary, steel plates held in place along the OHWM by equipment or other methods may be used in order to ensure that the debris does not fall back into the channel during the debris removal process. After the removal of debris, the exclusion fence shall be installed with a qualified Biologist present during the fence installation. Personnel involved with the removal of debris and the installation of exclusion fencing and on-site supervision of the same shall receive environmental awareness training regarding the ecology of the pond turtle, its status, habitat, approved avoidance and minimization measures determined through consultation with the CDFW, and penalties for violations.

The fencing shall be standard silt fencing, approximately 42 inches in height that shall be trenched 6 inches into the soil under the supervision of a qualified Biologist. The soil shall then be compacted against both sides of the fence to prevent wildlife from gaining access underneath. The stakes shall be placed on the inside of the fence facing the development. No gaps or holes are permitted in the fencing system, except for pedestrian and vehicle entry points. The entry/exit points may be constructed in the fencing system for equipment and personnel, but the qualified Biologist shall ensure no wildlife is capable of entering the fenced-off site via the gate. The gate structure shall be flush to the ground with no holes or gaps (i.e., plywood gates with silt fencing flaps).The fence shall be inspected by a qualified Biologist for holes, gaps, or access points, which shall be repaired upon discovery.

A qualified Biologist shall conduct a pre-construction survey of the project site and adjacent habitat within 72 hours of the start of project activities to determine whether northwestern pond turtle or their nests are present and guide the installation of the exclusion fence. If northwestern pond turtles are discovered, a qualified Biologist with experience handling and relocating the species shall move the species to the nearest

suitable habitat outside of the project area and exclusion fencing. The nest site plus a 50-foot buffer around the nest site shall be fenced with orange construction fence until eggs hatch and young turtles disperse to the upstream or downstream of the channel. In addition, if nest(s) are located during the surveys, moth balls (naphthalene) shall be sprinkled around the vicinity of the nest (no closer than 5 feet) to mask human scent and discourage predators. Grading within the nest site's 50-foot buffer area shall be delayed until the young have left the nest as determined by the qualified Biologist. If the CDFW allows translocation of any nesting northwestern pond turtles this shall be completed by a qualified Biologist under the direction of the CDFW.

MM BIO-1b Pre-construction Nesting Bird Survey

If construction would commence anytime during the nesting/breeding season of the raptors or bird species listed in the Migratory Bird Treaty Act (MBTA) (typically February through August), a pre-construction survey of the project vicinity for nesting birds shall be conducted. This survey shall be conducted by a qualified Biologist (experienced with the nesting behavior of bird species of the region) within 7 days prior to the commencement of construction activities that would occur during the nesting/breeding season. The intent of the survey is to determine whether active nests are present within or adjacent to the construction zone within approximately 250 feet.

The surveys shall be timed such that the last survey is concluded no more than one week prior to initiation of construction. If ground disturbance activities are delayed following a survey, then an additional pre-construction survey shall be conducted such that no more than two weeks shall have elapsed between the last survey and the commencement of ground disturbance activities.

If active nests are found in areas that could be directly or indirectly affected by the project, a no-disturbance buffer zone shall be created around active nests during the breeding season or until a qualified Biologist determines that all young have fledged. The size of the buffer zones and types of construction activities restricted within them shall be determined through consultation with the CDFW, prior to ground-disturbing activities, depending on the species, and taking into account factors such as the following:

- Noise and human disturbance levels at the construction site at the time of the survey and the noise and disturbance expected during the construction activity;
- Distance and amount of vegetation or other screening between the construction site and the nest; and
- Sensitivity of individual nesting species and behaviors of the nesting birds.

The buffer zone around an active nest shall be established in the field with orange construction fencing, or another appropriate barrier, and construction personnel shall be instructed on the sensitivity of nest areas. The Biologist shall serve as a construction monitor during those periods when construction activities would occur near active nest areas of special-status bird species to ensure that no impacts on these nests occur.

MM BIO-1c Pre-construction Bat Survey

For construction activities between October 16 and August 14: Prior to the commencement of construction activities, a qualified Biologist shall conduct a focused survey to determine the presence/absence of any special-status bat species. If bats are found, then a plan for the removal or exclusion of any tree between October 16 and August 14 shall be developed by a qualified Biologist in conjunction with the California Department of Fish and Wildlife (CDFW).

For construction activities between August 15 and October 15: If trees are to be removed between August 15 and October 15, they shall be trimmed and removed in a two-phased system conducted over two consecutive days under the supervision of a qualified Biologist. The first day (afternoon), limbs, branches, and trunks without cavities, crevices, and deep bark fissures shall be removed by chainsaw only. Limbs and trunks with cavities, crevices and bark fissures would be avoided. On the second day, the remainder of the tree may be removed.

MM BIO-2 CDFW and RWQCB Permitting

All riparian habitat temporarily impacted by project restoration shall be restored to a baseline condition, outlined in the project-specific biological report, similar to or better than (i.e., with increased habitat values) the pre-construction conditions. All riparian habitat permanently impacted by project implementation shall be mitigated on-site through the creation of new riparian habitat. Mitigation for permanent impacts shall be completed at a 1:1 ratio of created to impacted habitat at minimum, at no net loss, or a ratio agreed upon by the permitting agency during consultation. A riparian habitat mitigation plan shall be prepared and approved as part of the project's California Department of Fish and Wildlife (CDFW) and Regional Water Quality Control Board (RWQCB) permits.

An annual report shall be prepared each year for a minimum of five years and submitted to CDFW and the RWQCB, describing the revegetation effort, survival of the plantings, and any recommendations for maintenance and work needed to ensure a successful restoration effort.

MM BIO-5a Tree Removal

The removal of any native trees that are protected by the City of Napa's protected native tree designation shall be mitigated per the City of Napa's mitigation requirements, including tree removal permits, replacement trees, and/or in lieu fees, and City approval prior to removal. The removal of any native riparian tree shall be mitigated at a replacement ratio determined per the regulatory agencies (California Department of Fish and Wildlife [CDFW] and the Regional Water Quality Control Board [RWQCB]). Each native riparian tree removed shall be replaced by planting one native riparian tree within the riparian corridor or an equally effective ratio based on consultation with regulatory agencies during permit deliberation. Replacement trees shall be monitored for a period of 5 years after planting to ensure their success establishment within the riparian corridor.

MM BIO-5b Tree Protection Zone

Tree Protection Zones (TPZ) shall be established and identified in the field to protect trees that shall be preserved by the proposed project. The TPZ shall be a radii around the preserved tree equal to 1 foot per 1 inch of trunk diameter. The TPZ shall be marked in the field using orange construction fencing and no equipment shall enter, nor may any work be performed within the TPZ.

Environmental Issues	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
2.2 Mandatory Findings of Significance				
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?	☐	☒	☐	☐
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)?	☐	☒	☐	☐
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

Environmental Evaluation

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?

Less than significant impact with mitigation incorporated. Short and long term impacts to special-status species, nesting birds, roosting bats, sensitive habitats, jurisdictional features, and wildlife movement would be reduced to less than significant levels through implementation of MM BIO-1a through MM BIO-1c, MM BIO-2, and MM BIO-5a through MM BIO-5b and/or compliance with applicable regulations and agency requirements. In addition, a creek structural setback is incorporated in the proposed project consistent with the Napa Municipal Code, including Section

17.52.110, Creeks and other watercourses. Therefore, the proposed project would not conflict with any other local policies or regulations protecting biological resources. As such, with implementation of MM BIO-1a through MM BIO-1c, MM BIO-2, and MM BIO-5a through MM BIO-5b, impacts would be less than significant with mitigation incorporated. Impacts related to eliminating important examples of the major periods of California history or prehistory were evaluated in the CEQA Guidelines Section 15183 Consistency Checklist prepared for the proposed project (Appendix A). No significant impacts were identified.

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)?

Less than significant with mitigation incorporated. The proposed project is entirely surrounded by existing development. There are no proposed cumulative developments adjacent to or in the immediate vicinity of the proposed project. Furthermore, all cumulative projects would be designed and built in accordance with the City's standard conditions of approval and regulations, as well as complying with State and federal regulations. The proposed project would result in potentially significant project-level impacts related to biological resources. However, MM BIO-1a through MM BIO-1c, MM BIO-2, and MM BIO-5a through MM BIO-5b would be implemented as part of the proposed project and would, among other things, reduce risks to wildlife. The mitigation measures would reduce each impact to less than significant.

All other topical areas of the proposed project were determined either to have no impact or to be less than significant without the need for mitigation (Appendix A). Cumulatively, the proposed project would not result in any significant impacts to any topical area that would substantially combine with impacts of other current or probable future activities. Therefore, the proposed project, in conjunction with other future development projects, would not result in any cumulatively considerable impacts, and the proposed project's incremental contribution to the less than significant effects would not be cumulatively considerable.

c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

Less than significant impact with mitigation incorporated. As concluded in the Biological Resources section above, and further documented in the Consistency Checklist in Appendix A, the proposed project would result in less than significant impacts with implementation of MM BIO-1a through MM BIO-1c, MM BIO-2, and MM BIO-5a through MM BIO-5b. Therefore, with implementation of the specified mitigation, standard BMPs, and conditions of approval, the proposed project would cause less than significant adverse effects on human beings.

Mitigation Measures

Implement MM BIO-1a through MM BIO-1c, MM BIO-2, and MM BIO-5a through MM BIO-5b.

3 - LIST OF PREPARERS

FirstCarbon Solutions
2999 Oak Road, Suite 250
Walnut Creek, CA 94597
Phone: 925.357.2562

Project Director ..... Mary Bean
Project Manager ..... Laura Campion
Legal Counsel ..... Megan Starr
Senior Biologist ..... Robert Carroll[14]
Managing Biologist/Lead Arboriculturist ..... Hannah Carney[15]
Environmental Services Analyst ..... Alex Ortiz
Senior Managing Editor ..... Susie Harris
Publications Manager ..... Alec Harris
Technical Editor ..... Sarah Vine
Technical Document Manager ..... Melissa Ramirez
GIS/Graphics ..... Karlee McCracken
GIS/Graphics ..... Sebastian Macias

Zentner Planning and Ecology
120A Linden Street
Oakland, CA 94607
Phone: 510.622.8110

Wildlife Research Associates
1119 Burbank Avenue
Santa Rosa, CA 95407

Jane Valerius Environmental Consulting
2893A Scotts Right of Way
Sebastopol, CA 95472

Pramuk, Trees and Associates, LLC
Bill Pramuk
PO Box 25
Napa, CA 94559
Phone: 707.226.2884

[14] Bachelor of Science, Fisheries Science, Concentration in Water Resources; Bachelor of Arts, Marketing; Fairy Shrimp Identification Certification; Wetland Delineation Certification

[15] Bachelor of Science, Dairy Science – Husbandry Emphasis, Minor in Agriculture Education; Master, Agriculture Education; International Society of Arboriculture Certified Arborist

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