

Mitigation Measures

Timing/ Schedule	Implementatio n Responsibility	Verification		Date Completed
		Monitoring Action	Monitoring Responsibility	

qualified biologist.

- ◆ The setback shall be maintained during the nesting season for the period encompassing nest building and continuing until fledglings leave the nest. This setback applies whenever construction or other ground-disturbing activities must begin during the nesting season in the presence of nests that are known to be occupied.
- ◆ Setbacks shall be marked by brightly colored temporary fencing.
- ◆ If it is not feasible to maintain setbacks for the entire nesting season as specified in the forth bullet above, setbacks may be eliminated with the approval of the City if a qualified biologist verifies that nesting birds have either (a) not begun egg-laying and incubation, or (b) that the juveniles from those nests are foraging independently and capable of independent survival at an earlier date.
- ◆ Pre-construction surveys are not required if construction activities associated with these specific improvements are restricted to the non-nesting season (September through March).

Mitigation Measure BIO-1c: Pond turtle:

- ◆ Developer shall be responsible for obtaining a pre-construction nesting survey for the western pond turtle (a) at locations with aquatic habitat throughout the year or (b) at locations with potential for nesting activity if grading and vegetation removal is to be initiated during the months of April through November.
- ◆ Locations of potential turtle nesting requiring pre-construction surveys include undeveloped lands within 100 feet of the Tulocay Creek channel and the stormwater ponds on the Gasser

Prior to the issuance of grading permits.	Applicant	Copy of survey on file with City.	CDD, Planning for survey; Engineering for
Prior to and during construction activities.	Applicant	Issuance of grading permits. Monitoring as necessary during construction.	Division construction monitoring

**Mitigation Measures**

Timing/ Schedule	Implementation Responsibility	Verification		
		Monitoring Action	Monitoring Responsibility	Date Completed

South site:

- ◆ The surveys shall be conducted by a qualified biologist no more than 15 days prior to initiation of grading or vegetation removal, whichever is first.
- ◆ If active turtle nests are identified, a buffer area of 300 feet shall be established between the nest and the drainage segment nearest the nest. Buffer areas shall be indicated by temporary, brightly colored fencing if construction has begun or will begin before the nesting period ends.
- ◆ If construction begins outside of the active nesting season (from December through March), then a pre-construction survey shall not be required for turtle nesting, but an inspection of any channel segment to be affected by proposed construction shall still be conducted within 15 days prior to any in-channel disturbance, and any turtles relocated to secure habitat outside the construction zone.

**Mitigation Measure BIO-1d: Fish:**

Prior to construction of the Gasser Drive Bridge over Tulocay Creek, appropriate construction restrictions shall be implemented to avoid take of steelhead and other listed special-status fish species:

- ◆ Any in-channel construction activity shall be restricted to the period when stray or dispersing fish would not be expected within this channel segment, from June 15 through October 15.
- ◆ Adequate measures, defined during the consultation with the USACE, CDFG, USFWS, and RWQCB/SWRCB, shall be taken during in-channel construction to minimize disturbance and sedimentation, temporarily contain flow of surface water across the construction zone, and ensure that no listed fish species are trapped within the construction zone prior to commencement of dewatering or other in-channel disturbance.

Prior to the issuance of grading permits.	Copy of survey on file with City.	CDD, Planning for survey; Engineering Division construction monitoring
Prior to and during bridge construction activities.	Issuance of grading permits. Monitoring as necessary during construction.	

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification		Date Completed
			Monitoring Action	Monitoring Responsibility	

Mitigation Measure BIO-1c: Frogs:

Developer shall implement appropriate avoidance measures and shall obtain pre-construction surveys for California red-legged frog prior to the construction of the Gasser Drive bridge over Tulocay Creek, or modifications within 100 feet of ponded water on the Gasser North and Gasser South sites. The USFWS has outlined mitigation measures for activities authorized by the USACE under their Nationwide Permit program in their *Programmatic Formal Endangered Species Act Consultation on Issuance of Permits under Section 404 of the Clean Water Act or Authorizations under the Nationwide Permit Program for projects that May Affect the California Red-legged Frog* (USFWS letter report, dated January 26, 1999). The following procedures are adapted from the Programmatic opinion by the USFWS and shall be implemented to avoid potential impacts:

- ◆ At least 15 days prior to the onset of construction activities, the project developer shall submit the name(s) and credentials of biologists who would conduct activities associated with California red-legged frog. No project activities shall begin until the project proponent has received written approval from the UFWWS that the biologist(s) is qualified to conduct the work.
- ◆ The approved biologist(s) shall survey the construction zone two weeks before any construction activities are initiated. If California red-legged frogs, tadpoles, or eggs are found, the approved biologist shall contact the USFWS, as appropriate, to determine if moving any of these life stages is appropriate. Only approved biologists shall participate in activities associated with the capture, handling, and monitoring of California red-legged frogs.
- ◆ Before any construction activities begin, the approved biologist(s) shall conduct a training session for all construction personnel. At a minimum, the training shall include: (a) a

Prior to the issuance of grading permits.

Applicant

Names of approved biologists and credentials on file with the City.

Community Development Dept Planning Division for survey, plan of construction

Prior to and during construction activities.

Copy of survey on file with City, with plan for construction if frogs are found. Issuance of grading permits. Biologist monitoring as necessary during construction.

CDD, Engineering Div for construction monitoring

**Mitigation Measures**

	Timing/ Schedule	Implementatio n Responsibility	Verification		Date Completed
			Monitoring Action	Monitoring Responsibility	

description of the California red-legged frog and habitat for this species; (b) the general measures that are being implemented to conserve this species as they relate to the project, and (c) the boundaries within which the project may be accomplished.

- ◆ A USFWS-approved biologist shall be present at the work site until such time as all removal of California red-legged frogs, instruction of workers, and habitat disturbance have been completed. After that time, the project developer shall designate a person to monitor on-site compliance with all minimization measures. The monitor and the USFWS-approved biologist shall have the authority to halt any action that might result in impacts that exceed the levels anticipated by the USACE or USFWS.
- ◆ During project activities, all trash that may attract predators shall be properly contained, removed from the work site and disposed of properly.
- ◆ All fueling and maintenance of vehicles and other equipment, and staging areas, shall be located at least 20 meter from the drainage or water body. Prior to the onset of work, the USACE shall ensure that the project Proponent has prepared a plan to allow a prompt and effective response to any accidental spills into the drainage. All workers shall be informed of the importance of preventing spills and the appropriate measures to take should a spill occur.
- ◆ The number of access routes, number and size of staging areas, and total area of the activity shall be limited to the minimum necessary to complete the project. Routes and boundaries shall be clearly demarcated, and these areas shall be located outside the riparian habitat.
- ◆ Instream work (dewatering and pile driving) will only occur between June 15 and October 15 during low flow periods. Should the project developer demonstrate a need to conduct activities outside this time period, the USACE may authorize such activities after obtaining the USFWS approval.

Mitigation Measures

- ◆ The channel bottom shall remain earthen and will not be raised or lowered. To control erosion during and after project construction, the project proponent shall implement Best Management Practices, as identified by the RWQCB and described in a Stormwater Pollution Prevention Plan.
- ◆ The USFWS-approved biologist shall permanently remove, from within the project site, any individuals of exotic wildlife species, such as bullfrogs and crayfish to the extent possible.
- ◆ If the work site is temporarily de-watered by pumping, intakes shall be completely screened with wire mesh not larger than five millimeters to prevent California red-legged frogs, from entering the pump.

**Mitigation Measure BIO-2:** Developer shall ensure that the location of individual valley oaks in the western portion of Gasser South are accurately mapped through an engineered survey, and these trees shall be preserved. Grading, paths and landscape improvements shall be restricted to areas outside the dripline of these trees to avoid disturbance to the sensitive root zone, possible damage to the trunk and lower limbs, reduce the potential hazard by future limb drop, and allow for establishment of new oaks and future regeneration. These valley oaks shall be identified as a "no-disturbance zone" on all grading and improvement plans, construction crews informed that the trees and zone are to be avoided, and construction restriction fencing installed prior to initiation of any grading and maintained in place throughout construction.

- Mitigation Measure BIO-3:**
- ◆ Disturbance to jurisdictional wetlands and waters shall be avoided and minimized to the extent feasible with the exception

Timing/ Schedule	Implementation Responsibility	Verification		Date Completed
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Part of Subdivision and Design Review	Applicant	Plan approval and Plan check	CDD, Division	Planning
Prior to issuance of grading permits.	Applicant	Issuance of grading permits.	CDD, Division	Planning
During construction activities	Applicant	Monitoring during construction activities as necessary	CDD, Engineering and Building Divisions	

Same as  
Mitigation  
Measure BIO-1

Applicant

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Verification Monitoring Responsibility	Date Completed
<p>of the proposed restoration and enhancement efforts, and appropriate authorization obtained from jurisdictional agencies where avoidance is determined to be infeasible. Developer shall coordinate proposed modifications to jurisdictional wetlands and waters with representatives of the USACE, RWQCB and CDFG.</p>			Copies of permits on file with City	Community Development Dept., Planning Division	
<p>◆ The acreage of waters of the United States and riparian habitat that would be removed shall be replaced or restored/enhanced on a "no-net loss basis" in accordance with USACE and CDFG regulations.</p>			Issuance of grading permits Construction Monitoring in accordance with mitigation plan	CDD, Engineering Div	
<p>◆ A detailed mitigation plan shall be prepared by a qualified wetland consultant for any wetlands or waters affected by proposed development, with replacement provided at a minimum 1:1 ratio. The plan shall clearly identify the total wetlands and other jurisdictional areas affected by proposed improvements, as well as wetlands to be created, restored, or enhanced as part of the wetland mitigation. Any replacement wetlands shall be consolidated to the degree possible to improve existing habitat values. The plan shall specify performance criteria, maintenance and long-term management responsibilities, monitoring requirements, and contingency measures. Monitoring shall be conducted by the consulting wetland specialist for a minimum of five years and continue until the success criteria are met.</p>			Ongoing monitoring as per mitigation plan	CDD, Planning	
<p>◆ As required by Napa Municipal Code section 17.52.530, recommendations from the USACE and CDFG, including any requirement for wetland replacement or wetland restoration and management plans that were developed during consultation with these agencies, shall be incorporated into the mitigation plan. Habitat restoration, enhancement and/or replacement shall be at a location agreeable to the USACE and CDFG, as determined during the Permitting Processes for CWA section 404 and California Fish and Game Streambed Alteration Agreement.</p> <p>◆ The project shall comply with Napa Municipal Code sections</p>					

Mitigation Measures	Timing/ Schedule	Implementatio n Responsibility	Monitoring Action	Verification	Monitoring Responsibility	Date Completed
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17.52.110 and 17.52.530.

- ♦ Mitigation Measure BIO-4a: Deleted/ overridden by City Council 12/12/06

Mitigation Measure BIO-4b: Developer shall design the proposed bridge crossing of the Tulocay Creek channel to minimize disruption of possible fish and wildlife movement in the channel. Any new crossing shall be oriented as close to perpendicular to the channel as possible to minimize disturbance to the drainages and the length of any structure over the channel. A natural bed shall be maintained below any new crossing structure and no in-channel barriers such as a weir or drop structure shall be created which could impede movement of fish or wildlife.

<p>Prior to approval of building permits.</p>	<p>Applicant</p>	<p>Confirmation and approval of required bridge design elements on building plans.</p>	<p>Public Works, Engineering with assistance from CDD, Engineering Division</p>
<p>All wetland setbacks shall be shown on the tentative map and other applications, with reconfirmation prior to approval of building</p>	<p>Applicant</p>	<p>Approval of building permits.</p>	<p>Community Development Dept., Building Division</p>

Mitigation Measure BIO-4c: Except as otherwise noted above in Mitigation Measure BIO-4a, new structures and parking improvements shall be located a minimum of 50 feet from wetlands to be preserved or enhanced.

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification		Date Completed
			Monitoring Action	Monitoring Responsibility	

permits.

Mitigation Measure BIO-4d: Wildlife fencing of protected wetlands, as required by the RWQCB, shall be limited to 4 feet in height, unless, as a part of subsequent review, the City of Napa makes findings that a higher fence is needed in a particular portion of the area, due to safety considerations.  
 [Note: In accordance with the Flood Project's Final Soil Disposal Plan by the Regional Water Quality Control Board, fencing around the Flood District-owned North Wetlands is to be installed prior to construction on the Gasser property for any purpose beyond soil disposal by the District. The fencing, which will be maintained by Gasser, will be installed on the wetland/detention basin side along the finished grade of areas E-7 and E-8, designed to exclude pets and trespassers into the wetlands and catch litter, prior to entering the wetlands.]

Part of Subdivision and Design Review	Applicant	Fence location shown on plans	CDID, Planning
Wildlife fencing to be installed prior to grading permit.	Initial inspection by City of Napa.	Monitoring as necessary during construction.	Community Development Dept., Engineering Division

**GEOLOGY, SOILS & SEISMICITY**

Mitigation Measure GEO-1a: As required by the City of Napa's Policy Resolution 27, all construction activities shall meet the Uniform Building Code regulations for seismic safety (i.e., reinforcing perimeter and/or load bearing walls, bracing parapets, etc.) (PR 27 Mitigation (Geology and Soils VI.2))

Prior to issuance of building permits.	Applicant	Issuance of Building Permits	CDD, Building Division
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The proposed project would be required to comply with the provisions of the national and California UBCs. Seismic design provisions of the UBC generally prescribe minimum lateral forces,

Mitigation Measures	Timing/ Schedule	Implementatio n Responsibility	Verification		Date Completed
			Monitoring Action	Monitoring Responsibility	

applied statistically to the structure and combined with the gravity forces of dead and live loads. The UBC-prescribed lateral forces generally are substantially smaller than the expected peak forces that would be associated with a major earthquake. Therefore, when built according to UBC standards, structures are anticipated to (1) resist minor earthquakes without damage; (2) resist moderate earthquakes without structural damage but with some nonstructural damage; and (3) resist major earthquakes without collapse but with some structural as well as nonstructural damage.

Conformance to the current building code standards does not guarantee that significant structural damage will not occur in the event of a maximum magnitude earthquake; but it is reasonable to expect that a well-designed and well-constructed structure would not collapse or cause loss of life in a major earthquake.

Mitigation Measure GEO-1b: As required by the City of Napa's Policy Resolution 27, all project-related grading, trenching, backfilling and compaction operations shall be conducted in accordance with the City of Napa Public Works Department Standard Specifications. All grading shall conform to regulations for seismic safety contained in the UBC (PR 27 Mitigation Geology and Soils VI.1.1)

Prior to issuance of grading permit.	During construction activities, including grading, trenching, backfilling and compaction operations.	Applicant	Review of grading plans to verify conformance with UBC seismic safety regulations; issue grading permits	CDD, Building and Engineering Divisions
Prior to approval of Parcel/Final	Prior to Applicant	Applicant	Periodic inspection during grading activities, as required.	CDD, Building and Engineering Divisions

Mitigation Measure GEO-1c: As required by the City of Napa's Policy Resolution 27, for all subdivision and parcel maps, the applicant has prepared a Soils Investigation/Geotechnical Report in

Prior to approval of Parcel/Final	Applicant	Applicant	Verify that Final Map incorporates all design and construction criteria specified	CDD, Building and Engineering Divisions
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**Mitigation Measures**

Timing/ Schedule	Implementation Responsibility	Monitoring Action	Verification Monitoring Responsibility	Date Completed
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accordance with Section 16.36.200 of the NMC which is subject to the City's review and approval. The improvement plans shall incorporate all design and construction criteria specified in the report. The geotechnical engineer shall sign the improvement plans and approve them as conforming to their recommendations prior to Parcel/Final Map approval. The geotechnical engineer shall also assume responsibility for inspection of the work and shall certify to the City, prior to acceptance of the work, that the work performed is adequate and complies with its recommendations. Additional soils information may be required by the Chief Building Inspector during the plan check of individual building plans in accordance with Title 15 of the NMC. (PR 27 Mitigation Geology and Soils VI.5)

Map.

in the geotechnical report and that the geotechnical engineer has signed the improvement plans, indicating conformance reports recommendations. Approval of parcel/final map.

Mitigation Measure GEO-2: The recommendations for both special foundations and ground modification and other geotechnical engineering measures specified in the applicant's geotechnical reports shall be implemented during design and construction. These measures include engineering and compaction of new fills, removal of compressible soils, and use of relatively rigid, deepened spread-footing foundations. These measures would be implemented in the development area and would not extend into the channel or banks of Tulocay Creek. Documentation of the methods used shall be provided in the required final geotechnical report(s).

**Recommendations of**

geotechnical report incorporated into development plans submitted with building permit application.

Applicant

Confirm that development plans incorporate recommendations of geotechnical report.

CDD, Engineering and Building Divisions

Approve building permit.

Mitigation Measure GEO-3: Lateral spreading will be mitigated by correcting the liquefaction hazard to which it is related. These measures shall include:

- ◆ engineering and compaction of new fills,
- ◆ removal of compressible soils, and

Measures incorporated into development plans submitted with building permit

Applicant

Confirm that development plans incorporate measures to correct liquefaction hazard. Approve building permit.

CDD, Engineering and Building Divisions

Mitigation Measures	Timing/ Schedule	Implementatio n Responsibility	Monitoring Action	Verification	Monitoring Responsibility	Date Completed
<p>◆ use of relatively rigid, deepened, spread-footing foundations.</p>	application.					
<p><u>Mitigation Measure GEO-4:</u> As a part of final design, specific recommendations for mitigation of expansive soils under pavements and structures shall be provided by the project geotechnical engineer. These recommendations should be based on testing of the in-situ fill materials. The recommendations shall be submitted to the City as a part of building and/or paving plan submittals.</p>	Recommendatio ns of geotechnical engineer incorporated into development plans submitted with building permit application.	Applicant	Confirm that development plans incorporate recommendations of geotechnical engineer.		CDD, Engineering and Building Divisions	
<p><u>Mitigation Measure GEO-5:</u> Poorly compacted fills will be mitigated by excavation and/or additional compaction. The geotechnical recommendations for mitigation of existing and proposed fills, and for settlement of native soils, that are contained in the applicant's geotechnical reports shall be implemented. These measures include removal and re-compaction of pre-existing loose fills, and proper engineering and compaction of all new fills.</p>	Recommendatio ns of geotechnical report incorporated into development plans submitted with building permit application.	Applicant	Confirm that development plans incorporate recommendations of geotechnical report.	Approve building permit.	CDD Engineering and Building Divisions	
<p><u>Mitigation Measure GEO-6a:</u> As required by the City of Napa's Policy Resolution 27, the developer shall provide an erosion and sediment control plan and a schedule for implementation of</p>	Erosion and Sediment Control Plans	Applicant	Approve Erosion and Sediment Control Plan.		CDD Engineering and Building Divisions	

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Verification	Monitoring Responsibility	Date Completed
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approved measures to the Public Works Director for approval with the first improvement plans submitted for review. No grading and excavation shall be performed except in accordance with the approved plan and schedule. (PR 27 Mitigation Geology and Soils VI.3.)

submitted prior to approval of grading plans.

Issue grading permits.

Mitigation Measure GEO-6b: As required by the City of Napa's Policy Resolution 27, hydroseeding of all disturbed slopes shall be completed by October 1; Developer shall provide sufficient maintenance and irrigation of the slopes such that growth is established by November 1. (PR 27 Mitigation Geology and Soils VI.4)

Hydroseeding completed by Oct. 1

Applicant

Site inspection by Nov. 1

CDD Engineering

Mitigation Measure GEO-6c: All storm drainage improvements shall conform to the Uniform Building Code and the City storm drainage ordinance.

Prior to the approval of Final improvement Plans Prior to issuance of building permits.

Applicant

Confirm that development Plans incorporate UBC and City storm drainage ordinance. Approve building permit.

CDD Engineering

**HAZARDS & HAZARDOUS MATERIALS**

Mitigation Measure HAZ-1a: If a small quantity of hazardous materials is released from a service truck during equipment

As required during all

Applicant

Monitor and clean-up as

City of Napa Fire Dept.

Mitigation Measures

Timing/ Schedule	Implementation Responsibility	Monitoring Action	Verification Monitoring Responsibility	Date Completed
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maintenance or fueling of equipment and vehicles; site personnel shall clean up small spills and place the waste in 55-gallon drums for characterization and off-site disposal. In the case of a large spill, contaminated soils shall be placed into barrels or roll-off boxes by service personnel or off-site contractors for subsequent evaluation and off-site disposal.

grading and building activities; necessary

Mitigation Measure HAZ-1b: Hazardous materials shall be managed and handled by trained maintenance and service personnel. Hazardous materials shall be stored in locked areas or cabinets with secondary spill containment to minimize impacts should a spill occur. Incompatible materials shall be stored separately.

As required during all grading and building activities; Applicant; Periodic monitoring and inspection during construction.

City of Napa Fire Dept.

Mitigation Measure HAZ-1c: Before construction commences, a Spill Prevention, Control, and Countermeasure (SPCC) Plan and a Hazardous Materials Business Plan (HMBP) shall be prepared, if the volumes of hazardous materials stored onsite exceed the threshold requirements.

If volumes of hazardous materials stored onsite exceed the threshold requirements, SPCC Plan and HMBP shall be submitted prior to, or concurrent with, grading permit application. Applicant; Approval of SPCC Plan and HMBP. Issuance of grading permits.

County Environmental Health in conjunction with Fire Prevention

PUBLIC SERVICES

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification		Date Completed
			Monitoring Action	Monitoring Responsibility	

*Solid Waste*

Mitigation Measure PUB-1: As specified in the City of Napa's Policy Resolution 27, the following measures shall be implemented.

- ◆ Developer of a commercial, industrial or multi-family project with common waste disposal facilities shall submit to and receive approval from the Public Works Director of a source reduction plan which meets the City's Source Reduction and Recycling Element and implementing guidelines. (PR 27 Mitigation Utilities and Service Systems XVI.11)
- ◆ A recycling/solid waste enclosure shall be provided in accordance with Chapter 17.102, et seq. of the NMC for all commercial, industrial and multi-family projects with common solid waste facilities. (PR 27 Mitigation Utilities and Service Systems XVI.12)

Prior to building permits  
Source Reduction Plan approved by Public Works Director on file with City  
Dept. of Public Works

Tentative Map and Design Review  
Applicant  
Plan approval  
CDD Planning Div.

Final Plans for building permits  
Applicant  
Plan Check  
CDD Planning Div

Inspection  
CDD Engineering

Mitigation Measure PUB-2: Developer shall ensure that the following measures specified in the City of Napa's Policy Resolution 27 are implemented during construction:

- ◆ During the construction/demolition/renovation period of the project, Developer shall use the franchised garbage hauler for the service area in which the project is located to remove all wastes generated during project development, unless Developer transports project waste. If the Developer transports the project's waste, Developer must use the appropriate landfill for the service area in which the project is located. (PR 27 Mitigation Utilities and Service Systems XVI.9)
- ◆ Developer shall provide for the source separation of wood waste for recycling. Developer shall use the franchised garbage hauler

Prior to issuance of grading permits.  
Applicant shall submit copy of hauling contract or letter stating intent to self-haul to City.

Applicant  
CDD Engineering

During all phases of construction, demolition and renovation.

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification		Date Completed
			Monitoring Action	Monitoring Responsibility	

for the service area in which located for collection of such wood waste, unless the Developer transports such wood waste to a location where wood waste is recycled. (PR 27 Mitigation Utilities and Service Systems XVI.10)

**Fire and Emergency Services**

**Mitigation Measure PUB-3a: Evacuation Route and Emergency Operations Plan.** All residential development at the project site shall be required to provide analysis demonstrating that an evacuation route from each structure can reasonably be expected to exist that will not be submerged by one or more feet of water during a 100-year flood event, regardless of whether or not a flood evacuation area designation exists for the proposed development area. The analysis supporting this conclusion shall be performed by a registered civil engineer and supporting documentation provided to the City of Napa's Public Works Director prior to final building clearance. All non-residential development at the project site shall be required to provide an emergency operations plan in accordance with FEMA Technical Bulletin 3-93 to the City of Napa's Public Works Director prior to final building clearance. For the purposes of this measure, Tulocay Creek levees shall be presumed ineffective unless they are certified to FEMA as adequate to contain a discharge equal to or larger than the Flood Control District's 100-year flow estimate at the time the levee is certified. This measure will ensure that the site can be evacuated during most flood events.

Part of  
Subdivision and  
Design Review

Applicant

Evacuation Route and  
Emergency Operations Plan  
shall be approved by the Dept.  
of Public Works

Dept. of Public Works

**Mitigation Measure PUB-3b: Flood Evacuation Area Flood Evacuation Plan.** All developments at the project site within the flood evacuation area, regardless of use, shall be required to develop a flood evacuation

Part of  
Subdivision and  
Design Review

Applicant

Flood Evacuation Area Flood  
Evacuation Plan shall be  
approved by the Dept. of

Dept. of Public Works

**Mitigation Measures**

plan, as presently required by the City for only certain residential developments under City Municipal Code Section 17.38.070. The flood evacuation plans adapted to the planned use shall be developed in accordance with Subsections A, B, and C of that Section. The flood evacuation plans must be approved by the City Public Works Director prior to final building permit clearance; all components of these plans must be developed and implemented prior to final clearance of building permits. This measure will reduce public safety flood risks for all proposed new development at the site, regardless of use, by providing evacuation planning.

In addition to Mitigation Measure PUB-3, the project applicant would be required to comply with the following mitigation measures, as specified in the City of Napa's Policy Resolution 27 (PR 27):

- ◆ The Developer of any project which proposes commercial occupancies shall secure approval from Fire Prevention and Building Departments prior to signing lease agreements and allowing occupancy of prospective occupants that pose possible fire and life safety hazards, or are classified by the Uniform Building Code as an H (hazardous) occupancy
- ◆ Developer shall pay the required fire and paramedic fees for new development in accordance with Napa Municipal Code Chapter 15.78. Such fees shall be payable at the rate in effect at the time of payment for the unit involved. The findings set forth in the ordinance and Resolution 94-106 are incorporated herein. The City further finds that calculation of the fee pursuant to the formula set forth therein demonstrates that there is a reasonable relationship between the fees imposed and the cost of improvements attributable to this project. (PR 27 Mitigation Public Services XIII.1.6.)

Timing/ Schedule	Implementation Responsibility	Monitoring Action	Verification Monitoring Responsibility	Date Completed
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Public Works

Prior to signing commercial occupant lease agreements and permitting occupancy.

Applicant

Determination that prospective tenant poses fire and safety hazard, or is classified as 'H occupancy' in UBC.  
Approval of Fire Prevention and Building Departments.

Fire Department, Fire Prevention Div. and CDD Building Div.

Prior to Building Permit Issuance

Receipt of required fire and paramedic fee for new development; copy of receipt on file with City.

Community Development Dept. Building Division.

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification		Date Completed
			Monitoring Action	Monitoring Responsibility	

*Schools*

Mitigation Measure PUB-4: The project applicant shall pay its fair share of fees to the NVUSD to help pay for new schools. At present, the NVUSD calculates those fees at \$2.05 per square foot for residential development and \$0.33 per square foot for commercial development.

Prior to issuance of building permits.

Applicant

Verification of payment; copy of receipt on file with City.

CDD, Building Div.

*Parks and Recreation*

Mitigation Measure PUB-5: The following measures specified in the City of Napa's Policy Resolution 27 shall be implemented:

- ◆ Developer shall pay the required fees for each new dwelling unit in accordance with the Napa Municipal Code Chapter 15.68. Such fees shall be payable at the rate in effect at the time of payment for the unit involved. The findings set forth in the ordinance and Resolution 92-084 are incorporated herein. The City further finds that calculation of the fee due pursuant to the formula set forth in Section 15.68.040 of the Napa Municipal Code demonstrates that there is a reasonable relationship between the fees imposed and the cost of the improvement attributable to this project (PR 27 Mitigation Recreation XIV.1).
- ◆ Unless project approval requires only land dedication, the Developer shall pay in-lieu park dedication fee(s) in accordance with and for the purposes of NMC Sections 16.32.040, 15.68.010 and 15.68.090 for each residential unit authorized or allowed by project approval. Such fee(s) shall be payable at the rate in effect at the time of payment. The findings set forth in

Prior to issuance of building permits

Applicant

Verification of payment; copy of receipt on file with City. Issuance of building permits.

Community Development Dept, Building Division

Mitigation Measures	Timing/ Schedule	Implementatio n Responsibility	Monitoring Action	Verification	Monitoring Responsibility	Date Completed
<p>the ordinances and in Resolution 92-084 are incorporated herein. The City further finds that the calculation of fees in accordance with the formula set forth in NMC Section 16.32.040D demonstrates that there is a reasonable relationship between the amount of fees imposed and the costs or acquisition attributable to the project (PR 27 Mitigation Recreation XIV.2).</p>						

**UTILITIES**

**Water**

Although no water supply impacts were identified, the project applicant would be required to comply with the following mitigation measures, as specified in the City of Napa's Policy Resolution 27 (PR 27):

<ul style="list-style-type: none"> <li>◆ All faucets in sinks and lavatories shall be equipped with faucet aerators designed to limit the maximum flow to 2.2 gallons per minute. (PR 27 Mitigation Utilities and Service Systems XVI.6)</li> <li>◆ All showerheads shall be of a design to limit the maximum flow to 2.5 gallons per minute. (PR 27 Mitigation Utilities and Service Systems XVI.7)</li> <li>◆ The Developer shall completely offset the water requirements of this project by complying with the retrofit requirements of Napa Municipal Code Chapter 13.09. (PR 27 Mitigation Utilities and Service Systems XVI.8)</li> <li>◆ Water and energy conservation measures shall be incorporated into project design and construction in accordance with</li> </ul>	<p>Prior to issuance of building permits.</p> <p>Verification with final inspection.</p> <p>Applicant</p>	<p>Verify that specifications are incorporated into plans submitted prior to issuance of building permits.</p> <p>Approval and issuance of building permits.</p> <p>Verification of installation with final building inspection.</p> <p>Identified during project review and approval</p> <p>Verification of approved</p>	<p>Community Development Dept, Building Division in coordination with Public Works, Water Division</p> <p>CDD, Building</p> <p>CDD, Planning</p>
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Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Verification	Monitoring Responsibility	Date Completed
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applicable codes and ordinances. (PR 27 Mitigation Utilities and Service Systems XVI.2.)

Design Review

design features during plan check

CDD, Planning

Approval and issuance of building permits

CDD, Building

Verification of installation with final building inspection

CDD, Building

- ◆ Prior to trenching within existing roadway areas, the developer's engineer shall ascertain the location of all underground utility systems and shall design any proposed subsurface utility extensions to avoid disrupting the services of such systems. (PR 27 Mitigation Utilities and Service Systems XVI.1.)

Prior to the issuance of grading permits.

Issuance of grading permits upon verification of underground utility locations.

Community Development Dept., Engineering Division.

- ◆ The project shall be connected to the City of Napa water system. Any existing well must be properly protected from potential contamination. If an existing well is to be destroyed, a well-destruction permit must be obtained from the Napa County Department of Environmental Management by a licensed well driller. If an existing well is not destroyed, it must be properly protected and an approved backflow prevention device installed according to the Water District's specifications. (PR 27 Mitigation Utilities and Service Systems XVI.4.)

Applicant

Issuance of grading permit upon verification of well-destruction permit or installation of proper well protection.

Well permit from County Environmental Health  
CDD, Building

Mitigation Measure UTU-1a: The project applicant would be required to comply with the following mitigation measures, as

Verify that specifications are

Fire Dept., Fire

Mitigation Measures	Timing/ Schedule	Implementatio n Responsibility	Monitoring Action	Verification Monitoring Responsibility	Date Completed
<p>specified in the City of Napa's Policy Resolution 27 (PR 27):</p> <ul style="list-style-type: none"> <li>Developer shall comply with all applicable requirements of the Uniform Fire Code and the Fire Department and PWD Standard Specifications and the Fire Department "Standard Requirements for Commercial/Residential Projects," including, without limitation, the requirements for access, new construction, smoke detectors, fire extinguishers, fire hydrants, etc. Existing fire hydrants may be used to meet hydrant location requirements only if they meet or are changed to meet current hydrant specifications. (PR 27 Mitigation Public Services XIII.1.) Properties having common ownership shall provide the Fire Department with a notarized copy of the recorded conditions, covenants, and restrictions agreement in a form satisfactory to the City Attorney ensuring that all components of fire protection system(s), and fire access roads will be maintained by a maintenance district, owner's association, or similar legally responsible entity. (PR 27 Mitigation Public Services XIII.2.)</li> <li>All newly constructed buildings must have automatic sprinkler systems conforming to NFPA and City Standard Specifications, for which installation permit must be obtained from Fire Prevention. In multi-building complexes, or in buildings with three or more stories, special monitoring conditions will be required. Existing habitable buildings, which are retained, shall be retrofitted. (PR 27 Mitigation Public Services XIII.3.)</li> <li>The Developer of any project proposing a change in occupancy use classification (as defined in the Uniform Building Code Table 5A) in a building protected by automatic fire sprinklers shall have the sprinkler system evaluated by a licensed fire sprinkler contractor or fire protection engineer for compliance with National Fire Protection Association Installation Standards. A written report of the inspection findings shall be submitted to the Fire Department prior to final occupancy clearance. A permit is required from Fire Prevention for sprinkler system</li> </ul>	<p>Prior to issuance of building permits.</p>	<p>Applicant</p>	<p>incorporated into plans submitted prior to issuance of building permits; and Copy of approved CC&amp;R's on file Approval and issuance of building permits.</p>	<p>Prevention in coordination w. CDD, Building Div City Attorney approves after review by Fire Prevention. CDD, Building Div.</p>	
	<p>Prior to final occupancy</p>	<p>Applicant</p>	<p>Developer submit written report prior to occ.</p>	<p>City of Napa Fire Dept., Fire Prevention</p>	
			<p>Applicant receives permit for sprinkler system alterations</p>		

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification	
			Monitoring Action	Monitoring Responsibility

alterations. (PR 27 Mitigation Public Services XIII.4)  
 ◆ Examples of these types of occupancies are: storage of flammable, combustible, explosive, or toxic materials, manufacturing processes involving the above, woodworking shops, tire rebuilding or storage, automotive repair, auto body repair and/or painting, factories where loose combustible fibers are present, semi-conductor fabrication facilities, bulk paint storage, etc. (PR 27 Mitigation Public Services XIII.5)

Mitigation Measure UTL-1b: Developer shall ensure that the existing Zone 1 water mains and services on Oil Company Road and Sousa Lane shall be switched over to Zone 3 and a new Zone break shall be installed north of Sousa Lane on Soscol Avenue. This change in zones will provide the increased fire flows necessary for development of the Gasser property and will provide a third connection to the City's 24-inch transmission main that runs north along Soscol Avenue and Silverado Trail.

Prior to Subdivision and Design Review. Applicant Verification that switch from Zone 1 to Zone 3 and Zone break are shown on final map/building plans. Approval of final map, building plans. Dept. of Public Works, Water Div.

Mitigation Measure UTL-1c: Due to the high pressures of Zone 3 compared to Zone 1, developer shall ensure that water pressure reducers are installed on all services that are switched over from Zone 1 to Zone 3.

Prior to Subdivision and Design Review Applicant Verification that pressure reducers are shown on final development plans. Approval of final map/building plans. Dept. of Public Works

Mitigation Measure UTL-1d: Developer shall ensure that a water main connection is made on the west side of Soscol Avenue from the Silverado Trail intersection to Oil Company Road intersection in conjunction with the transfer of the portion of Zone 1 to Zone 3.

Prior to Subdivision and Design Review Applicant Verification that water main connection is shown on final development plans. Approval of final Dept. of Public Works

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification		Date Completed
			Monitoring Action	Monitoring Responsibility	
Mitigation Measure LTTM-1e: Developer shall ensure that a water main connection shall be made through the Gasser Property from the existing 12-inch water main on Gasser Drive to the existing 8-inch water main connection north of the Silverado Trail/Soscol Avenue intersection.	Prior to Subdivision and Design Review	Applicant	map/building plans.	Dept. of Public Works	
Mitigation Measure LTTM-1f: Water main sizes for the infrastructure improvements shall be verified by a hydraulic analysis by the developer prior to approval of improvements to the project property.	Prior to approval of Subdivision and Design Review	Applicant	Verification that final development plans show required water main connection, through the Property. Approval of final map/building plans.	Dept. of Public Works	
			Verification that final development plans show required water main connection, through the Property. Approval of final development plans.	Dept. of Public Works	

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Verification Monitoring Responsibility	Date Completed
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*Wastewater*

Although no impacts were identified, the project applicant would be required to comply with the following mitigation measures, as specified in the City of Napa's Policy Resolution 27 (PR 27):

- ◆ The project shall be connected to the Napa Sanitation District for sanitary sewer service. If the subject property is presently served by individual sewage disposal systems, the septic systems, set backs, and reserve areas must be protected and maintained during cleaning, grading, construction, and after connection to the District, the existing septic tank(s) shall be properly destroyed. (PR 27 Mitigation Utilities and Service Systems XV1.3.)

In addition, the project applicant would be required to comply with Policy CS-10.3 of the City's General Plan, which requires the following:

- ◆ The project development shall secure a "will-serve" letter from the Napa Sanitation District if a critical capacity situation develops. In a critical capacity situation, the City may not issue any building permits or similar entitlements in the absence of a "will-serve" letter. The "will-serve" letter shall be obtained from Napa Sanitation District prior to receiving approval of a final subdivision map, or in the absence of a need for a final subdivision map, prior to receiving approval of any required building permits or similar ministerial approvals.

Prior to Building Permit issuance

Applicant

Napa Sanitation shall provide written clearance after review of plans.  
NSD shall provide written clearance prior to certificate of occupancy  
Co. Dept of Environmental Health shall provide written clearance re: destruction of any septic systems.

CDD, Building Div. in coordination with NSD and Co. Env. Health

Prior to Final Subdivision map or building permit (if no map)

Napa Sanitation District to provide Copy of "will-serve" letter on file with City.

CITY OF NAPA  
 GASSER MASTER PLAN DRAFT EIR  
 SECTION 4.4: HYDROLOGY & WATER QUALITY

TABLE 4.4-3 FLOOD HAZARD REDUCTION ELEMENT PHASING

Preceding Action Required	Allowable Action
Lower grade at Maxwell Bridge to 14 feet (NR,FPP)	
Raise Tulocay Creek levee on south side (NR,FPP)	
Construct levee on the west and south sides of Gasser South (NR,FPP)	
Implement Wine Train bridge closure plan, or Complete east bank levees and floodwalls south of First Street to Tulocay Creek (NR,FPP)	Develop Gasser South
Construct Gasser South on-site drainage facilities	
Implement improvements needed to address additional site runoff in large storm events due to new Gasser South development per Mitigation Measure HYDRO-4c.	
Develop Creekside Commercial (Gasser North) on-site drainage	Develop Creekside Commercial (Gasser North)
Complete bypass and railroad bridge crossing at river (NR,FPP)	
Construct floodwall at the oxbow to eliminate east river overflows (NR,FPP)	
Install pump station at Gasser North wetland (North Basin), as well as river outfall structures (NR,FPP)	
Augment North Basin pumping capacity for additional Gasser North drainage as needed	
If Oil Company Road is to be a City street and used as an evacuation route for new residential: Construct drainage improvements at Soscol Avenue/Oil Company Road	Develop remainder of Gasser North except Tulocay Square
Construct culvert from Oil Company Road to North Basin	
Raise Tulocay Creek levee on the north side (NR,FPP)	
Construct levee and floodwall on the west side of Gasser North (NR,FPP)	
Construct Tulocay Village on-site drainage facilities	
Implement Mitigation Measure HYDRO-6b	
Develop Tulocay Square (Gasser North) on-site drainage	Develop Tulocay Square

**Exhibit C  
Gasser Master Plan EIR  
Errata Sheet**

## ERRATA SHEET

Note: Text changes to the published FEIR, dated August 16, 2006, are noted below either as global changes, where the relevant page numbers in the FEIR are modified, or by the text insertions noted below. Where text changes are noted below, deletions are shown with a ~~striketrough~~ format, and insertions are double underlined.

1. Page, 69, Mitigation Measure BIO-1a is hereby revised as follows:

In order to mitigate for on-site impacts to special-status species, the project developer shall obtain all necessary permits from the CDFG, USACE, USFWS, and the RWQCB/State Water Resources Control Board (SWRCB) as required by federal and State law to avoid, minimize or offset impacts to any species listed under either the State or federal Endangered Species Acts or protected under any other State or federal law as follows:

- ◆ Before project implementation, a delineation of waters of the United States, including wetlands that would be affected by development, shall be made by qualified biologists through the formal Clean Water Act section 404 process. This shall encompass the entire site with the exception of the detention basin of Gasser North under fee ownership of the Napa County Flood Control and Water Conservation District addressed as part of the Gasser Soil Reuse and Disposal Plan in 2003.
- ◆ If based on the verified delineation, it is determined that fill of waters of the United States would result from project implementation, authorization for such fill shall be secured from the USACE through the section 404 permitting process.
- ◆ A CDFG Stream Bed Alteration Agreement and a RWQCB/SWRCB Clean Water Act section 401 water quality certification may also be required by the project activities. The project developer shall obtain all legally-required permits from the CDFG and RWQCB/SWRCB.
- ◆ Consultation or incidental take permitting may be required under the Endangered Species Act. The project developer shall ob-

1

CITY OF NAPA  
 GASSER MASTER PLAN FINAL EIR  
 ERRATA SHEET

tain all legally-required permits from the USFWS for the "take" of protected species under the Endangered Species Act.

- ◆ Evidence that the applicant has secured any required authorization from these agencies shall be submitted to the Community Development Department of the City of Napa prior to issuance of any grading or building permits for the project.

2. Page 97, bulleted items 1 and 4 are hereby revised as follows:

14 feet NGVD 29

17 feet NGVD 29.

3. Page 159 Mitigation Measure 4b is hereby revised by adding the following sentence to the end of the paragraph:

For purposes of this measure, Tulocay Creek levees shall be presumed ineffective unless they are certified to FEMA as adequate to contain a discharge equal to or larger than the Flood Control Districts ~~current~~ 100-year flow estimate at the time the levee is certified.

4. Page 164, Mitigation Measure HYDRO-6b is hereby amended as follows:

*Residual Overland Flow Improvements.* Neither fill nor structures may be placed at the Tulocay Square (aka Tulocay Place) site until documented analysis ~~is~~ has been provided ~~showing that identifying~~ those measures necessary to ensure that flood hazards to surrounding properties from at least the 100-year residual overland flow under baseline conditions extending along Soscol Avenue from the intersection of Oil Company Road south to the North Basin ~~are~~ would not be aggravated compared to baseline conditions as a result of ~~encroachment~~ blockage at the Tulocay Square site. ~~This equal or improved flood hazard condition could be linked to implementation of a drainage plan, such as the larger project developed for the Soscol Gateway Vision, that reduces Soscol Avenue residual flood flow hazards. This drainage plan element may consist of culverts (currently~~

CITY OF NAPA  
GASSER MASTER PLAN FINAL EIR  
ERRATA SHEET

~~estimated at two 4 ft. X 16 ft. box culverts<sup>1</sup>) extending from Oil Company Road to the North Basin or a combination of smaller culverts along the same alignment with improved conveyance along and across Soscol Avenue south of Oil Company Road (e.g., culvert, or culvert combined with surface flow) and to the North Basin (e.g., a culvert and/or the 70 foot wide flowage easement at the south side of the proposed Tulocay Square site identified in an agreement between the Gasser Foundation and the Flood Control District). If the flowage easement is included in the drainage plan, it shall be surfaced and maintained without obstruction in a location, width, and condition specified by the Flood Control District to allow for conveyance of residual overland flows from Soscol Avenue to the North Basin and shall be identified on any grading and utility plans submitted to the City. Unless released at some future time from such responsibility by the Flood Control District, maintenance of the flowage easement will remain the responsibility of the applicant or subsequent property owner. Specific drainage improvements to meet this performance criterion shall be identified as part of a drainage plan to be submitted for the City's review and approval, coordinated with the Flood District, prior to City issuance of a grading permit for placement of fill at Tulocay Square. This measure requires development of an integrated and effective plan to address route residual flood flows under baseline conditions from Soscol Avenue to the North Basin without increasing flood hazards in up to a 100-year flood event in concert with the plan to place new fill in the flow path at the proposed Tulocay Square site, thereby alleviating most flood risks that might result from such an ~~encroachment~~ development."~~

5. Page 170, top paragraph, line 8 is hereby amended as follows:

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<sup>1</sup> Schaaf & Wheeler, 2005. Draft Soscol Area Drainage Study Design Options, July.

CITY OF NAPA  
 GASSER MASTER PLAN FINAL EIR  
 ERRATA SHEET

The updated delineation in 2001 by May & Associates was prepared to as part of the Napa River Flood Protection Project (NRFPP) to identify baseline data...

6. Page 4.3-90 of the DEIR, Mitigation Measure TRA-26 is hereby amended as follows:

~~MM TRA-26 Before the applicant obtains any conditional use permits of building permits for Gasser South, it shall demonstrate that it can provide adequate parking to meet a demand for 955 parking spaces. Before the applicant obtains any conditional use permits or building permits for Gasser North, it shall demonstrate that it can provide adequate parking to meet a demand for 1,388 parking spaces. Design Review Permit (and any conditional Use Permit approval) for each of the Gasser Zoning Districts, the applicant shall demonstrate that the project can provide parking consistent with City parking standards to meet the demand for parking for all proposed uses.~~

Shared parking allows for a net reduction in overall parking spaces while meeting estimated parking demand. Shared parking allows for a net reduction in overall parking spaces while meeting estimated parking demand. ~~While opportunities exist to share parking spaces between different uses, vehicle and pedestrian access between Gasser North and Gasser South is not provided, so users cannot take advantage of the available parking supply between the two areas.~~

Given the distance between Gasser South and Gasser North, no shared parking is permitted between these areas. Shared parking may be permitted between distinct uses on the project site so long as the applicant demonstrates that each use will have sufficient parking to meet demand. As provided in the Zoning Code, section 17.54.080, shared parking may be permitted with a Use Permit provided that the shared parking spaces are:

CITY OF NAPA  
GASSER MASTER PLAN FINAL EIR  
ERRATA SHEET

1. Located in a common parking lot or off-site convenient to the use(s) requiring the parking; and
  2. The parking will be secured for the use(s) requiring the parking by ownership and/or agreements sufficient to guarantee the long term use of the site for such parking; and
  3. The applicant is able to show through a parking analysis that the peak demand for spaces from all uses will be met. A possible option for determining shared parking arrangements includes the Urban Land Institute Publication "Shared Parking."
  4. In no instance shall the total parking required be less than would be required for any one of the independent uses."
7. Pages 74 and 173, Mitigation Measure BIO-4d is hereby amended as follows:

Wildlife fencing of protected wetlands, as required by the RWQCB, shall be limited to 4 feet in height, unless, as a part of subsequent review, the City of Napa makes findings that a higher fence is needed in a particular portion of the area, due to safety considerations. [Note: In accordance with the Flood Project's Final Soil Disposal Plan by the Regional Water Quality Control Board, fencing around the Flood District-owned North Wetlands is to be installed by Gasser prior to commencement of construction on the Gasser property for any purpose beyond soil disposal by the District. The fencing, which will be maintained by Gasser, will be installed on the wetland/detention basin side along the finished grade of areas E-7 and E-8, designed to exclude pets and trespassers into the wetlands and catch litter, prior to entering the wetlands.]

8. Page 175, line 5 is hereby amended as follows:  
All soils placed as fill on the project site met the reuse criteria established with the ~~North Coast~~ San Francisco Bay Region 2 Regional

CITY OF NAPA  
 GASSER MASTER PLAN FINAL EIR  
 ERRATA SHEET

Water Quality Control Board to protect human health and the aquatic environment. Note: All references in this document shall refer to the San Francisco Bay Region 2 Water Quality Control Board rather than the North Coast Regional Water Quality Control Board.

9. Page 193 is hereby amended as follows:  
 The correct Napa River Ambient level for Zinc is 101 not 440.
10. Page 194, footnote #1 is hereby amended as follows:  
 1. 85<sup>th</sup> 95<sup>th</sup> percentile concentrations...
11. Page 207, response 1-5, last sentence is hereby amended as follows:  
~~There is still the issue of interior drainage that the Corps has not addressed, but will need to in order to meet FEMA requirements to certify the Flood Project~~ There is still an outstanding issue related to interior drainage that needs to be resolved to meet FEMA requirements for remapping South Gasser out of the floodplain.
12. Page 207 of the FEIR, Response 1-8 is hereby amended as follows:  
 It is anticipated that the NCFCWCD would issue an encroachment permit for the construction over their easement. Flood District staff state that if development encroaches on the slopes, permit conditions would be violated and the applicant will need to go to the RWOCB for modifications if this occurs. No additional response is required.
13. Page 188, g, is hereby amended as follows:  
 g. 2002 Levine-Fricke Document (Gasser North ~~and South~~)  
 URS agrees that...on the subject Gasser North ~~and South~~ property...
14. The depiction of grading/fill North of Tulocay Creek, shown on Figure 4.7-1 of the DEIR, on Page 4.17-12 is hereby amended to show the extent of grading/fill based on the attached Soil/Disposal map, dated April 2003.

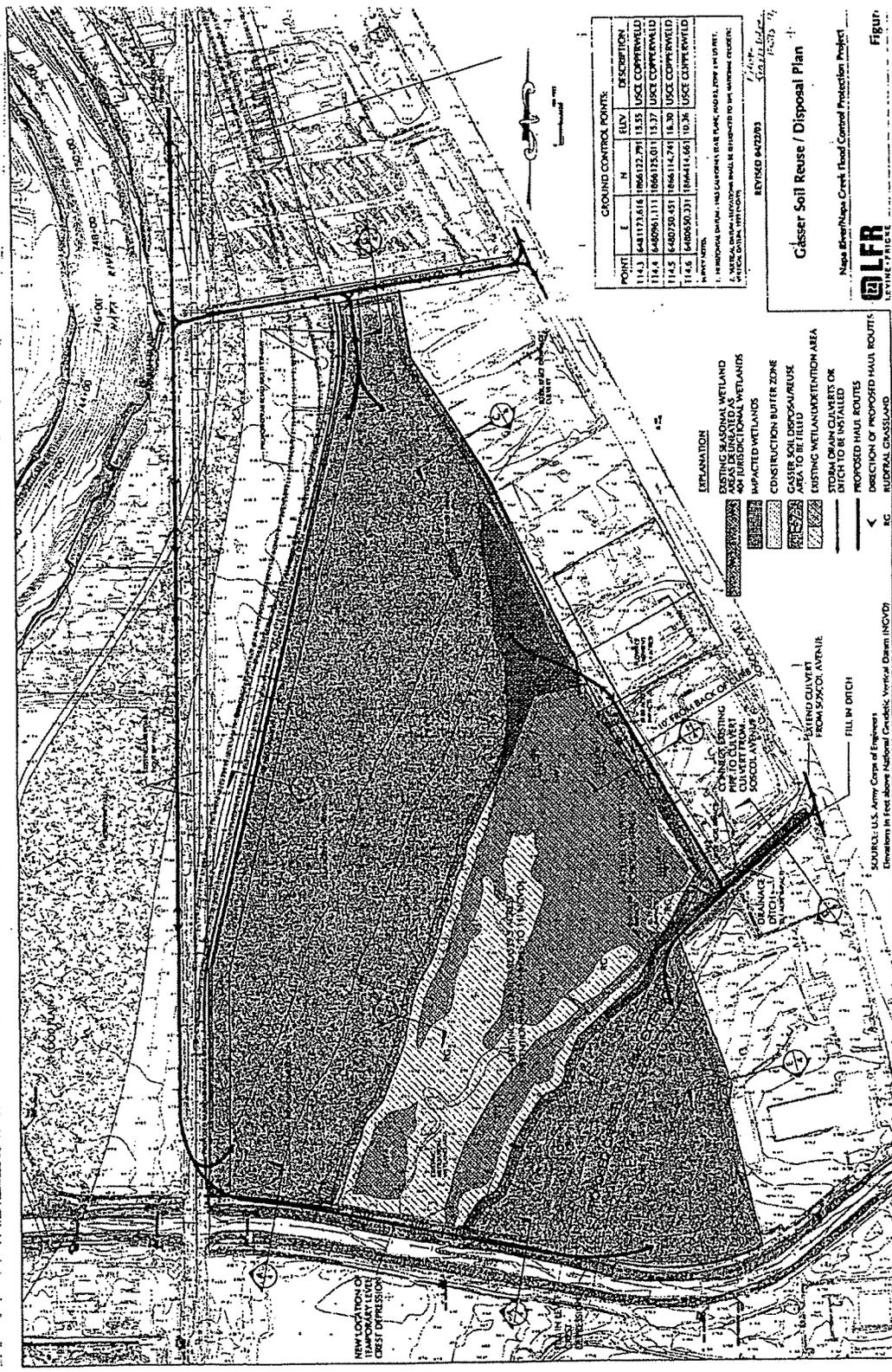


EXHIBIT D-3

Resolution No. R2006-213 adopting the Gasser Master Plan Design Guidelines,  
Landscape Guidelines and Implementation Section including Conditions of Approval  
and a Mitigation Monitoring Program

## RESOLUTION R2006 213

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAPA,  
STATE OF CALIFORNIA, ADOPTING THE GASSER MASTER PLAN  
DESIGN GUIDELINES, LANDSCAPE GUIDELINES AND  
IMPLEMENTATION SECTION INCLUDING CONDITIONS OF  
APPROVAL AND A MITIGATION MONITORING PROGRAM (02-0134)

WHEREAS, in October, 2002, preliminary Master Plan application materials were submitted to the City for review; and

WHEREAS, in June, 2004, the Gasser Foundation presented its Master Plan concept to the Planning Commission; and

WHEREAS, in August, 2004, the Gasser Master Plan Rezoning application materials were submitted for review and work commenced on the Draft Environmental Impact Report for the Master Plan property including APN's 046-190-050, -052 -053, -057; and 046-691-005.

WHEREAS, on November 15, 2004, a Notice of Preparation of the Draft Environmental Impact Report for the Gasser Master Plan ("Project") was mailed to all responsible and affected agencies as well as interested organizations and individuals, and a scoping session was held on November 18, 2004 in accordance with CEQA requirements; and

WHEREAS, a Draft Environmental Impact Report ("Draft EIR") was prepared for the Project; and

WHEREAS, the City of Napa filed a Notice of Completion of the Draft EIR with the State Office of Planning and Research on December 15, 2005, circulated the Draft EIR for review and comment by the public and public agencies which have jurisdiction by law with respect to the Project between December 15 and January 30, 2006, and held a public hearing to solicit comments on the Draft EIR on January 12, 2006; and

WHEREAS, the Final EIR, incorporating comments received, responses to those comments, and changes to the Draft EIR was published and circulated to commenting agencies and persons on August 17, 2006; and

WHEREAS, the Gasser Foundation published a refined Master Plan in September, 2006 that provides more explicit zoning regulations consistent with other chapters of the City of Napa Zoning Ordinance; no specific site layouts for the north area; a greater mix of residential types and densities in Tulocay Village; a land use shift in Tulocay Place from all retail to retail east of North Drive and mixed use west of North Drive; and an alternate site layout and use mix for South River Place; and

WHEREAS, in October, the Gasser Foundation provided details on a proposed affordable housing "alternative equivalent action" to meet half of the site's AH Affordable Housing inclusionary requirement;

WHEREAS, notice was provided and a Joint City Council/Planning Commission Public Workshop was held on September 21, 2006 to provide an overview of the Master Plan Zoning and Environmental Impact Report, and for early identification of issues needing further resolution or information; and

WHEREAS, in October, 2006 following discussions among Napa County Flood Control and Water Conservation District staff, City Staff and the environmental consultants, text changes to the published final EIR were published as an Errata Sheet to be incorporated into the final EIR; and

WHEREAS, on October 17, 2006 joint notice was published as a 1/8 page display ad in the Napa Register and on October 15 notice was mailed to interested agencies and groups and nearby property

owners of the Planning Commission Public Hearing on the EIR and Project on October 26, 2006 and of the City Council Public Hearing on November 21, 2006; and

WHEREAS, on October 23, 2006 the applicant requested that the Planning Commission continue the public hearing on the EIR and Master Plan to November 2 to provide added time to investigate certain floodway issues; and

WHEREAS, a courtesy notice was mailed on October 23, 2006 to those agencies, groups and individuals receiving earlier notice that the applicant had requested a continuance to November 2, and that the Commission would consider that action at their October 26 meeting; and

WHEREAS, the Planning Commission considered the request for a continuance at their October 26 meeting, and continued the item to November 2, 2006; and

WHEREAS, the Planning Commission of the City of Napa, State of California, held the continued hearing on November 2, 2006, on the subject Final EIR and Master Plan and recommended City Council certification of the EIR, incorporating certain Errata and an "equally effective" mitigation measure for Hydro-5a and approval of the Master Plan project with various changes to the Master Plan Rezoning and Conditions of Approval; and

WHEREAS, the City Council of the City of Napa, State of California held a noticed public hearing on the final EIR on November 21, 2006, accepted public testimony on the Final EIR and certified the EIR; and

WHEREAS, the City Council of the City of Napa, State of California, held a noticed public hearing on the Master Plan rezoning and affordable housing "in lieu equivalent action" on December 12, 2006; and

WHEREAS, the City Council has considered all information related to this matter, as presented at the public meetings of the City Council identified herein, including any supporting reports by City staff, and any information provided during public meetings.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Napa, as follows:

1. The City Council hereby finds that the facts set forth in the recitals to this resolution are true and correct, and establish the factual basis for the City Council's adoption of this resolution.
2. The City Council hereby finds that the Master Plan Design and Landscape Guidelines were derived from area and City design guidelines and thus are consistent with the General Plan, and other City plans and policies that apply to the property.
3. The Council further finds that the Master Plan Zoning, including these Design and Landscape Guidelines, and Implementation section establish development standards to create a future residential and non-residential environment of sustained desirability and stability that responds to its context.
4. The Council further finds that the Master Plan, including the Project EIR, the Design and Landscape Guidelines and Implementation section has identified the public facilities to serve the anticipated population and that the motor vehicle, bicycle and pedestrian system will provide for adequate onsite and area circulation connections.
5. The Council further finds that the General Plan Mixed Use goals, policies and objectives: that promote a mixed of uses and efficient use of larger vacant parcels; that encourage a functionally integrated mix of uses including residential uses on key sites such as the Gasser property; that will create a mix of uses that respond to their context and complement each other; that will facilitate shared parking and linkages among uses is met by the proposed Master Plan zoning, including the Design and Landscape Guidelines and Implementation section.

6. The City Council approves the Gasser Master Plan Design Guidelines, Landscape Guidelines, and Implementation Section including the Conditions of Approval and the Mitigation Monitoring Program, attached as Exhibit A.

7. This Resolution shall take effect immediately upon its adoption.

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the City Council of the City of Napa at a public meeting of said City Council held on the 12<sup>th</sup> day of December, 2006, by the following vote:

AYES: Councilmembers Inman, Mott, Vice-Mayor Krider, Mayor Techel

NOES: None

ABSENT: Councilmember van Gorder

ABSTAIN: None

ATTEST: Sara J. Cox  
CITY CLERK OF THE CITY OF NAPA

Exhibit A  
Gasser Master Plan Design Guidelines, Landscape  
Guidelines and Implementation Section  
Including Conditions of Approval and  
Mitigation Monitoring Program

## Gasser Master Plan Design Guidelines

### A. Overview

The *Soscol Guidelines*<sup>1</sup>, the *Residential Design Guidelines*<sup>2</sup> and *Soscol Vision*<sup>3</sup> and other principles of good design have informed the Gasser Master Plan Design Guidelines. These Guidelines include text and visual concepts that are intended to communicate the design intent and character for each District.

Building architecture will be “of our time” yet based upon the rich traditions of the Napa Valley. While buildings may reference the agrarian theme of many local wineries or the historic downtown buildings, the architecture will not be imitative. The new buildings, rather, will be “sympathetic” to the local vernacular, and responsive to the context of Napa’s historical precedents while also allowing new interpretations such as the City Fire Station on Gasser Drive. Each District will have a cohesive theme. If historic design styles are used, they will incorporate authenticity in design, detail, proportion and material selection. Color, materials, signage and lighting will be coordinated so that the details reinforce the overall sense of place.

The Gasser Master Plan Districts zoning establishes land uses, Floor Area Ratios (for commercial and office uses), building height and setbacks, and similar standards. These *Design Guidelines* include more qualitative guidelines for site design, and other general principles of building design. They apply to the three nonresidential and mixed use districts. In Tulocay Village, the City’s *Residential Design Guidelines* apply. All design review will be implemented through the City’s Design Review Process. The Gasser Master Plan also includes Landscape Guidelines that apply throughout the project.

### B. Design Guidelines applicable to the South River Place, Creekside and Tulocay Place Districts:

#### 1. Building Orientation and Access:

- a. In general, and where feasible, buildings are to front on, orient to and be located parallel to the street, with a main building entrance located on the front building façade or a fronting building corner, although they may have secondary orientation and access from parking lots. However, in the South River Place District, the southernmost building(s) may have main entrances oriented north to the parking lot, given other constraints of the site; in this case the eastern building facade should, where feasible also orient to Gasser Drive unless there is a separate fronting building located on Gasser Drive.
- b. Any building façade facing Tulocay Creek or its adjacent wetlands should also be designed to orient to these resources (attractive, comparable in level of design attention to the front, providing direct pedestrian access)

#### 2. Pedestrian Access:

- a. Direct pedestrian walkways should be provided from street sidewalks to all public building entrances, that is, pedestrian access to building entrances should not require walking in driveways or between parking spaces. If pedestrian access ways cannot be separated from parking bays or circulation aisles, they should be distinguished by a different paving material.
- b. Building façades facing Tulocay Creek or its adjacent wetlands should incorporate direct pedestrian access to these resources.

<sup>1</sup> *Soscol Guidelines* refers to the *Soscol Corridor/Downtown Riverfront Development & Design Guidelines*, adopted by City Council August 8, 2000 or as most recently amended.

<sup>2</sup> *Residential Design Guidelines* refers to the City of Napa *Residential Design Guidelines* adopted November, 2004 or as most recently amended.

<sup>3</sup> *Soscol Vision* refers to the *Soscol Gateway Vision* endorsed by City Council August, 2004 (R2004 125) or as

### 3. **Vehicle Access/Driveway Cuts:**

- a. Driveways should be shared where possible
- b. Driveway Entrances- should be minimized and separated far enough to maintain safe sight distances between streets and effectively distribute the flow of vehicular traffic.
- c. Width- Per city standards, minimum driveway cut widths are 15 feet for a one way driveway and 25 feet for a two way driveway
- d. Driveway Setbacks -should be a minimum of 5 feet from adjoining properties unless they are shared driveways.
- e. Drop-Off Driveways – should be incorporated where a main building entrance is provided from a parking lot to a theater, restaurant or larger retail building.
- f. Service Access: In all Districts, service access should be in the least visible area to the side or rear of buildings, well screened from public view. Service access should also avoid locations between buildings and Tulocay Creek and its adjacent wetlands to the maximum extent possible.

### 4. **Parking:**

- a. In the South River Place District, parking will be located generally as shown in the approved site plan. In the Creekside Commercial District east of Gasser Drive parking should be to the side or rear of buildings fronting on and oriented to Gasser Drive. In the Creekside Commercial District, west of Gasser Drive, parking may be in the front of buildings oriented towards the wetlands. In the Tulocay Place District, parking should be to the side or rear of buildings fronting on Soscol Avenue and on the Entry Street, except that a single or double-loaded bay of parking may be located in front of buildings on Soscol Avenue consistent with the Soscol Guidelines for this location.
- b. Shared parking will be provided in the South River Place District south of Hartle Court and is encouraged elsewhere.
- c. Street frontages of surface parking lots should be screened. Along Soscol Avenue, the frontage should be screened with an attractive low wall or fence 24-36" in height. The wall or fence should be designed consistent with the Chapter III. Walls, Fences and Piers section of the *Soscol Guidelines*.

See Landscape Guidelines for parking lot landscaping.

### 5. **Private Open Spaces:**

Groupings of buildings should be combined to shape distinct and memorable open spaces with "people friendly" landscape and building elements (benches, tables, fountains, shade structures, public art, etc.). Where feasible, such open spaces should be connected visually and/ or physically to the District's major wetland and creek features.

### 6. **Building Architecture:**

- a. A diversity of architectural styles is encouraged as described in the overview. If historic design styles are used, they must be implemented with authenticity in design, detail, proportion and material selection.
- b. Massing and scale- should respect, reflect, be in harmony with and take clues from the natural and built environment.
- c. Façade composition – every building should have a defined base, a clear pattern of openings and surface features, a recognizable entry, and an interesting roofline.

- d. **Roofs and Rooflines** – should provide visual interest, complement the overall façade composition in terms of style, detailing and materials and be attractive when viewed from surrounding areas.
- Gable, hip, arched or other multi-slope roofs are encouraged for freestanding buildings; flat roofs are acceptable if a strong, attractively detailed cornice or parapet wall is provided.
  - “Commercial mansards”, i.e., wraparound roofing panels that do not enclose a habitable floor, should be used infrequently.
  - Accent elements, such as cut-out openings, grilles or ornamental medallions are encouraged. Mechanical equipment shall be screened, preferably behind a section of pitched or parapet roof although other architectural treatments compatible with the building architecture may also be appropriate.
  - Roofs should extend across most office and residential building frontages to ensure the roof contributes significantly to the building character.
- e. **Building Entrances** – should be prominent and easy to identify
- f. **Corner Buildings** – where feasible, should provide prominent corner entrances for shops, lobbies or other activity-generating use
- g. **Side and rear facades**- when visible, should be treated with the same attention and detail as front facades.
- h. **Pattern of window, door and surface features** – Windows, doors, wall panels, pilasters, building bays and storefronts should be based on a module derived from the building’s structural bay spacing. Features based on this module should be carried across windowless walls to relieve blank, uninteresting surfaces.
- i. **Blank wall areas** – surface relief should be provided as noted above; decorative vines, trellises, architectural murals, other surface enhancements or attractive landscape screening may also be considered.
- j. **Retail storefronts** – where feasible should be like small buildings with their own base, roofline and pattern of window and door openings. Storefronts on pedestrian-oriented streets should be smaller in scale. Display windows should be large; doors substantial and well detailed; and bases of durable materials such as tile.
- k. **Door and window openings** – should be aligned and composed vertically to create an attractive façade. In general, first floor window openings should be larger than upper-floor window openings.
- l. **Special architectural features** -- should be used to accent buildings at major street corners, at the terminus of a street or other highly visible locations.
- m. **Building Materials** – Using the same wall materials as attractive adjacent or nearby buildings help strengthen district character.
- Stone (authentic or faux) is recommended (consistent with types used throughout the Napa Valley) Stones should appear to be structural;
  - Stucco and/or painted stucco may be used to reduce maintenance;
  - Precast concrete –options in terms of form work, pigments and aggregates should be explored to create rich surfaces;
  - Painted Wood Shingles, Clapboard and Batten Board may be utilized;
  - Ceramic Tile is recommended as an accent material;

- Parapet and Cornice Cap flashings should be painted to match wall or trim color and be of sufficient thickness to avoid distortion in the metal;
  - Plywood siding and concrete block are not generally appropriate.
- n. Windows are an important element of building composition and an indicator of overall building quality. Window openings should generally be vertical or square.
- Mullions and muntins – are recommended to create subdivided window openings and multi-pane windows. “Snap in” grills or muntins should not be used.
  - Clear glazing is strongly recommended; reflective glazing should not be used. If tinted glazing is used, the tint should be kept as light as possible.
- o. Roof Materials:
- Metal seam roofing- should be anodized, or painted. Copper and lead roofs should be natural or oxidized. In general, copper or lead roofs should be kept to a minimum due to proximity of area buildings to the Napa River.
  - Clay, ceramic, concrete tile or metal standing seam roofing – is recommended for decorative roof shapes such as domes and turrets.
  - Tar and gravel, composition or elastomeric roofs – should be screened by parapets or false-front sections of sloping roofs
  - Asphalt or wood shingles – are generally recommended only for residential buildings, but may be considered for small scale retail or office buildings.
- p. Porches, Balconies, Loggias, Awnings, Trellises, Canopies
- Open porches, balconies and loggias – are recommended for residential mixed uses or hotels. Open porches should have attractive bulkhead walls or railings while covered porches, balconies and loggias should have roof elements and support columns or other framing members that compliment the building.
  - Awnings – are recommended for retail buildings. They should be a colorful fabric mounted over a metal structural frame. Backlit awnings that function primarily as signs should not be used, while metal awnings must be appropriate for the building design.
  - Trellises and canopies – materials, colors and form should be derived from the building architecture. Continuous canopies should provide brackets, structural struts, and/or other detailing to reflect individual storefronts or building bays. Canopies may contain glazing to allow views.
  - Height and projection – of balconies, trellises, canopies and awnings should be a minimum of 8 feet above the sidewalk and provide at least 2 feet of clearance to the curb line.
  - Placement of awnings, trellises, canopies should be above retail display windows, below storefront cornices/sign panels/transom windows and not obscure notable architectural façade elements. Individual storefront awnings/canopies provide more visual interest than a continuous awning.
- q. Color – the Napa Valley contains a number of different building styles and associated color palettes: dark red or green or yellow agricultural buildings with light trim; pale/pastel modern or Mediterranean inspired stucco in newer wineries and restaurants. There are no specific color requirements for the Gasser Districts, except they should be appropriate for a particular building style.
- r. Outbuildings/Accessory Structures
- General – Outbuildings and structures should have architectural features derived from the main building

- Covered Trash and Recycling Enclosures – should be unobtrusive and located to minimize visual impacts
- s. Ornamental/architectural lighting – is recommended. See the *Soscol Guidelines* Lighting Design Guidelines section for further information.
- t. Utility building elements – such as HVAC equipment, ducting, conduits, piping, electrical equipment, antennae, backflow devices and satellite dishes should be anticipated and concealed.
- u. Green building practices should be utilized where feasible.

#### **7. Signs:**

- a. A District monument sign compatible with the architecture of the South River Place District may be located at the northwest corner of the intersection of Gasser Drive and Imola Avenue, visible from the intersection but still meeting the City's sight distance requirements.
- b. Pole mounted signs-are not proposed or permitted in any Gasser Master Plan District
- c. Sign Programs – should be provided with building design review applications. Limiting the number of signs is encouraged to reduce sign clutter.
- d. The Sign Guidelines in Chapter III of the *Soscol Guidelines* provide added guidance on desired sign types and locations. Entry Street in Tulocay Place and North Drive in Tulocay Place are considered to be a pedestrian-oriented streets for purposes of incorporating projecting signs.

## Gasser Master Plan Landscape Guidelines

### **A. Overview:**

The landscaping palette will be generous and thoughtful. A “rustic” theme is appropriate at this site. Looking at the property, the most obvious landscape “places” are the vast open spaces of the wetland and creek habitat areas. Future site designs will carefully study the “edges” of development and make connections to these open spaces. An internal system of trails will take full advantage of these amenities. Other elements are parking lots and streets. Parking lots will incorporate many large shade trees and parking screening; agricultural-based planting and paving schemes such as “orchard grids” are encouraged where appropriate. Street frontages will incorporate parkway/planting strips, street trees and other features that create a pedestrian friendly environment.

Specific goals for the Gasser Master Plan Landscape Guidelines are to

- Define the Gasser Districts as a coherent place for residents, workers and visitors, clearly organized with pedestrian and bicycle friendly pathways that are well connected to surrounding uses and amenities
- Extend the network of open spaces in Napa using creeks, interconnected parks, plazas and trails
- Provide attractive streets, open spaces and passive recreation opportunities
- Preserve scenic views within and beyond the project
- Conserve and enhance natural resources
- Create a distinctive and attractive landscape setting
- Create hierarchies throughout the Districts of related materials such as monuments, street tree and theme plantings, street furnishings and signage.
- Minimize potable water use for landscaping from existing sources
- De-emphasize the automobile.

### **B. Plant Materials and Landscape Water Use Concepts**

Areas within the Gasser Master Plan have been categorized into *landscape* land use areas.

- Major streets, planting strips, sidewalks and medians as shown in the Circulation Map;
- Off Street Bicycle/Pedestrian Trails as described in the Open Space and Circulation map
- Tulocay Place;
- Private Parks;
- Tulocay Village Residential
- Nonresidential and Mixed Use Districts
- Creek Corridor and Wetlands

While there is some flexibility in the use of specific plant varieties from each list, and between lists, selections should be made to enhance the theme of each area. Plant materials have been selected to reinforce dominant landscape themes including street trees, and account for site conditions such as adjacent land use, slope conditions, exposure, compatible plant species, water use zones and physical site parameters such as paving configurations and view corridors.

Use of the plant materials recommended herein is intended to provide a unifying landscape element throughout the Gasser Master Plan.

Tree planting throughout the Gasser Master Plan Districts further serves to delineate a hierarchy of entries, focal points, major through streets and neighborhoods. Street tree species established on major

directional axis and in conjunction with significant uses such as parks and plazas shall be continued throughout the Master Plan Districts to establish a clear theme.

**C. Master Plan District landscape areas.**

Following are guidelines for the design and visual character of various landscapes to be established within the Master Plan Districts.

**1. Streets**

- a. Sidewalks separated from the street by landscaped strips are standard in the Gasser Master Plan Districts
- b. Repetitive street tree spacing should be used in the landscape strips to allow for an intimate, tree-canopied street scene, to create an implied barrier between pedestrians and traffic and to reduce heat gain.
- c. Street trees should have a moderate to fast growth rate, portray dominance in character over smaller residential and park accent trees, and maintain public safety by not lifting sidewalks. In addition to general tree planting instructions, landscape planting strip widths is an important consideration in final tree selection.
- d. Street trees used at major intersections and project entries should include a variety of tree species for seasonal variation, texture and height.
- e. Broad-headed deciduous street trees should delineate the north-south streets, as well as public bus stops and any park street frontages.
- f. Columnar, seasonally flowering or foliage-colored trees should delineate main intersections, project entries and east-west streets.
- g. Street medians, where proposed, should be landscaped with low growing (18" or less) masses of easily maintained, drought tolerant shrubs and groundcovers that compliment the street tree species and carry themes of colors and textures through the street scene. No turf is allowed. Soils should be thoroughly amended prior to planting to ensure rapid drainage and adequate soil fertility for good plant establishment. The Gasser Drive landscape strips should be similarly landscaped.
- h. Major intersections should be given added prominence by use of supplemental, colorful planting, without compromising intersection sight lines. Limited turf areas may be allowed consistent with City water efficient landscape standards.
- i. See the Streets and Medians plant lists for plantings in these areas.
- j. No masonry or precast soundwalls should be used along streets to minimize separations between Districts and/or adjacent areas.

**2. Off-street Pedestrian/Bicycle Trails**

- a. The public off-street trail system as shown in the Gasser Master Plan Bicycle and Pedestrian Circulation Map is proposed to provide a 10 foot wide paved travel path (with 2' clear zones) consistent with City standards along its entire alignment, be universally accessible, and clearly marked at transition points.
- b. The trail system should gently meander within open space parcels, with informal native and drought tolerant plant materials occurring along open space edges of the trail alignment. Plantings will be coordinated with appropriate agencies where wetlands are nearby.

- c. Trees and shrubs should be in conformance with the plant palette for Trails.
- d. Low grid wire or pre-cast concrete rail fencing should be provided between the trail alignment and any wetlands.
- e. All trails shall be clearly identified with a program of directional signs at trail entries and prominent crossings and special striped paving at intersections or similar transitions.
- f. Amenities such as secure bicycle racks, trash receptacles and traffic control bollards at trail entry points are to be part of the trail system.
- g. Trails shall meet streets at right angles with no visual barriers.
- h. Where the trail system approaches bridges or creek crossings, it should have clearly marked access and permanent monuments at either side of the crossing points.

### 3. Tulocay Creek Corridor and Wetlands

These guidelines should be used in conjunction with the Gasser Master Plan Wetland Restoration and Enhancement Plan that will be created in concert with overseeing agencies to establish the required landscape design and installation standards and management guidelines for Tulocay Creek Corridor and Wetlands landscapes within the boundaries of the Gasser District.

- a. Creative techniques for blending these sensitive areas into the fabric of the project are encouraged, for example, with trail connections. The protection of habitat values such as native vegetation, wildlife corridors and enhanced water quality are the primary goals for activity in these areas.
- b. Tulocay Creek Corridor and Wetlands landscapes should be clearly delineated as protected areas through use of informative signing, bollards, enhanced curbs, barrier planting and fencing where appropriate.
- c. Vehicular access is limited to maintenance or emergency access on levee trails, and bridges over these areas.
- d. Pedestrian access is restricted to peripheral or levee trails, bridges and any interpretive overlooks.
- e. Construction within such corridors is limited to such improvements as storm water treatment and discharge structures, peripheral walks, protective fencing, bridges and crossings for all-weather bikeways and trails, water quality control features and maintenance access.
- f. Approval by appropriate agencies is required prior to any construction activity: construction, alteration, removal or maintenance of any structure; excavation, trenching, filling or grading; removal or installation of vegetation or erosion control measures; alteration of any embankment or similar activity.
- g. Hydrology in design-
  - The existing and proposed elements of the Gasser Master Plan hydrology pattern are to be recognized and incorporated into site landscape architecture. Existing drainage elements such as riparian vegetation and seasonal hydrologic events provide important habitat and water quality values and are important to preserve and enhance.
  - Buffer areas, flood control structures, water quality control measures and created habitats shall interact with existing site hydrology conditions and not adversely affect them.

- The indigenous character of these areas shall be incorporated into the Gasser District landscape through use of appropriate native and climate adapted plants to create buffer and transitional landscapes, and be integrated into pedestrian circulation routes and open space buffers.
- h. Planting design
    - Planting at the boundaries of Creek Corridor and Wetland areas, such as at streets, walks and trail crossings should consist of single species masses of native shrubs and herbaceous plants, located to form clear transition areas and a visually interesting barrier.
    - Non invasive, drought tolerant ornamental plants may also be incorporated at peripheral locations along pedestrian paths and streets.
  - i. Irrigation - Appropriate planting will be watered by a drip or low-gallon irrigation system. Irrigation systems will be designed for connection to mixed use water sources, be easily isolated into geographic areas, and be durable in the event of flooding or other extreme conditions. Irrigation systems shall be designed to allow phased abandonment of the system, based on the establishment criteria of relevant agencies.
  - j. Fencing - Fencing along the Creek Corridor and wetlands should consist of grid wire or post and cable barriers, placed along walks and maintenance access points to discourage pets, pedestrians, bicyclists or vehicles. Materials shall be durable, easily maintained, and or natural appearance reflecting a rural character. Protective fencing should be limited to 42 inches to allow for views to creeks and wetlands. Fence locations should be kept near trails or curbs, with signage and bollards helping to define the area.
  - k. Habitat Establishment - Design which limits habitat disturbance is encouraged, that is, techniques such as plant screening at area boundaries, lighting design and location to minimize glare, fencing at likely access points and interpretive signage at key points. Techniques to inhibit or prevent browsing or forage by herbivores on new planting should also be used.
  - l. Plant Materials - Plantings of California native trees, shrubs, forbs and groundcovers appropriate to hydrologic, soils and visual screening conditions are encouraged. See Appendix listing.
  - m. Plant species will be selected for their ability to provide wildlife food and shelter, create visual interest, easy maintenance.
  - n. A transitional edge with an average depth of ten feet may include native and climate adapted exotic plants where appropriate.
  - o. Non-irrigated native forbs and grasses, appropriate to the habitat types being created, shall delineate open areas of the Creek Corridor and Wetlands while plant species selected for use in water quality improvements and flood control structures shall include a variety of low native grasses and other well-rooting hydrophytic perennial vegetation that have the ability to filter sediment from runoff water. However, the exact plant palette shall be formulated by the project biologist through on-site studies, and with consideration of relevant agency recommendations.
  - p. All disturbed soils within the Creek Corridor and wetlands and mitigation areas shall have a native plant seed mix, bound with a biodegradable matrix applied. Periodic application of the seed mix shall continue for the duration of soil disturbance. Again, a qualified biologist shall approve the seed mix for pounds of seed per acre, seed source and species mix. The mix applied is to be uniform in content for all phases of the project.

## 5. South River Place, Creekside and Tulocay Place Districts

#### a. Development areas

- Retail and commercial development landscapes should be delineated by simple, repetitive masses of low maintenance shrubs and groundcovers. Row or block planting of single species is encouraged to reinforce architectural elements and recall agricultural patterns.
- Shrubs, groundcovers and annual bedding plants with bold colors and textures shall be used in areas near entrances, walks and resting places to help define these nodes. Similar plan materials should be used in recurring places such as paseos, intersections and pedestrian through-walks at parking.
- Uniform foundation planting is not necessary if the architecture can stand alone. Groves of well-placed trees should unify and give relief to a building or building grouping.
- Tall, deciduous trees along the commercial building footprints are encouraged to soften architectural lines. Smaller accent trees should be located near entrances, walks and resting places for visual interest.
- Broad-headed canopy trees along major streets and at seating areas help create a green "ceiling" and reduce the scale and impact of streets. Pedestrian and vehicle entry points should be highlighted using specialty accent trees, possessing strong qualities of color and form.
- Storage areas, service areas and utility elements should be screened through a combination of trees, hedges and loose shrubs.
- Various types of vines should be planted to provide a cascade of foliage and blossoms over walls, grade breaks, and to help screen large exposed walls.

#### b. Parking Areas

- Parking lot landscaping should 1) shade and mitigate effects of paving, reflected heat and light; 2) direct and protect pedestrians; and 3) visually screen parking areas from peripheral views.
- Parking area design should conform to the Soscol Corridor Guidelines chapter on Site Improvements and Landscaping outlining "Orchard" tree arrangements throughout parking lots to the extent feasible.
- Trees located within the interior of parking areas should be planted on regular spacing to reduce glare and heat, and provide a seasonal green ceiling. They should be deciduous broad canopy trees.
- Trees along parking perimeters and pedestrian routes should be planted at dense spacing to contrast with canopy tree planting and provide a sense of movement towards destinations. They should be tall, deciduous seasonal accent trees.
- Shrubs selected for interior parking areas should not exceed 2-3 feet in height in landscape islands, grassy swales and travel ways. Shrubs in parking perimeters should screen parking from perimeter views except that plantings within vision triangles of intersections should assure pedestrian visibility.

#### c. Paving Materials

- Paving should compliment adjacent architectural styles, and may use contrasting finishes, colors or scoring to create visual interest or to define seating or dining areas, building entries, street crossings and walkways
- Paving should help unify project areas by using consistent materials that are ADA compliant. Scoring and jointing should align with building masses, and articulated details where possible to provide a distinct, richly detailed surface.
- Typical sidewalk materials may include integral colored or gray concrete with textured or stamped surfaces. Brick or concrete pavers may be used outside of the public ROW.
- Areas such as courtyards, plazas and commercial/retail entries may benefit from enhanced paving, such as natural stone, ceramic tile with slip resistant surfaces or integral colored concrete and special aggregates.

- Integral colored concrete, stamped patterns and banded fields should be considered to delineate pedestrian crossings of streets and parking areas. They may not be appropriate in every case.
- Raised speed “humps” should be considered at pedestrian crossings to reinforce their prominence

d. Walls and Monuments

- Planter walls, extensions of architectural elements and vertical landscape and street elements are encouraged to create visual interest, definition of special use areas, and a common visual vocabulary within the Districts.
- Walls and structures shall have a base and be finished with typically contrasting, well-detailed masonry caps and rails. Open frame-type metal overheads and landmark structures that echo the Napa County environment are also encouraged. They create opportunities for lighting, seasonal displays and support for vines.

**6. Tulocay Village Residential Area**

- a. Plant materials should consist of massed plantings of neat, evergreen, low maintenance shrubs and groundcovers.
- b. Planting of flowering perennials and grasses should occur at unit and courtyard entries, walk intersections, swimming pool area and other focal points to give visual accent to those locations.
- c. Plant materials shall be carefully scaled in keeping with yard space and architecture product. Accent and secondary trees shall be planted as part of front yards, arranged to enhance architectural elements and reinforce the creation of “private” space.
- d. Street tree planting should be limited to 2-3 varieties to provide streets with a unifying character.
- e. Except for street trees, planting of trees shall be a minimum of 3 feet from any walks, curbs, pavement or architectural elements.

**7. General**

- a. All planting areas should be finished with a continuous layer of 3 or more inches of organic mulch. Non-porous materials should not be placed under the mulch.
- b. Turf shall be limited in accordance with city water efficient landscape standards. Turf suited to the local climate may be used in public gathering areas or to preserve sight lines. It should not be used at curbside, except at major intersections or entry points.
- c. Trees that are planted closer than 5 feet from walks, curbs or pavement shall require continuous root barriers.

**8. Lighting**

- a. Lighting of public and private spaces is provided for safety and can be an important aesthetic feature. Lighting design, particularly of street lights, also helps provide visual continuity among the Gasser Districts. Consideration of an attractive, unified lighting plan is encouraged during final design development.
- b. Equipment and fixtures shall be new and comply with all local requirements.

**Gasser Master Plan Implementation**

Mitigation Monitoring Program

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Verification	Monitoring Responsibility	Date Completed
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LAND USE

Although no impacts were identified, the project applicant would be required to comply with the following mitigation measures, as specified in the City of Napa's Policy Resolution 27 (PR 27):

- ◆ Developer shall comply with all requirements of federal, State and local laws and regulations applicable to project construction and issuance of building permits. (PR 27 Mitigation Land Use IX.1.)
- ◆ Developer shall comply with the monitoring/reporting checklists development pursuant to the City of Napa Resolution 96-153 regarding CEQA implementation procedures for both standard and project specific mitigation measures. (PR 27 Mitigation Land Use IX.2.)
- ◆ Developer shall notify all employees and agents of the mitigation measures and conditions applicable to the project and shall ensure compliance with such measures and conditions. Developer shall also notify all assigns and transferees of the same. (PR 27 Mitigation Land Use IX.3.)

Prior to approval of final improvement plans.  
Ongoing

Applicant

Verification that Applicant or Applicant's agents intend to comply with all local, State and federal regulations  
Approval of final improvement plans.

Community Development Dept., Planning Division

AESTHETICS

No feasible mitigation measures have been identified that could effectively reduce the change in visual character of the site to a level of less than significant with development as proposed under the

Prior to approval of final improvement

Applicant

Verification that final development plan shows appropriate lighting

Community Development Dept., Planning Division

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Verification	Date Compl eted
<p>Master Plan.</p> <p>Although no light and glare impacts were identified, the project applicant would be required to comply with the following mitigation measures, as specified in the City of Napa's Policy Resolution 27 (PR 27):</p> <ul style="list-style-type: none"> <li>◆ All new lighting on private property shall be designed to eliminate direct light spilling onto adjacent residential properties. (PR 27 Mitigation Aesthetics I.1.)</li> <li>◆ Low-level lighting shall be utilized in any parking area(s) as opposed to elevated high-intensity light standards. (PR 27 Mitigation Aesthetics I.2.)</li> </ul>	<p>plan and each building permit.</p>		<p>specifications.</p> <p>Approval of final improvement plan.</p> <p>Approval of each building permit.</p>		
<b>TRANSPORTATION</b>					
<p>Mitigation Measure TRA-1: <i>Imola Avenue from Soscol Avenue to SR 29 (Westbound)</i>: The project applicant shall design and fund a program to coordinate traffic signals and optimize signal timing throughout the corridor. This program shall be submitted to the City of Napa for review and approval before building permits for structures south of Tulocay Creek of the Master Plan project may be issued.</p>	<p>See Condition of Approval 9</p>	<p>Applicant</p>	<p>Acceptance of scope of work, budget, and schedule for completion of signal coordination and timing improvements.</p> <p>Fine tuning must be completed prior to acceptance of subdivision for final acceptance by City.</p>	<p>Community Development Dept., Engineering Division with assistance from Dept. of Public Works, Transportation Engineering</p>	
<p>Mitigation Measure TRA-2: <i>Soscol Avenue from Siverado Trail to Imola Avenue (Northbound and Southbound)</i>: The project applicant shall design and fund a program to coordinate traffic signals and optimize signal</p>	<p>See Condition of Approval 10</p>	<p>Applicant</p>	<p>Acceptance of scope of work, budget, and schedule for completion of signal</p>	<p>Community Development Dept., Engineering Division</p>	

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification	Monitoring Responsibility	Date Compl eted
<p>timing throughout the corridor. This program shall be submitted to the City of Napa for review and approval before building permits for Phase I of the Master Plan project may be issued.</p>				<p>with assistance from Dept. of Public Works, Transportation Engineering</p>	
<p><u>Mitigation Measure TRA-3: Third Street/Silverado Trail (SR 121)/Coombsville Road/East Avenue:</u> The project applicant shall contribute a "fair share" of the costs to provide a right-turn lane at the Coombsville Road approach and to stripe and sign the new right-turn lane for turning movements northbound on Silverado Trail and East Avenue OR to restrict traffic from entering the intersection from East Avenue (i.e., make East Avenue one-way in the northbound direction). The City has not identified a timeframe for implementation.</p>	<p>See Condition of Approval 12.</p>	<p>Applicant</p>	<p>See Condition of Approval 12</p>	<p>Community Development Dept., Building Division with assistance from</p>	
<p><u>Mitigation Measure TRA-4: Imola Avenue (SR 121)/Gasser Drive:</u> The project applicant shall implement the following improvements before obtaining building permits for Phase I of the project: Stripe southbound approach as a left-turn lane and two exclusive right-turn lanes and provide right-turn overlapping traffic signal phasing. Construct an additional left-turn lane for the eastbound approach and provide 200 feet of storage for both left-turn lanes. The 200-foot eastbound left-turn lanes are required to reduce queuing. Due to the right-of-way constraints, extending the single left-turn lane is precluded as it would encroach on the Maxwell Bridge. Stripe Gasser Drive north of Imola Avenue to provide a through lane and a shared-through-right-turn lane at the South Napa Marketplace entrance and merge the two through lanes into a single lane north of the entrance.</p>	<p>See Condition of Approval 6 &amp; 7</p>	<p>Applicant</p>	<p>See Condition of Approval 6 &amp; 7</p>	<p>Community Development Dept., Building and Engineering Divisions with assistance from Dept. of Public Works, Transportation Engineering</p>	

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Monitoring Responsibility	Date Completed
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These improvements are currently being designed.

**Mitigation Measure TRA-5: Imola Avenue (SR 121)/Soscol Avenue:** The project applicant shall contribute a "fair share" toward implementation of the following improvements: an additional left-turn lane on the eastbound approach and an exclusive right-turn lane on the westbound approach and provide protected phasing for the eastbound and westbound left-turn movements. Plans for the eastbound and westbound improvements are currently being designed. These plans show that additional right-of-way is required for the eastbound and westbound improvements. Based on year 2010 traffic projections, the eastbound left-turn requires approximately 250 feet of storage and the westbound right-turn requires approximately 100 feet of storage. The required eastbound and westbound storage is an approximation; a study shall be conducted to refine the pocket lengths and lane widths when the developer applies for an encroachment permit.

**Alternative Mitigation:** As an alternative to providing TRA-5, the project applicant implements the Gasser/ Soscol/ Silverado realignment, which realigns Silverado Trail consistent with the City of Napa General Plan Transportation Element.

**Alternative Mitigation Measure TRA-5A: Imola Avenue (SR 121)/ Soscol Avenue:** Implement the Gasser/ Soscol/ Silverado realignment, which realigns Silverado Trail consistent with the City of Napa General Plan Transportation Element. This improves the eastbound to northbound traffic movement by shifting traffic to the Gasser Drive corridor. About 100 peak hour vehicle trips shift from the eastbound left-turn movement to Gasser Drive, thereby eliminating the project-specific impact on the Soscol Avenue corridor north of Imola Avenue and

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Verification Monitoring Responsibility	Date Compl eted
improving Imola Avenue approaching Soscol Avenue from the west. Alternative Mitigation Measure TRA-5A requires that an acceptable financing plan will be developed between the City of Napa and the project applicant to cover the costs of the intersection realignment.					
<u>Mitigation Measure TRA-6: SR 12-SR 121/SR 29:</u> The ultimate improvement for the future Carneros interchange as the SR-12/SR-121/SR-29 intersection is in the City's SIF program. The applicant's payment of its SIF would be adequate mitigation for the project's cumulative impact at this location.	Pay SIF fees prior to issuance of each building permit.	Applicant	Receipt of SIF payment prior to issuance of each building permit.	Community Development Department, Building Division, with assistance from Dept. of Public Works, Transportation Engineering	
<u>Mitigation Measure TRA-7: Soscol Avenue/Souiza Lane:</u> Before the applicant obtains building permits to construct north of Tulocay Creek, the project applicant shall pay SIF to signalize this intersection. In addition, the applicant shall fund and design reconfiguration of this intersection to provide a left-turn lane and a shared-through-right-turn lane on both the eastbound and westbound approaches.	Pay SIF fee prior to issuance of each building permit. See Condition of Approval 27 & 28	Applicant	Receipt of SIF payment and completion of intersection reconfiguration as approved by the City of Napa	Community Development Dept., Building Division and Engineering Division with assistance from Dept. of Public Works, Transportation Engineering	
<u>Mitigation Measure TRA-8: SR 29 SB Ramps/Imola Avenue:</u> The ultimate improvement for the future traffic signals at the intersection of SR-121 (Imola Avenue) and the SR-29 SB ramps is in the City's SIF program. The project's payment of its SIF would be adequate mitigation for the project's cumulative impact at this location.	Pay SIF fee prior to issuance of each building permit.	Applicant	Receipt of SIF payment prior to each building permit.	Community Development Dept., Building Division Dept. of Public Works, Transportation Engineering	

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification	Monitoring Responsibility	Date Compl eted
<p>If the project build out implementation of the "South" area occurs after the installation of the future traffic signals, the project shall design and fund a program to coordinate the traffic signals and optimize signal timing throughout the Imola Avenue corridor, (i.e. from the SR-29 SB Ramps up to Soscol Ave), to serve post-project build out traffic conditions.</p>	<p>See Condition of Approval 9.</p>	<p>Applicant</p>	<p>Acceptance of scope of work, budget, and schedule for completion of signal coordination and timing improvements. Fine tuning must be completed prior to acceptance of subdivision for final acceptance by City.</p>	<p>Community Development Dept., Engineering Division with assistance from the Dept. of Public Works, Transportation Engineering</p>	
<p>Mitigation Measure TRA-9: SR 29 NB Ramps/ Imola Avenue: The ultimate improvement for the future traffic signals at the intersection of SR-121 (Imola Avenue) and the SR-29 NB ramps is in the City's Street Improvement Fee (SIF) program. The project's payment of its SIF would be adequate mitigation for the project's cumulative impact at this location.</p>	<p>Pay SIF fee prior to issuance of each building permit.</p>	<p>Applicant</p>	<p>Receipt of SIF payment prior to issuance of each building permit.</p>	<p>Community Development Dept., Building Division</p>	
<p>If the project build out implementation of the "South" area occurs after the installation of the future traffic signals, the project shall design and fund a program to coordinate the traffic signals and optimize signal timing throughout the Imola Avenue corridor, (i.e. from the SR-29 SB Ramps up to Soscol Ave), to serve post-project build out traffic conditions.</p>	<p>See Condition of Approval 9</p>	<p>Applicant</p>	<p>Acceptance of scope of work, budget, and schedule for completion of signal coordination and timing improvements. Fine tuning must be completed prior to acceptance of subdivision for final acceptance by City.</p>	<p>Community Development Dept., Engineering Division with assistance from Dept. of Public Works, Transportation Engineering</p>	
<p>Mitigation Measure TRA-10: Imola Avenue from Soscol Avenue to SR 29 (westbound and eastbound): Implement Mitigation Measure TRA-1.</p>	<p>See TRA-1</p>	<p>Applicant</p>	<p>See TRA-1</p>	<p>Community Development Dept.,</p>	

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Verification	Date Compl eted
<p><i>Mitigation Measure TRA-11: Soscol Avenue from Silverado Trail to Imola Avenue (northbound and southbound):</i> In addition to the improvements listed in Mitigation Measure TRA-2 (i.e. traffic signal coordination along the Soscol Ave corridor), the project shall design and implement the widening of Soscol Avenue to six lanes between north of Magnolia Dr and south of Silverado Trail through pavement signing and striping while staying within the existing public street right-of-way. This corridor widening is not anticipated to require new right-of-way.</p>	<p>See Condition of Approval 10 and 35.</p>	<p>Applicant</p>	<p>See Condition of Approval 10 and 35</p>	<p>Engineering Division with assistance from Dept. of Public Works, Transportation Engineering  Community Development Dept., Engineering and Building Division with assistance from  Dept. of Public Works, Transportation Engineering</p>	
<p><i>Mitigation Measure TRA-12: Soscol Avenue/Lincoln Avenue:</i> Before the applicant obtains building permits to construct north of Tulocay Creek, the project applicant shall pay a "fair share" contribution to provide a second southbound left-turn lane on Soscol Avenue and overlap traffic signal phasing for the westbound right-turn on Lincoln Avenue. The City of Napa has not identified a timeframe for implementation.</p>	<p>See Condition of Approval 34</p>	<p>Applicant</p>	<p>See Condition of Approval 34</p>	<p>Community Development Dept., Building Division with assistance from  Dept. of Public Works, Transportation Engineering</p>	
<p><i>Mitigation Measure TRA-13: Third Street/Silverado Trail (SR 127)/Coombsville Road/ East Avenue:</i> Before the applicant obtains building permits to construct north of Tulocay Creek, the project applicant shall pay a "fair share" contribution to provide a right-turn lane at the Coombsville Road approach, stripe and sign the new right-</p>	<p>See Condition of Approval 26</p>	<p>Applicant</p>	<p>See Condition of Approval 26</p>	<p>Community Development Dept., Building Division with assistance from</p>	

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Verification	Date Compl eted
<p>turn lane for turning movements northbound on Silverado Trail and East Avenue, and restrict traffic from entering the intersection from East Avenue (i.e., make East Avenue one-way in the northbound direction).</p>					
<p><u>Mitigation Measure TRA-14: Silverado Trail (SR 127)/Soscol Avenue:</u> Prior to completion of Phase II of the Master Plan the Silverado Trail/Soscol Avenue/Gasser Drive intersection shall be reconstructed consistent with the City of Napa Transportation Element. An acceptable financing plan shall be developed between the City of Napa and the project applicant to cover the costs of the construction of the Silverado Trail/Soscol Avenue/Gasser Drive intersection realignment. Gasser Drive and Silverado Trail shall intersect Soscol Avenue at about 90 degree angles to form a standard four-leg intersection.) The realignment of Silverado Trail and the reconstruction of the Silverado Trail/Soscol Avenue/Gasser Drive intersection shall be in accordance with the plans and specifications approved by the City of Napa and Caltrans. The project applicant shall provide the improvement plans for the ultimate realignment of Silverado Trail and the reconstruction of the Silverado Trail/Soscol Avenue/Gasser Drive intersection at the time of the review of the subdivision map and related improvement plans for the "North" area.</p>	See Condition of Approval 25	Applicant City of Napa Caltrans	See Condition of Approval 25.	Community Development Dept., Engineering Division Dept. of Public Works, Transportation Engineering Caltrans	
<p><u>Mitigation Measure TRA-15: Imola Avenue/Jefferson Street:</u> Before the applicant obtains building permits to construct north of Tulocay Creek, the project applicant shall be responsible for designing and funding the construction of a left-turn lane on the southbound approach and reconfigure this approach to provide a left-turn lane, a shared-through-left-turn lane, and a right-turn lane.</p>	See Condition of Approval 29	Applicant	See Condition of Approval 29	Community Development Dept., Engineering and Building Divisions with assistance from Dept. of Public Works, Transportation	

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Verification	Date Compl eted
<u>Mitigation Measure TRA-16: Imola Avenue/Coombs Street</u> : Before the City issues building permits to construct north of Tulocay Creek, the project applicant shall provide funding for right-turn overlap traffic signal phasing for the eastbound approach.	See Condition of Approval 30	Applicant	See Condition of Approval 30	Engineering  Community Development Dept., Engineering and Building Divisions with assistance from  Dept. of Public Works, Transportation Engineering	
<u>Mitigation Measure TRA-17: Imola Avenue/Gasser Drive</u> : Implement Mitigation Measure TRA-4.	See TRA-4	Applicant	See TRA-4	Community Development Dept., Engineering and Building Divisions with assistance from  Dept. of Public Works, Transportation Engineering	
<u>Mitigation Measure TRA-18: Sostra Avenue (SR 121)/Kansas Avenue</u> : The applicant shall re-stripe the eastbound approach to provide two left-turn lanes and a shared-through-right-turn lane. Provide one left-turn lane, two through lanes, and one right-turn lane on both the northbound and southbound approaches. The applicant shall also add an overlap phase for the westbound and southbound right-turn movements and provide protected-permitted phasing for the southbound left-turn movement. Based on year 2010 traffic	See Condition of Approval 31.	Applicant	See Condition of Approval 31	Community Development Dept., Planning Division  Dept. of Public Works, Transportation Engineering	

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Verification	Monitoring Responsibility	Date Compl eted
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projections, approximately 300 feet of storage is required for the eastbound left-turn; therefore, the eastbound left-turn lanes should be approximately 150 feet. This storage requirement is an approximation; a study shall be conducted to refine pocket lengths and lane widths when the applicant applies for an encroachment permit.

**Alternative Mitigation Measure TRA-18A:** As an alternative to providing TRA-18, the project applicant could implement the Gasser/ Soscol/Silverado realignment, which realigns Silverado Trail consistent with the City of Napa General Plan Transportation Element.

**Alternative Mitigation Measure TRA-18A: Soscol Avenue (SR 121)/Kansas Avenue:** Prior to completion of Phase II of the Master Plan the Silverado Trail/Soscol Avenue/Gasser Drive intersection shall be reconstructed consistent with the City of Napa Transportation Element. An acceptable financing plan shall be developed between the City of Napa and the project applicant to cover the costs of the construction of the Silverado Trail/Soscol Avenue/Gasser Drive intersection realignment. Gasser Drive and Silverado Trail shall intersect Soscol Avenue at about 90 degree angles to form a standard four-leg intersection. The realignment of Silverado Trail and the reconstruction of the Silverado Trail/Soscol Avenue/Gasser Drive intersection shall be in accordance with the plans and specifications approved by the City of Napa and Caltrans. The project applicant shall provide the improvement plans for the ultimate realignment of Silverado Trail and the reconstruction of the Silverado Trail/Soscol Avenue/Gasser Drive intersection at the time of the review of the subdivision map and related improvement plans for the "North" area.

See Condition of Approval 31

Applicant  
City of Napa  
Caltrans

See Condition of Approval 31.

Community Development Dept., Engineering Division  
Dept. of Public Works, Transportation Engineering  
Caltrans

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification		
			Monitoring Action	Monitoring Responsibility	Date Compl eted
<p><u>Mitigation Measure TRA-19: Soscol Avenue (SR 121)/Sheller Avenue:</u> The applicant shall pay the project's "fair share", contribution to modify the eastbound approach to a left-turn lane, shared left-through-right-turn lane, and a right-turn lane. Also, an additional northbound and southbound through lane should be constructed on Soscol Avenue and overlap phasing should be provided for the eastbound, northbound, and southbound right-turns.</p>	See Condition of Approval 32	Applicant	See Condition of Approval 32	Community Development Dept., Engineering and Building Divisions Dept. of Public Works, Transportation Engineering	
<p><u>Mitigation Measure TRA-20: Imola Avenue/Soscol Avenue:</u> Before the applicant obtains building permits to construct north of Tulocay Creek, the project applicant shall fund the construction of an additional left-turn lane on the eastbound approach, an exclusive right-turn lane on the westbound approach. In addition, the applicant shall pay SIF for the construction of an additional through lane on Soscol Avenue in both directions. The Applicant shall provide protected phasing for the eastbound and westbound left-turn movements. Plans for the eastbound and westbound improvements are currently being designed. These plans show that additional right-of-way is required for the eastbound and westbound improvements. Based on year 2010 traffic projections, the eastbound left turn will require approximately 250 feet of storage and the westbound right turn will require approximately 100 feet of storage. The required eastbound and westbound storage are approximated; a study shall be conducted to refine the pocket lengths and lane widths when the applicant applies for an encroachment permit. The City of Napa has not identified a timeframe for implementation.</p>	See Condition of Approval 33	Applicant	See Condition of Approval 33	Community Development Dept., Engineering and Building Division with assistance from Dept. of Public Works, Transportation Engineering	
<p><u>Mitigation Measure TRA-21: SR 12-SR 121/SR 29: Implement Mitigation Measure TRA-6.</u></p>	See TRA-6	Applicant	See TRA-6	Community Development Dept.,	

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification		
			Monitoring Action	Monitoring Responsibility	Date Compl eted
				Building Division with assistance from Dept. of Public Works, Transportation Engineering	
Mitigation Measure TRA-22: <i>Sausal Avenue/ Sousa Lane</i> : Implement Mitigation Measure TRA-14. An acceptable financing plan will be developed between the City of Napa and the project applicant to cover the costs of the intersection realignment.	See TRA-14	Applicant City of Napa Caltrans	See TRA-14	Community Development Dept, Engineering Division Dept. of Public Works, Transportation Engineering Caltrans	
Mitigation Measure TRA-23: <i>JR 29 SB Ramps/ Imola Avenue</i> : Implement Mitigation Measure TRA-8.	See TRA-8	Applicant	See TRA-8	Community Development Dept, Building Division with assistance from Dept. of Public Works, Transportation Engineering	
Mitigation Measure TRA-24: <i>JR 29 NB Ramps/ Imola Avenue</i> : Implement Mitigation Measure TRA-9.	See TRA-9	Applicant	See TRA-9	Community Development Dept, Building Division	

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Verification	Monitoring Responsibility	Date Completed
<p>Mitigation Measure TRA-25: In addition to Mitigation Measures TRA-1 through TRA-24, the applicant shall pay the basic SIF at the time of building permit issuance, in accordance with Napa Municipal Code Chapter 15.84, to fund improvements identified by the City to address cumulative impact conditions.</p>	<p>Pay SIF fee prior to issuance of each building permit.</p>	<p>Applicant</p>	<p>Receipt of SIF payment prior to issuance of each building permit.</p>	<p>Community Development Dept., Building Division</p>	<p>Community Development Dept., Building Division</p>	<p></p>
<p>Mitigation Measure TRA-26: Before the applicant obtains any Design Review Permit (and any conditional Use Permit approval) for each of the Gasser Zoning Districts, the applicant shall demonstrate that the project can provide parking consistent with City parking standards to meet the demand for parking for all proposed uses.</p>	<p>Prior to issuance of any discretionary permits or building permits for Gasser South</p>	<p>Applicant</p>	<p>Demonstration of the provision of additional spaces, Issuance of building permits for Phase I of Master Plan.</p>	<p>Community Development Dept., Planning Division</p>	<p>Community Development Dept., Planning Division</p>	<p></p>
<p>Shared parking allows for a net reduction in overall parking spaces while meeting estimated parking demand. Shared parking allows for a net reduction in overall parking spaces while meeting estimated parking demand.</p> <p>Given the distance between Gasser South and Gasser North, no shared parking is permitted between these areas. Shared parking may be permitted between distinct uses on the project site so long as the applicant demonstrates that each use will have sufficient parking to meet demand. As provided in the Zoning Code, section 17.54.080, shared parking may be permitted with a Use Permit provided that the shared parking spaces are:</p>	<p>Prior to issuance of any discretionary permits or building permits for Gasser North</p>	<p>Applicant</p>	<p>Demonstration of the provision of additional spaces, Issuance of building permits for Phase II of Master Plan</p>	<p>Dept. of Public Works, Transportation Engineering Caltrans</p>	<p>Dept. of Public Works, Transportation Engineering Caltrans</p>	<p></p>
<ol style="list-style-type: none"> <li>1. Located in a common parking lot or off-site convenient to the use(s) requiring the parking; and</li> <li>2. The parking will be secured for the use(s) requiring the parking by ownership and/or agreements</li> </ol>	<p></p>	<p></p>	<p></p>	<p></p>	<p></p>	<p></p>

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Verification	Date Compl eted
<p>sufficient to guarantee the long term use of the site for such parkings and</p> <p>3. The applicant is able to show through a parking analysis that the peak demand for spaces from all uses will be met. A possible option for determining shared parking arrangements includes the Urban Land Institute Publication "Shared Parking."</p> <p>4. In no instance shall the total parking required be less than would be required for any one of the independent uses.</p>	<p>Prior to approval of Final Improvement Plans, notes to be included on plans and standards to be reflected and incorporated into design.</p>	Applicant	Final Map approval or issuance of building permit.	Community Development Dept., Engineering and Building Division	
<p>Mitigation Measure TRA-27: The applicant shall comply with ADA standards for configuration and number of handicap accessible parking spaces and proximity of such parking to building pedestrian access points.</p>	<p>See Condition of Approval 22 and 37</p>	Applicant VINE	See Condition of Approval 22 and 37	Community Development Dept., Engineering Division Dept. of Public Works, Transportation	
<p>Mitigation Measure TRA-28: Install bus turnouts and bus shelters along the project frontage based on recommendations from VINE and provide pedestrian sidewalks and paths connecting the identified stops to site destinations.</p>					
<p>To implement Mitigation Measure TRA-28 the applicant shall include</p>					

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Verification	Date Compl eted
<p>the following:</p> <p><u>Site Infrastructure</u></p> <ul style="list-style-type: none"> <li>◆ Work with VINE to determine appropriate location(s) for a bus pullout, bus shelter, and/or transit stop (e.g., Gasser Drive/Hartle Court, Gasser Drive/Kansas Avenue, and Bay Trail/Hartle Court).</li> <li>◆ Construct bus pullouts, bus shelters, and/or transit stops at VINE-recommended location(s).</li> </ul> <p><u>Project Design Parameters</u></p> <ul style="list-style-type: none"> <li>◆ Provide pedestrian connections that are accessible to all users, including the transit-dependent user, between the VINE-recommended transit stop(s) and the site building pads. Connections shall be designed to meet ADA standards and be consistent with FHWA's <i>Best Practices Design Guide: Part 2 Designing Sidewalks and Trails for Access</i>.</li> <li>◆ The applicant shall be responsible for financing and implementing the measures at the time building permits are granted for the site infrastructure construction and subsequent building pad construction.</li> </ul>	<p>Steps noted in MM shall be included in the design and preparation of improvement plans for both on-site and public</p>	<p>Applicant</p>	<p>Issuance of building permits or approval of final maps for Master Plan, as appropriate.</p>	<p>Community Development Dept., Engineering Division with assistance from Dept. of Public Works, Transportation Engineering</p>	
<p><u>Site Infrastructure</u></p> <ul style="list-style-type: none"> <li>◆ Apply design guidelines from the <i>Highway Design Manual</i></li> </ul>					

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification	Monitoring Action	Monitoring Responsibility	Date Completed
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published by Caltrans and FHWA's *Best Practices Design Guide: Part 2 Designing Sidewalks and Trails for Access* for bicycle and pedestrian facilities. Consistent facility design standards, throughout the project site, promote a safe and effective system for both bicyclists and pedestrians.

- ◆ Provide a minimum bike lane width in accordance with City bicycle width path standards on Gasser Drive and Hartle Court.
- ◆ Provide a bicycle and pedestrian linkage between Gasser North and Gasser South and provide way-finding signing directing users destined for the San Francisco Bay Trail (from the north) to use the bicycle and pedestrian linkage between Gasser North and Gasser South rather than Gasser Drive and Hartle Court

**Project Design Parameters**

- ◆ Provide bicycle parking facilities within the project site and adequate access to these facilities. Provide enough bicycle parking facilities to either meet the City's code or meet the amount required in a parking demand needs assessment.
- ◆ Comply with ADA standards throughout project site.
- ◆ Provide pedestrian linkages on site between the public streets, parking lots, and the building pads.
- ◆ Provide special treatments on site at locations of potential pedestrian/vehicle conflict.
- ◆ Develop a management plan to minimize vehicle/pedestrian conflicts during high activity periods. Focus the plan on the theater operations, holiday period operations, and Bay Trail access.

The applicant shall be responsible for financing and implementing the measures at the time building permits are granted for the site infrastructure construction and subsequent building pad construction.

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification	Monitoring Action	Monitoring Responsibility	Date Compl ctcd
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**Mitigation Measure TRA-30:** Construct improvements identified in the Gasser Master Plan to facilitate access to the site and circulation within the site including measures identified in Mitigation Measures TRA-1 and TRA-2.

To implement Mitigation Measure TRA-30 and reduce the Impacts TRA-30a through TRA-30c to *less-than-significant* levels, the applicant shall include the following:

Site Infrastructure

- ◆ Design project frontage and street improvements consistent with Napa standards.
- ◆ Left-turn pockets on Gasser Drive shall be a minimum of 100 feet except at Hardle Court where the left-turn pocket shall be at least 350 feet.
- ◆ Provide a minimum 150-foot throat depth on Hardle Court at Gasser Drive.
- ◆ Provide a minimum 100-foot throat depth at the driveway south of Hardle Court.
- ◆ Provide a minimum 50-foot throat depth at all other driveways to the project site.
- ◆ Intersect all driveway and roadway connections to the public streets perpendicular to the public street. Driveway connections to the private road connecting Oil Company Road and Gasser Drive shall also be perpendicular.
- ◆ Provide one full access driveway to the commercial site at Soscol Avenue. Secondary driveways, if any, shall be right-in/right-out only.

Facilities shown on Tentative Maps or Applications for Use Permits or Design Review.  
Prior to Final Improvement Plan Approvals.

Applicant  
Approval of Tentative Map, Use Permit or Design Review

Community Development Dept., Planning Division

The applicant will be responsible for financing and implementing the measures prior to the issuance of any permits.

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification	Monitoring Action	Monitoring Responsibility	Date Compl eted
<p><u>Mitigation Measure TRA-31:</u> Implement vehicle delivery routing and receiving stations for project uses.</p> <p>To implement Mitigation Measure TRA-31 the applicant will:</p> <p><u>Project Design Parameters</u></p> <ul style="list-style-type: none"> <li>◆ Develop a consistent truck routing plan for the overall site throughout the phased development.</li> <li>◆ Provide consistent signage to route delivery trucks through the site.</li> <li>◆ Implement consistent design features throughout the phased development to minimize delivery conflicts with general use parking as well as pedestrian and bicycle flows on site.</li> </ul> <p>The applicant will be responsible for financing and implementing the measures prior to the issuance of any permits.</p>	<p>Facilities shown on Tentative Maps or Applications for Use Permits or Design Review.</p> <p>Prior to Final Improvement Plan Approvals.</p>	Applicant	Approval of Tentative Map, Use Permit or Design Review	Community Development Dept., Planning Division		
<p><u>Mitigation Measure TRA-32:</u> Develop an overall site circulation plan to minimize discontinuous vehicle flows (i.e., dead-end drive aisles).</p> <p>To implement Mitigation Measure TRA-32 the applicant will:</p> <p><u>Project Design Parameters</u></p> <ul style="list-style-type: none"> <li>◆ Provide circulatory continuity through the phased development of the project.</li> <li>◆ Lay out parking to eliminate dead-end parking circulation aisles or provide turnaround circles at the end of the dead-end parking aisle.</li> <li>◆ Locate building pads adjacent to parking areas to minimize walking distance and define pedestrian circulation between building pads, circulation roads, and public access points.</li> </ul>	<p>Facilities shown on Tentative Maps or Applications for Use Permits or Design Review.</p> <p>Prior to Final Improvement Plan Approvals.</p>	Applicant	Approval of Tentative Map, Use Permit or Design Review.	Community Development Dept., Planning Division		

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Verification	Monitoring Responsibility	Date Completed
<ul style="list-style-type: none"> <li>◆ Comply with City Code standards for parking stall size and orientation, circulatory aisle widths, and other infrastructure.</li> <li>◆ Provide appropriate lighting levels within parking areas, along pedestrian walkways, and at site interface with public streets.</li> </ul> <p>The applicant will be responsible for financing and implementing the measures prior to the issuance of any permits.</p>						
<p><u>Mitigation Measure TRA-33:</u> Develop and submit a Construction Management Plan (CMP) to the City of Napa for approval prior to commencement of any construction activities.</p> <p>The provisions of a CMP are specifically designed to address the characteristics of construction-related traffic associated with development. Such plans identify construction phasing and the level and type of construction-related traffic. A few measures from the City of Napa's Policy Resolution 27 also apply and are indicated below. Elements of a CMP shall include:</p> <p><u>Project Design Parameters</u></p> <ul style="list-style-type: none"> <li>◆ A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak hours; lane closure procedures; signs, cones, and other warning devices for drivers; and designation of construction access routes.</li> <li>◆ Provision for on-site construction staging.</li> <li>◆ Notification to property owners and local jurisdictions when major deliveries, detours, or lane closures are required.</li> <li>◆ Provision of on-site parking for all construction employees, site visitors, and inspectors.</li> <li>◆ Provisions for street sweeping to remove construction-related</li> </ul>	<p>Shall be submitted with first plan check submittal for either improvement plans or building permit.</p>	<p>Applicant</p>	<p>Issuance of grading or building permits.</p>		<p>Community Development Dept., Engineering and Building Division with assistance from</p>	
<ul style="list-style-type: none"> <li>◆ Provision for on-site construction staging.</li> <li>◆ Notification to property owners and local jurisdictions when major deliveries, detours, or lane closures are required.</li> <li>◆ Provision of on-site parking for all construction employees, site visitors, and inspectors.</li> <li>◆ Provisions for street sweeping to remove construction-related</li> </ul>					<p>Dept. of Public Works, Transportation Engineering</p>	

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification	Monitoring Action	Monitoring Responsibility	Date Compl. eted
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debris.

- ◆ Designated general use site access and general employee and visitor parking and circulation areas on site, and any necessary off-site shuttle connectors to serve designated off-site parking supplies during construction.
- ◆ Provisions for open trenches during non-working hours shall be provided with appropriate signage, flashers, and barricades approved by the Street Superintendent to warn oncoming motorists, bicyclists, and pedestrians of potential safety hazards. (PR 27 Mitigation Transportation XV.2)
- ◆ Provisions to maintain pedestrian access through and/or adjacent to the project site shall remain unobstructed during project construction or an alternate route established as approved by the Police Chief and Public Works Director. (PR 27 Mitigation Transportation XV.4)
- ◆ Provision for signing and safety fencing to re-route pedestrians and bicyclists in case of lane closure on Gasser Drive, Hartle Court or Soscol Avenue.
- ◆ Provisions to restore all road surfaces to pre-project conditions after completion of any project-related activities in the public right-of-way. (PR 27 Mitigation Transportation XV.3)

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Monitoring Responsibility	Date Completed
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**HYDROLOGY & WATER QUALITY**

**Mitigation Measure HYDRO-1a: Storm Water Pollution Prevention Plan.**  
 The applicant/developer shall submit a Notice of Intent (NOI) and a Storm Water Pollution Prevention Plan (SWPPP) to the RWQCB prior to any grading or construction activity. The SWPPP must be consistent with the City-approved stormwater management plan. A copy of the transmittal, NOI, and a SWPPP shall be submitted to the City for its review and approval prior to the issuance of a grading and/or building permit. This information is required pursuant to the NPDES General Permit Regulations contained in State Water Quality Control Board Water Quality Order No. 2003-0005-DWQ and ensures pollution prevention planning by the Applicant (See also PR 27 Mitigation Hydrology and Water Quality VIII.4.)

Shall be submitted with first improvement plan check and be approved prior to issuance for grading or building permit.

Applicant

Issuance of grading or building permits.

Community Development Dept., Engineering Division

Community Development Dept., City Building Division

**Mitigation Measure HYDRO-1b: Erosion and Sediment Control.**  
 Implement Mitigation Measure GEO-6a and Mitigation Measure GEO-6b. Mitigation Measure GEO-6a provides that "the developer shall provide an erosion and sediment control plan and a schedule for implementation of approved measures to the Public Works Director for approval with the first improvement plans submitted for review. No grading and excavation shall be performed except in accordance with the approved plan and schedule. (PR 27 Mitigation Geology and Soils VI.3.)" Mitigation Measure GEO-6b provides that "hydroseeding of all disturbed slopes shall be completed by October 1; Developer shall provide sufficient maintenance and irrigation of the slopes such that growth is established by November 1." (PR 27 Mitigation Geology and Soils VI.4.) These measures require plans and actions that have been shown to significantly reduce construction-related erosion and sedimentation.

Shall be submitted with first improvement plan check and be approved prior to issuance for grading or building permit.

Applicant

Issuance of grading permits.

Community Development Dept., Engineering and Building Division

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Verification	Date Completed
<p><u>Mitigation Measure HYDRO-1c: Construction Materials.</u> The applicant/developer shall ensure that no construction materials (e.g., cleaning fresh concrete from equipment) are conveyed into the storm drain system. The Developer shall pay for any required cleanup, testing and City administrative costs resulting from consequence of construction materials into the stormwater drainage system. (PR 27 Mitigation Hydrology and Water Quality VIII.5.) This measure provides an explicit performance standard with regard to keeping construction materials out of the storm drain system and consequences, including remediation, for failure to do so.</p>	<p>During grading and construction activities.</p>	<p>Applicant</p>	<p>Periodic on-site inspections; request by public.</p>	<p>Community Development Dept., Building Division Dept. of Public Works, Bridges and Urban Drainage Division</p>	
<p><u>Mitigation Measure HYDRO-1d: Pollutants.</u> All construction activities shall be performed in a manner that minimizes, to the maximum extent practicable, any pollutants entering directly or indirectly the stormwater system or ground water. The Developer shall pay for any required cleanup, testing and City administrative costs resulting from consequences of construction materials into the stormwater drainage system. (PR 27 Mitigation Hydrology and Water Quality VIII.8.) This measure provides an explicit performance standard with regard to keeping pollutants out of the storm drain system during construction and consequences, including remediation, for failure to do so.</p>	<p>During grading and construction activities.</p>	<p>Applicant</p>	<p>Periodic on-site inspections; request by public.</p>	<p>Community Development Dept., Building Division Dept. of Public Works, Bridges and Urban Drainage Division</p>	
<p><u>Mitigation Measure HYDRO-2a: Stormwater Management Plan.</u> Before the City can approve any phase of development at the project site, the applicant must demonstrate through a stormwater management plan for that development phase that is approved by the City Public Works Director that their proposed development plan meets the requirements of the City of Napa NPDES General Permit No. CAS000004 as detailed in Attachment 4 to the SWRCB Order No. 2003-005. This plan shall include the Storm Water Pollution Mitigation Plan ("SWPMP") as required by Napa Policy Resolution</p>	<p><i>Stormwater Management Plan</i> shall be submitted with application for Tentative Map, Use Permit or Design Review</p>	<p>Applicant</p>	<p>Issuance of grading permit; Copy of <i>Stormwater Management Plan</i> and discharge permit number on file with Dept. of Public Works.</p>	<p>Community Development Dept., Engineering Division Dept. of Public Works, Bridges and Urban Drainage Division</p>	

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Verification	Date Compl eted
<p>No. 27. (PR 27 Mitigation Hydrology and Water Quality VIII.10.) In terms of supporting documentation, the stormwater management plan will include calculation of post-construction BMP capacity to treat pollutants and other information necessary to support the proposed design. (Note: This mitigation measure also addresses the stormwater drainage system design and general flood hazards associated with it. See Impacts HYDRO-3 and HYDRO-4.)</p>	<p><i>Stormwater Management Plan</i> shall be submitted with application for Tentative Map, Use Permit or Design Review.</p>	<p>Applicant</p>	<p>Issuance of grading permit; Copy of <i>Stormwater Management Plan</i> and discharge permit number on file with Dept. of Public Works.</p>	<p>Community Development Dept., Engineering Division Dept. of Public Works, Bridges and Urban Drainage Division</p>	
<p><b>Mitigation Measure HYDRO-2b: Best Management Practices.</b> The stormwater management plan shall include best management practices (BMPs) for site design, source control, and treatment to the maximum extent practicable to reduce the potential for degradation of groundwater and surface water quality. The requirements will include at a minimum the BMPs and BMP standards specified by the City of Napa's Interim Policy Procedure for Post-Construction BMPs at commercial (includes office and retail) and residential sites, unless new guidance with superior water quality protection supersedes this document, in which case that standard shall be in force. For new residential and other development, the stormwater management plan shall incorporate the same BMPs as required for commercial development for grassy swales and inlet labels, as well as meeting the same standards for treatment control sizing as required of commercial developments. Specifically, all new storm drain inlets will be marked with permanent labels that state "No Dumping—Flows to River." This work shall be shown on improvement plans. (PR 27 Mitigation Hydrology and Water Quality VIII.11.)</p>					
<p>In addition, to the maximum extent practicable, routine discharge of surface water to wetlands, from both commercial and residential developments and including overland flow, shall be required to either pass through a vegetated swale engineered for water quality protection according to requirements as detailed in the California BMP Handbook for New Development and Redevelopment, or</p>					

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Monitoring Responsibility	Date Compl eted
<p>through a 100-foot or wider vegetated buffer, or through a similarly effective BMP. Any exceptions to this requirement shall be noted in the proposed development plan. In no case shall vegetated buffers at delineated wetlands be less than 50 feet.</p> <p>While the effectiveness of BMP's vary, the standard established by the City of Napa's Interim Policy Procedure for Post-Construction BMPs represents a reasonably prudent and practicable approach for significant new development in a water quality-impaired basin that does not place an undue burden on new development compared to existing development. In this instance, additional measures have been specified. Water quality impacts from new development of land that was previously open space are generally proportional to the size of the developed area. Because of the large size of the proposed Gasser Master Plan project, the impaired condition of the waterways to which it drains, and the existing wetlands with habitat values that will temporarily detain drainage waters, additional water quality protection measures beyond these standard requirements are also appropriate. These additional specified BMP's will provide an increased level of source control and treatment for all proposed uses, including implementation of BMP standards for residential uses that are similar to commercial standards. They also provide additional protection to the wetland at the site. The effectiveness of a vegetated buffer is enhanced by lower slopes and longer flow lengths. Therefore, this mitigation measure specifically provides increased protection for the wetland by significantly increasing the effective length of flow through a vegetated buffer as water flows overland to the existing wetlands.</p>	<p><i>Stormwater Management Plan</i> shall be submitted with</p>	<p>Applicant</p>	<p>Easements shall be accepted and recorded prior to issuance of grading permit or shown on the final map if a final map is</p>	<p>Director of Public Works</p>	

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification	Monitoring Responsibility	Date Compl eted
<p>Standard Plans, Drainage Easements. Easements shall have a minimum width of 15 feet. Pipes exceeding 24-inches in diameter or deeper than 5 feet will require wider easements as required by the City Public Works Director. These easements will provide protection and maintenance access to ensure continued function of such features.</p>	<p>application for Tentative Map, Use Permit or Design Review.</p>	<p>Part of the project; Copy of <i>Stormwater Management Plan</i> and discharge permit number on file with Dept. of Public Works.</p>	<p>Community Development Dept., Engineering Division</p>	<p>Dept. of Public Works, Bridges and Urban Drainage Division</p>	
<p><u>Mitigation Measure HYDRO-2d: Stormwater Management Plan, further requirements:</u> In terms of supporting documentation, the stormwater management plan will include post-construction BMP capacity to treat pollutants and other information necessary to support the proposed design.</p>	<p><i>Stormwater Management Plan</i> shall be submitted with application for Tentative Map, Use Permit or Design Review.</p>	<p>Applicant</p>	<p>Issuance of grading permit; Copy of <i>Stormwater Management Plan</i> and discharge permit number on file with Dept. of Public Works.</p>	<p>Community Development Dept., Engineering Division</p>	
<p><u>Mitigation Measure HYDRO-2e: Stormwater Operations and Maintenance.</u> The stormwater management plan shall include a specific facility operation and maintenance manual and program for each element. The maintenance plan must be acceptable to the Director of Public Works and the City Attorney. The plan shall comply with City and SWRCB requirements including, but not limited to, a detailed description of responsible parties, inspections, maintenance procedures for the detention system (e.g., the existing on-site detention basin, which is owned, operated, and maintained by the Flood Control District), including monitoring and documentation of annual reports to the Public Works Department and procedures for enforcement. Appropriate easements or other arrangements satisfactory to the Public Works Director and City Attorney necessary or convenient to ensure the feasibility of the scheme and fulfillment of maintenance responsibilities shall be secured and recorded prior to approval of the final/parcel map or issuance of a building permit,</p>	<p><i>Stormwater Management Plan</i> shall be submitted with application for Tentative Map, Use Permit or Design Review. Enter into Maintenance Agreement in accordance with current City Storm Water Management</p>	<p>Applicant</p>	<p>Issuance of grading permit; Copy of <i>Stormwater Management Plan</i> and discharge permit number on file with Dept. of Public Works.</p>	<p>Community Development Dept., Engineering Division and City Attorney</p>	

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Verification	Date Compl eted
<p>whichever comes first. (PR 27 Mitigation Hydrology and Water Quality VIII.12.) The funding plan for facility operation and maintenance shall also be included as part of the stormwater management plan. This plan shall include a signed statement from the developer accepting responsibility for maintenance and management of each element of the stormwater management plan until such time when the property is transferred to the City of Napa or another party, at which time the City or other party will assume responsibility. This mitigation measure will provide a greater level of assurance of the effective ongoing operation of the facilities on which the stormwater management system relies.</p>	Plan.				
<p>Mitigation Measure HYDRO-2f: <i>Stormwater Plan Implementation.</i> The elements of the approved stormwater management plan, including drainage easements, must be included in the submitted final site plan and grading and utilities plans to allow approval of grading and building permits. In addition, all drainage easements must be offered for dedication to the City on the Final/Parcel Map. This mitigation measure will provide a greater level of assurance of the full implementation of the stormwater management system.</p>	<p><i>Stormwater Management Plan</i> shall be submitted with application for Tentative Map, Use Permit or Design Review; elements of <i>Plan</i> shown on Final Improvement Plans; prior to approval of grading and building permits.</p>	Applicant	<p>Issuance of grading permit; Copy of <i>Stormwater Management Plan</i> and discharge permit number on file with Dept. of Public Works.</p>	<p>Community Development Dept., Engineering Division</p>	
<p>Mitigation Measure HYDRO-2g: <i>Other PR 27 Requirements.</i> In accordance with Napa Policy Resolution No. 27 Attachment A, Section VIII (Hydrology and Water Quality), the stormwater</p>	<p><i>Stormwater Management Plan</i> shall be</p>	Applicant	<p>Issuance of grading permit; Copy of <i>Stormwater Management Plan</i> and</p>	<p>Community Development Dept., Engineering Division</p>	

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification	Monitoring Action	Monitoring Responsibility	Date Completed
<p>management plan, drainage plan, and site development plan shall reflect, and the applicant shall meet, the following parallel and/or supplemental water quality management requirements:</p> <ul style="list-style-type: none"> <li>◆ All materials that could cause water pollution (i.e., motor oil, fuels, paints, etc.) shall be stored and used in a manner that will not cause any pollution. All discarded material and any accidental spills shall be removed and disposed of at an approved disposal site. (PR 27 Mitigation Hydrology and Water Quality VIII.6.)</li> <li>◆ Developer shall meet the requirements of discharging to a public storm drainage system as required to ensure compliance by the City with all state and federal laws and regulations related to stormwater as stipulated in the Clean Water Act (PR 27 Mitigation Hydrology and Water Quality VIII.10.)</li> </ul>	<p>submitted with application for Tentative Map, Use Permit or Design Review; elements of <i>Plan</i> shown on Final Improvement Plans; prior to approval of grading and building permits.</p>			<p>discharge permit number on file with Dept. of Public Works.</p>	<p>Dept. of Public Works, Bridges and Urban Drainage Division</p>	
<p><u>Mitigation Measure HYDRO-3a: Stormwater Management.</u> Implement Mitigation Measures HYDRO-2a, HYDRO-2b, HYDRO-2c, HYDRO-2d, HYDRO-2e, HYDRO-2f, and HYDRO-2g.</p>	<p><i>Stormwater Management Plan</i> shall be submitted with application for Tentative Map, Use Permit or Design Review; elements of <i>Plan</i> shown on Final Improvement Plans; prior to approval of grading and building permits.</p>	<p>Applicant</p>	<p>Issuance of grading permit; Copy of <i>Stormwater Management Plan</i> and discharge permit number on file with Dept. of Public Works.</p>	<p>Community Development Dept., Engineering Division  Dept. of Public Works, Bridges and Urban Drainage Division</p>		
<p>R2006 213 EXHIBIT A – Mitigation Monitoring Program</p>	<p>Page 42 of 115</p>	<p>See Condition of</p>				

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Monitoring Responsibility	Date Compl eted
<p><b>Mitigation Measure HYDRO-3b: Erosion/Siltation Evaluation:</b> The applicant shall submit an evaluation of erosion/siltation hazards for each phase of the Gasser Master Plan, or elements thereof. The plans shall describe any actions that will construct or alter drainage elements or drainage patterns on the site. This plan evaluates the risk of erosion/sedimentation hazards created by the project's implementation. Finally, the plan shall demonstrate that the project will not present a substantial risk of erosion or sedimentation and provide supporting documentation of the basis for the evaluation's conclusion. Approval of a grading permit shall be contingent on approval of the submitted erosion/siltation evaluation by the City Public Works Director. This evaluation may be submitted as part of the stormwater management plan.</p>	<p>Approval 13</p> <p><i>Erosion/Siltation Evaluation</i> submitted with first plan check submittal for each Phase of Gasser Master Plans.</p>	<p>Applicant</p>	<p>Issuance of grading and building permits for each Phase of Master Plan.</p>	<p>Dept. of Public Works, Bridges and Urban Drainage Division</p>	
<p><b>Mitigation Measure HYDRO-3c: Stormwater Management Plan, Further Requirements:</b> This supplements Mitigation Measure HYDRO-3a, which requires the preparation and implementation of a stormwater management plan as specified by Mitigation Measure HYDRO-2a. In accordance with Napa Policy Resolution No. 27 Attachment A, Section VIII (Hydrology and Water Quality), the stormwater management plan, drainage plan, and site development plan shall also reflect, and the applicant shall meet, the following parallel and/or supplemental requirements:</p> <ul style="list-style-type: none"> <li>◆ The stormwater management plan will specify implementation of a storm drain system, including any off-site components, that is designed to meet current City Engineering Division standards and that is sufficient to convey at least a 25-year storm, exceeding or meeting current Napa Public Works Department</li> </ul>	<p><i>Stormwater Management Plan</i> shall be submitted with application for Tentative Map, Use Permit or Design Review, elements of Final Improvement Plans; prior to approval of</p>	<p>Applicant</p>	<p>Issuance of grading permit; Copy of <i>Stormwater Management Plan</i> and discharge permit number on file with Dept. of Public Works.</p>	<p>Community Development Dept., Planning and Engineering Divisions Dept. of Public Works, Bridges and Urban Drainage Division</p>	

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification	Monitoring Action	Monitoring Responsibility	Date Completed
<p>Standard Specifications in accordance with Napa Policy Resolution No. 27, Attachment A, Subsection XVI.5.</p> <ul style="list-style-type: none"> <li>◆ The stormwater management plan shall include documentation of all storm drain calculations, including onsite and offsite runoff calculations, inlet capacity calculations, pipe flow calculations, and detention basin capacity calculations.</li> <li>◆ To ensure adequate drainage control, the Developer of any project which introduces new impervious surfaces (roof, driveways, patios) which will change the rate of absorption of drainage or surface run-off shall submit a drainage and grading plan designed in accordance with Policy Resolution No. 17 and the City of Napa Public Works Department Standard Specifications to the Napa Public Works Department for its approval. (PR 27 Mitigation Hydrology and Water Quality VIII.1.)</li> </ul>	<p>grading and building permits. See Condition of Approval 13</p>					
<p>Side yards of each lot shall have of a minimum unobstructed width of five (5) feet; provided that commercial and certain types of residential development may be designed without side yards of any width, except where approved by the City Public Works Director as part of the Stormwater Management Plan. No building encroachments, door landings or mechanical equipment shall be placed in this unobstructed area without the review and approval of the City Public Works Director in order to assure adequate drainage. (PR 27 Mitigation Hydrology and Water Quality VIII.3.)</p>	<p><i>Stormwater Management Plan</i> shall be submitted with application for Tentative Map.</p>	<p>Applicant</p>	<p>Issuance of grading permit; Copy of <i>Stormwater Management Plan</i> and discharge permit number on file with Community</p>	<p>Community Development Dept., Engineering Division Dept. of Public Works, Bridges</p>		

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Verification	Date Compl cted
<p><u>Mitigation Measure HYDRO-4a: Floodplain Permit.</u> Before development may be approved by the City of Napa within properties zoned JFP, which presently includes the entire area proposed for development within the Gasser Master Plan, a floodplain permit must be obtained from the City's floodplain administrator in accordance with Napa Municipal Code Chapter 17.38. Such a permit may not be issued until each of the pieces of information, analyses, and documentation required by this section before construction are submitted. Included in the submittal shall be an identification of all drainage necessary to reduce exposure to flood hazards, documentation showing that 1) finished floors will be elevated at least one foot above the base flood elevation, 2) fully enclosed floors below this elevation automatically will equalize hydrostatic flood forces, and 3) construction below one foot above the base flood (100-year flood) elevation will be flood-proofed. The applicant shall submit Certifications of Compliance with the standards of NMC Chapter 17.38 (FP Floodplain Management Overlay District) by a registered architect or civil engineer as required by NMC Chapter 17.38 to the Public Works Department at the times set forth in Chapter 17.38. (PR 27 Mitigation Hydrology and Water Quality VIII.2) In addition, if the proposed project falls within a FEMA-designated floodway (currently the case), a floodway development analysis must be prepared by a registered professional engineer as described in NMC Chapter 17.38, and accepted by the City of Napa floodplain administrator before the City may approve development. Such development may only be approved by the City if it shows zero increase in water surface elevations for the entire length of the</p>	<p>Use Permit or Design Review. See Conditions 14 &amp; 15</p>	<p>Development Department.</p>	<p>and Urban Drainage Division</p>	<p>City of Napa Floodplain Administrator Dept. of Public Works, Bridges and Urban Drainage Division.</p>	

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification	Monitoring Action	Monitoring Responsibility	Date Compl eted
<p>floodway under base flood conditions and no expected hazard from changes in flow and velocity as a result of the proposed development. This measure will ensure that the risk of significant property and public safety hazards at the proposed new development is minor and provide consistency with respect to FEMA and the City's zoning laws.</p>	<p><i>Stormwater Management Plan</i> shall be submitted with application for Tentative Map, Use Permit or Design Review. See Conditions 14 &amp; 15</p>	Applicant	<p>Community Development Dept., Planning Division Public Works Department, Bridges and Urban Drainage Division</p>	<p>Approval of Tentative Map, Use Permit or Design Review.</p>		
<p><u>Alternative Mitigation Measure HYDRO-4a: LOMR/CLOMR</u> Before development may be approved by the City of Napa within properties zoned :FP, which presently includes the entire area proposed for development within the Gasser Master Plan, the applicant must successfully apply to the City to rezone the affected parcel or parcels to remove the :FP overlay. Before the City may approve this rezoning, the applicant must demonstrate that a Letter of Map Revision (LOMR) removing the affected parcels from the floodplain or Conditional Letter of Map Revision (CLOMR) for a proposed project has been obtained from the Federal Insurance Administration of the FEMA. The LOMR may be in the form of an A-99 rezoning (an interim zoning designation to reflect the substantial progress in implementing the NRFPP) sought by the City that includes the proposed development area or an applicant-obtained LOMR for the proposed development area. This measure will ensure that the risk of significant property and public safety hazards at the proposed new development is minor and will eliminate regulatory conflicts with respect to FEMA and the City's zoning laws.</p>	<p>Prior to final building clearance.</p>	Applicant	<p>Evacuation Route and Emergency Operations Plan shall be approved by the Dept. of Public Works</p>	<p>Evacuation Route and Emergency Operations Plan shall be approved by the Dept. of Public Works</p>		
<p><u>Mitigation Measure HYDRO-4b: Evacuation Route and Emergency Operations Plan</u> Evacuation Route and Emergency Operations Plan. All residential development at the project site shall be required to provide analysis demonstrating that an evacuation route from each structure can reasonably be expected to exist that will not be submerged by one</p>						

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification	Monitoring Action	Monitoring Responsibility	Date Compl eted
<p>or more feet of water during a 100-year flood event, regardless of whether or not a flood evacuation area designation exists for the proposed development area. The analysis supporting this conclusion shall be performed by a registered civil engineer and supporting documentation provided to the City of Napa's Public Works Director prior to final building clearance. All non-residential development at the project site shall be required to provide an emergency operations plan in accordance with FEMA Technical Bulletin 3-93 to the City of Napa's Public Works Director prior to final building clearance. For the purposes of this measure, Tulocay Creek levees shall be presumed ineffective unless they are certified to FEMA as adequate to contain a discharge equal to or larger than the Flood Control District's current 100-year flow estimate. This measure will ensure that the site can be evacuated during most flood events.</p>	<p><i>Stormwater Management Plan</i> shall be submitted with application for Tentative Map, Use Permit or Design Review, elements of <i>Plan</i> shown on Final Improvement Plans; prior to approval of grading and building permits.</p>	<p>Applicant</p>	<p>Issuance of grading permit; Copy of Stormwater Management Plan and discharge permit number on file with Dept. of Public Works</p>	<p>Public Works Department-Bridges and Urban Drainage Division Community Development Dept., Engineering Division</p>		
<p><b>Mitigation Measure HYDRO-4c: Stormwater Management Plan, Further Requirements.</b> Implement Mitigation Measures HYDRO-2a, HYDRO-2e, HYDRO-2f, and HYDRO-3a, which require the preparation and implementation of a stormwater management plan. The stormwater management plan, drainage plan, and site development plan shall also reflect, and the applicant shall meet, the following parallel and/or supplemental requirements:</p>	<ul style="list-style-type: none"> <li>◆ The stormwater management plan must demonstrate that conveyance or detention of any storm drain excess (stormwater runoff not produced by overbank flow from rivers and creeks that exceeds the capacity of the stormwater management system) up to the 100-year event will not aggravate flood hazards both on-site and off-site in comparison to pre-project conditions. The plan must specifically address this concern with regard to storm drain excess at Gasser South.</li> <li>◆ Unless otherwise provided, all measures included in project approval pursuant to NMC Chapter 17.38 (floodplain</li> </ul>					

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification	Monitoring Action	Monitoring Responsibility	Date Compl eted
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management overlay district) shall be installed or carried out prior to final clearance of the building permit or concurrently with the installation of site improvements in the case of a subdivision map. (PR 27 Mitigation Hydrology and Water Quality VIII.9.)

- ◆ This measure will provide for the design and implementation of a stormwater management plan for the project that adequately addresses site drainage issues with regard to minimizing associated flood hazards

**Mitigation Measure HYDRO-4d: Grading requirements. Evacuation Route and Emergency Operations Plan.** All residential development at the project site shall be required to provide analysis demonstrating that an evacuation route from each structure can reasonably be expected to exist that will not be submerged by one or more feet of water during a 100-year flood event, regardless of whether or not a flood evacuation area designation exists for the proposed development area. The analysis supporting this conclusion shall be performed by a registered civil engineer and supporting documentation provided to the City of Napa's Public Works Director prior to final building clearance. All non-residential development at the project site shall be required to provide an emergency operations plan in accordance with FEMA Technical Bulletin 3-93 to the City of Napa's Public Works Director prior to final building clearance. For the purposes of this measure, Tulocoy Creek levees shall be presumed ineffective unless they are certified to FEMA as adequate to contain a discharge equal to or larger than the Flood Control District's current 100-year flow estimate. This measure will ensure that the site can be evacuated during most flood events.

*Stormwater Management Plan* shall be submitted with application for Tentative Map, Use Permit or Design Review, elements of *Plan* shown on Final Improvement Plans; prior to approval of grading and building permits. See Condition of Approval 13

Applicant  
Evacuation Route and Emergency Operations Plan shall be approved by the Dept. of Public Works  
Dept. of Public Works  
Community Development Dept., Engineering Division.

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification	Monitoring Action	Monitoring Responsibility	Date Compl eted
<p>Mitigation Measure HYDRO-4e: <i>Stormwater Operations, Maintenance, and Implementation</i>. Implement Mitigation Measure HYDRO-3d (Implement Mitigation Measures HYDRO-2c: Stormwater Operations and Maintenance and Mitigation Measure HYDRO-2f: Stormwater plan implementation).</p>	<p><i>Stormwater Management Plan</i> shall be submitted with application for Tentative Map, Use Permit or Design Review; elements of <i>Plan</i> shown on Final Improvement Plans; prior to approval of grading and building permits. See Condition of Approval 13.</p>	Applicant	<p>Issuance of grading permit; Copy of Stormwater Management Plan and discharge permit number on file with Dept. of Public Works.</p>	<p>Director of Public Works Community Development Dept., Engineering Div.</p>		
<p>Mitigation Measure HYDRO-4f: <i>Flood Evacuation Area: Flood Evacuation Plan. Flood Evacuation Plan</i>. All developments at the project site within the flood evacuation area, regardless of use, shall be required to develop a flood evacuation plan, as presently required by the City for only certain residential developments under City Municipal Code Section 17.38.070. The flood evacuation plans adapted to the planned use shall be developed in accordance with Subsections A, B, and C of that Section. The flood evacuation plans must be approved by the City Public Works Director prior to final building permit clearance; all components of these plans must be developed and implemented prior to final clearance of building permits. This measure will reduce public safety flood risks for all proposed new development at the site, regardless of</p>	<p><i>Stormwater Management Plan</i> shall be submitted with application for Tentative Map, Use Permit or Design Review; elements of <i>Plan</i> shown on Final Improvement Plans; prior to approval of grading and</p>	Applicant	<p>Flood Evacuation Area Flood Evacuation Plan shall be approved by the Dept. of Public Works</p>	<p>Dept. of Public Works Community Development Dept., Engineering Div.</p>		

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Monitoring Responsibility	Date Compl eted
use, by providing evacuation planning.					
	building permits. Sec Condition of Approval 13				
Mitigation Measure HYDRO-5a: <i>Phasing</i> . Before the City can approve grading permits for any proposed development at the project site, flood hazard reduction measures must be implemented as indicated in Table 4.4-3 Flood Hazard Reduction Element Phasing (see last page of this Mitigation Monitoring Program), with all items in the column on the left preceding or occurring concurrently with the action in the column on the right.	Prior to issuance of grading permits.	Applicant	Issuance of grading permits.	Community Development Department, Engineering Division with assistance from	
As an alternative, if a Letter of Map Revision (LOMR) or Conditional Letter of Map Revision (CLOMR) is approved by FEMA for the Gasser South development per HYDRO-4a but not all of Gasser South will be removed from the FEMA regulatory floodplain once the development is complete, then the requirements in Hydro-4b-4f shall be met prior to the issuance of grading and building permits				Dept. of Public Works	
<u>Mitigation Measure HYDRO-5b: <i>Floodplain Management</i></u> . Implement Mitigation Measure HYDRO-4a: Floodplain permit or Alternative Mitigation Measure HYDRO-4a: LOMR/CLOMR. This measure will ensure that the risk of significant property and public safety hazards at the proposed new development is minor and will eliminate regulatory conflicts with respect to FEMA and the City's zoning laws.	Prior to issuance of grading and building permits for any Phase of the Master Plan.	Applicant	Issuance of grading and building permits.	City of Napa Floodplain Administrator Dept. of Public Works, Water	
<u>Mitigation Measure HYDRO-5c: <i>Railroad Bridge Closure Plan</i></u> . The plan for a removable floodwall at Napa Valley Wine Train Bridge across Tulocay Creek must be approved by the City Public Works Director prior to approval of the grading permit for Gasser South	Prior to approval of grading permits for Gasser South Development.	Applicant	Issuance of grading permits for Gasser South Development.	Director of Public Works, Bridges and Urban Drainage Division	

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification	Date Compl cted
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development if the NRTFP east bank levees and floodwalls south of First Street to Tulocay Creek are not yet completed. The removable floodwall is required to eliminate routing of the Napa River overbank flood flows from Gasser North onto Gasser South in events up to and including a 100-year flood event. It shall be put in place within a reasonable period after a flood warning alert from the National Weather Service and prior to potentially significant flood events on the Napa River. Implementation of the floodwall plan is required before final clearance of the building permit can occur.

The removable floodwall plan shall show structural details and present the structural analysis on which the design is based. It shall also include identification of who will monitor National Weather Service flood watches and warnings, including contact information; what actions by whom the watches and warnings will trigger within what time periods; who will install the barriers, and any agreement related to provision of that service; how the site will be accessed; what equipment will be used; how long installation will take; how often the crew will train; emergency contact numbers; any required approvals from the California Public Utilities Commission; backup measures to minimize the potential for system failures; and any other information pertinent to the effective operation of the floodwall. This mitigation measure will provide reasonable assurance of the effectiveness of the railroad bridge floodwall to prevent passage of flows from Gasser North into Gasser South across the bridge.

See Condition of Approval 16

Community Development Department, Engineering and Building Divisions

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Monitoring Responsibility	Verification	Date Compl eted
Mitigation Measure HYDRO-6a: Phasing Measure HYDRO-5a: Phasing.	Prior to issuance of grading permits.  See Condition of Approval 16	Applicant	Issuance of grading permits.	Dept. of Public Works, Bridges and Urban Drainage Division  and  Community Development Department, Engineering and Building Divisions		
Mitigation Measure HYDRO-6b: <i>Residual Overland Flow Improvements.</i> Neither fill nor structures may be placed at the Tulocay Square (aka Tulocay Place) site until documented analysis has been provided identifying those measures necessary to ensure that flood hazards to surrounding properties from at least the 100-year residual overland flow under baseline conditions extending along Soscol Avenue from the intersection of Oil Company Road south to the North Basin would not be aggravated as a result of blockage at the Tulocay Square site. Specific drainage improvements to meet this performance criterion shall be identified as part of a drainage plan to be submitted for the City's review and approval, coordinated with the Flood District, prior to City issuance of a grading permit for placement of fill at Tulocay Square. This measure requires development of an integrated and effective plan to route residual flood flows under baseline conditions from Soscol Avenue to the North Basin without increasing flood hazards in up to a 100-year flood event in concert with the plan to place new fill in the flow path at the proposed Tulocay Square site, thereby alleviating most flood risks that might result from such development.	Agreement on Residual Overland Flow  Improvement Plan prior to any Tentative Map, Use Permit or Design Review application north of Tulocay Creek.	Applicant  Flood Control District	Issuance of grading permits north of Tulocay Creek.	Flood Control District  Public Works Department, Bridges and Urban Drainage Division		
Mitigation Measure HYDRO-7a: <i>Gasser Drive Bridge Hydraulic Design Criteria.</i> The applicant must obtain approval from the City Public	Prior to approval of improvement plans for Gasser	Applicant	Approval of improvement plans for Gasser Drive Bridge.	Community Development Dept., Engineering Division, with assistance		

R2006 213

EXHIBIT A – Mitigation Monitoring Program

Page 52 of 115

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification	Monitoring Action	Monitoring Responsibility	Date Compl eted
<p>Works Director of a hydraulic analysis for the Gasser Drive Bridge prior to City approval of permits for bridge construction. This analysis must demonstrate that the design (including the pier shape and number, bridge low chord, and bridge width as shown in the final design for the bridge) has the ability to pass 1) a 50-year flow in Tulocay Creek (recently estimated at 4,230 cfs) with at least 0.5 feet of freeboard when backwatered from a 50-year flood event in the Napa River with the NRRFPP in place and 2) a 100-year flow in Tulocay Creek (recently estimated at 4,500 cfs and elsewhere at 4,875 cfs) without pressure flow when backwatered from a 50-year flood event in the Napa River with the NRRFPP in place. Additionally, before the City may grant its approval, the applicant must obtain a letter from the entity responsible for the function of the Tulocay Creek element of the NRRFPP stating that the design is consistent with the flood protection objectives of the NRRFPP. The responsible entity is expected to either be the USACE (before the NRRFPP is turned over to the local sponsor) or the Flood Control District (the local sponsor). This measure will provide a factor of safety to address uncertainty in bridge hydraulics and function, thereby reducing the risk of flood hazards associated with its construction.</p>	<p>Drive Bridge.</p>				<p>from Public Works Department, Bridges and Urban Drainage Division</p>	
<p><u>Mitigation Measure HYDRO-7b: Gasser Drive Bridge Pier Design.</u> The applicant must obtain approval from the City Public Works Director for design of the Gasser Drive Bridge prior to City approval of permits for bridge construction. This design must be consistent with the hydraulic analysis bridge description submitted for the bridge and must include piles that are webbed to minimize debris accumulation, or continuous walls in lieu of piles, or include no piers within the active channel. This measure will reduce the risk of debris accumulation at the bridge, thereby reducing the risk of flood hazards associated with its construction.</p>	<p>Prior to approval of improvement plans for Gasser Drive Bridge.</p>	<p>Applicant</p>	<p>Approval of improvement plans for Gasser Drive Bridge.</p>		<p>Community Development Dept., Engineering Division, with assistance from Public Works Department, Bridges and Urban Drainage Division</p>	

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Monitoring Responsibility	Date Completed
<p><u>Mitigation Measure HYDRO-7c: Gasser Drive Bridge Upstream Levee Raise.</u> Prior to City approval of improvement plans for construction of the Gasser Bridge, the Tulocay Creek levee upstream of the bridge must be raised as needed. This should be done in order provide at least as much freeboard as possible between the top of levee and the estimated water surface elevation at the upstream side of Gasser Bridge. The 100-year flow as adopted by the Flood Control District (presently estimated by the Flood Control District to be 4,500 cfs) in Tulocay Creek, when backwatered from a 50-year flood event in the Napa River with the NRFP in place, has been predicted in head loss at the bridge in the approved hydraulic analysis, plus 0.1 foot. This measure will provide a factor of safety in the upstream levee height, proportional to the expected head loss at the bridge, to address uncertainty in bridge hydraulics and function, thereby reducing the risk of flood hazards associated with its construction.</p>	<p>Levee improvements in place prior to approval of improvement plans for Gasser Drive Bridge.</p> <p>See Condition of Approval 16 and 43</p>	<p>Applicant Flood Control District</p>	<p>Approval of improvement plans for Gasser Drive Bridge.</p>	<p>Community Development Dept., Engineering Division with assistance from Public Works Department</p>	
<p><u>Mitigation Measure HYDRO-7d: Tulocay Creek Monitoring and Maintenance.</u> Prior to City approval for construction of a bridge over Tulocay Creek on Gasser Drive, the applicant must receive approval from the City Public Works Director for a monitoring and maintenance plan. This plan must identify what actions will be taken to maintain the Tulocay Creek channel at and downstream of the Gasser Drive Bridge at a performance level at or below the 100-year water surface profile identified in the approved hydraulic analysis beyond the routine monitoring and maintenance of this reach of the creek by the Flood Control District that would otherwise be required. The supplemental funding required for the implementation of this plan by the Flood Control District shall be provided by the applicant to the Flood Control District based on District actual costs, with a District-generated estimate of cost paid by the applicant each year in advance for the following year's work. This requirement shall remain in effect unless and until at some point in the future the City waives it</p>	<p>Monitoring and maintenance plan submitted for approval prior to improvement plans for Gasser Drive Bridge.</p> <p>See Condition of Approval 3</p>	<p>Applicant Flood Control District</p>	<p>Approval of improvement plans for Gasser Drive Bridge.</p>	<p>Community Development Dept., Engineering Division with assistance from Public Works Department</p>	

R2006 213

Page 54 of 115

EXHIBIT A – Mitigation Monitoring Program

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Monitoring Responsibility	Date Completed
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due to new analysis either demonstrating that the expected freeboard at the bridge is 1.0 foot or more in a 50-year flood event when backwatered from a 50-year flood event in the Napa River with the NRFP in place or a finding that the routine monitoring and maintenance of this reach of the creek by the

Flood Control District will be sufficient to maintain it at a performance level at or below the 100-year water surface profile identified in the approved hydraulic analysis.

This requirement shall remain in effect unless and until at some point in the future the City waives it due to new analysis either demonstrating that the expected freeboard at the bridge is 1.0 foot or more in a 50-year flood event when backwatered from a 50-year flood event in the Napa River with the NRFP in place, or that the monitoring and maintenance of this reach of the creek by the Flood Control District as required by the USACE as part of the NRFP will be sufficient to maintain this reach of the channel at a performance level at or below the 100-year water surface profile identified in the approved hydraulic analysis.

The channel management plan shall include a maintenance manual and program, including annual reporting to the City Public Works Director on maintenance activities undertaken. The funding plan for facility operation and maintenance shall also be included as part of the channel management plan. This plan shall include a signed statement from the developer accepting responsibility for maintenance and management of the reach addressed by the channel management plan until such time when the property is transferred; the funding and implementation responsibility will be transferred with the property. This measure will provide additional assurance of bridge performance, even in the face of downstream channel changes, thereby reducing the risk of flood hazards associated with its construction.

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Verification	Date Compl eted
<p><b>Mitigation Measure HYDRO-8: Permits and Agreements.</b> The applicant shall acquire all required permits and agreements for construction of the proposed Gasser Drive Bridge. Such permits may include a permit under Section 10 of the Rivers and Harbors Act from the USACE, Section 401 and 404 permits under the Clean Water Act from the Regional Water Quality Control Board and USACE, respectively, and a Streambed Alteration Agreement from the California Department of Fish and Game.</p>	<p>Prior to approval of improvement plans for Gasser Drive Bridge.</p>	<p>Applicant Permitting Agencies</p>	<p>Approval of improvement plans for Gasser Drive Bridge.</p>	<p>Community Development Dept., Engineering Division with assistance from Public Works Department</p>	

**AIR QUALITY**

**Mitigation Measure AQ-1:** The following is a list of feasible control measures that the BAAQMD recommends, some of which the City requires through Policy Resolution 27, to limit construction emissions of PM<sub>10</sub>. These mitigation measures shall be implemented for all areas (both on-site and off-site) where construction activities would occur.

- ◆ Sprinkle water to all active construction areas at least twice daily and more often when conditions warrant. This measure is required by City Policy Resolution 27, which also stipulates that the water shall not be from the City's potable water supply. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency shall be necessary whenever wind speeds exceed 15 miles per hour such that no visible dust is seen leaving the project site.
- ◆ Construction equipment must have state-of-the-art muffler systems required by current law. Muffler systems shall be properly maintained. (PR 27 Mitigation Air Quality III.3)
- ◆ Cover all trucks hauling soil, sand and other loose materials or require all trucks to maintain at least two feet of freeboard.

During all grading and construction activities.

Applicant

Monitoring during grading and construction activities.

Community Development Dept., Engineering Division

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Verification	Date Compl. eted
<ul style="list-style-type: none"> <li>◆ Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.</li> <li>◆ Sweep (with water sweepers) all paved access roads, parking areas and staging areas at construction sites daily.</li> <li>◆ Sweep streets daily if visible soil material is carried onto adjacent public streets.</li> <li>◆ Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (defined as previously graded areas inactive for 10 days or more).</li> <li>◆ Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).</li> <li>◆ Limit traffic speeds on unpaved roads to 15 miles per hour.</li> <li>◆ Install sandbags or other erosion control measures to prevent silt runoff to public roadways.</li> <li>◆ Replant vegetation in disturbed areas as quickly as possible.</li> <li>◆ Install wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the site.</li> <li>◆ Suspend grading activities when winds exceed 25 miles per hour (mph) and visible dust clouds cannot be prevented from extending beyond active construction areas, as also required by City Policy Resolution 27. (PR 27 Mitigation Air Quality III.2)</li> <li>◆ Limit the area subject to excavation, grading and other construction activity at any one time.</li> <li>◆ Shut down all grading and construction equipment when not in use. This is an additional measure required by City Policy Resolution 27 (PR 27 Mitigation Air Quality III.1).</li> </ul>					

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification	Monitoring Action	Monitoring Responsibility	Date Compl- eted
<p><u>Mitigation Measure AQ-2:</u> The project applicant shall reduce vehicle trips, and thus air pollutant emissions, through the measures listed below.</p>						
<ul style="list-style-type: none"> <li>◆ Provide bus pullouts and transit stops at several locations with pedestrian access to the project. Project emissions could be reduced by about 2 percent with bus service.</li> </ul>	<p>Part of Subdivision or Design Review</p>	<p>Applicant</p>		<p>Review of project</p>	<p>Community Development (CDD), Division Dept. Planning in coordination with Napa County Transportation Planning Agency</p>	
<ul style="list-style-type: none"> <li>◆ Bicycle amenities should be provided for the project. This would include secure bicycle parking for office and retail employees, bicycle racks for retail customers, and bike lane connections. This vehicle trip reduction measure could reduce emissions by 2 percent.</li> </ul>	<p>“</p>					
<ul style="list-style-type: none"> <li>◆ Pedestrian facilities should link future transit stops and access roadways to the major site uses (e.g., residential and theatre uses). This may reduce emissions by 1 percent.</li> </ul>	<p>“</p>					
<ul style="list-style-type: none"> <li>◆ Project site employees should be required to post transit rates and scheduling information on bulletin boards, which may reduce emissions by 1 percent.</li> </ul>	<p>Employer posting ongoing.</p>			<p>None</p>		
<ul style="list-style-type: none"> <li>◆ Consider that a portion of the parking facilities be set aside for commuter parking (i.e., Park and Ride facility) to reduce weekday commuter traffic when retail uses would not be in high demand. The effectiveness would depend on the use of the parking facilities and is too difficult to calculate at this point. Therefore, it would be considered to reduce emissions by less than 1 percent.</li> </ul>	<p>Part of Subdivision and Design Review.</p>	<p>Employers</p>			<p>None</p>	
<ul style="list-style-type: none"> <li>◆ Require new residential units to include only clean-burning U.S. EPA-certified wood burning devices, pellet-fueled stoves, or natural gas fireplaces. This would reduce a substantial portion of non-transportation PM<sub>10</sub> emissions during wintertime, when PM<sub>10</sub> concentrations can be highest and would include policies</li> </ul>	<p>“</p>	<p>Applicant</p>		<p>Review of Project</p>	<p>CDD, Planning Div.</p>	

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Verification	Date Compl. ected
<p>consistent with BAAQMD recommendations for control of residential wood smoke. This would reduce wintertime emissions of PM<sub>10</sub> from woodsmoke by 90 percent or greater.</p>					
<p><b>NOISE</b></p>					
<p><b>Mitigation Measure NOISE-1:</b> During construction, the following measures, specified in the City of Napa's Policy Resolution 27, shall be implemented:</p>					
<ul style="list-style-type: none"> <li>◆ Construction activities shall be limited to specific times pursuant to NMC 8.08.025, which limits construction activities to between 7:00 a.m. and 7:00 p.m., Monday through Friday, and between 8:00 a.m. and 4:00 p.m. on weekends or legal holidays, unless a permit is first secured from the City Manager (or his/her designee) for additional hours. The ordinance further states that the following will not be permitted:</li> </ul>	<ul style="list-style-type: none"> <li>○ start up of machines or equipment prior to 8:00 a.m. Monday through Friday; delivery of materials or equipment prior to 7:30 a.m. or past 5:00 p.m., Monday through Friday; cleaning of machines or equipment past 6:00 p.m., Monday through Friday; and servicing of equipment past 6:45 p.m., Monday through Friday. (PR 27 Mitigation Noise XI.1.) Construction on weekends, pursuant to NMC 8.08.025, is limited to the hours of 8:00 am to 4:00 p.m.</li> </ul>	<p>Applicant</p>	<p>Periodic monitoring during grading and construction activities</p>	<p>Community Development Dept., Engineering and Building Division. Code Enforcement Division on complaint only</p>	
<ul style="list-style-type: none"> <li>◆ Construction equipment must have state-of-the-art muffler systems required by current law. Muffler systems shall be properly maintained. (PR 27 Mitigation Noise XI.2.)</li> </ul>					
<ul style="list-style-type: none"> <li>◆ Noisy stationary construction equipment, such as compressors, shall be placed away from developed areas off-site and/or</li> </ul>					

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Verification	Monitoring Responsibility	Date Compl eted
<p>provided with acoustical shielding. (PR 27 Mitigation Noise XI.3.)</p> <ul style="list-style-type: none"> <li>◆ Grading and construction equipment shall be shut down when not in use. (PR 27 Mitigation Noise XI.4.)</li> </ul>						
<p>Mitigation Measure NOISE-2: As individual facilities are developed, the City shall evaluate each facility for compliance with the City's Noise Ordinance and General Plan noise standards. Where individual facilities do not clearly comply with the noise standards included in these guidelines, mitigation measures shall be required to reduce projected interior and exterior noise levels to acceptable levels. Mitigation Measures may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>◆ Dual-pane, noise-rated windows; mechanical air systems; exterior wall insulation; and other noise-reducing building materials shall be used.</li> <li>◆ Mechanical equipment (e.g., air conditioning and ventilation systems) and area-source operations (e.g., loading docks, parking lots) shall be located the farthest distance from and/or shielded from nearby existing and proposed noise-sensitive land uses.</li> </ul> <p>In addition, the following measures will apply to noise-generating activities associated with commercial and multi-family housing grounds:</p> <ul style="list-style-type: none"> <li>◆ Onsite landscape maintenance equipment shall be equipped with properly operating exhaust mufflers and engine shrouds, in accordance with the manufacturer's specifications.</li> <li>◆ For maintenance areas located within 500 feet of noise-sensitive land uses, the operation of onsite landscape maintenance equipment shall be limited to the least noise-sensitive periods of</li> </ul>	<p>Evaluation Part of Design Review.</p> <p>Subsequent final building plans shall indicate features included in compliance with City Noise Ordinance.</p>	<p>Applicant</p>	<p>Design Review Approval</p> <p>Plan Check</p> <p>Construction Inspection</p>	<p>CDD, Planning Div.</p> <p>"</p> <p>CDD, Engineering and Building</p>		
	<p>Part of Design Review</p> <p>Following Occupancy</p>	<p>Applicant</p> <p>Rental Project Owner or Owners Association</p>	<p>Design Review Approval</p> <p>condition</p>		<p>CDD Planning Div.</p>	

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Monitoring Responsibility	Date Compl eted
the day, between 7 a.m. and 7 p.m.					
<p><u>Mitigation Measure NOISE-3a:</u> The project applicant or developer shall submit to the City an acoustical study which quantifies noise levels generated by the flood control pumps after the NRPFP/pump station is operational and prior to the construction of residential units in the vicinity. The study will identify the necessary noise control measures to be included in the design of the residential development to maintain interior noise levels within units to 35 dBA Leq with the windows closed.</p>	Studies part of Subdivision and Design Review	Applicant	Subdivision and Design Review Approval Plan Check Construction Inspection	CDD, Planning Div. " CDD, Engineering and Building Div.	
<p><u>Mitigation Measure NOISE 3b:</u> The project applicant, developer, owner, or operator (as applicable) shall disclose to prospective residents the potential sources of offensive, intermittent noises including the pump station, NVWT, animal shelter, fire station, and commercial uses.</p>	Ongoing	Applicant or subsequent developer State/Federal Agents	Disclosure notice included with sales statement or lease	Sales/Rental Agents	
<p><u>Mitigation Measure NOISE-4:</u> Developer shall have a project-specific acoustical analysis for the transitional housing units conducted to meet the following noise reduction requirements. Interior noise levels shall be reduced to 45 CNEq or lower to meet State and local standards. Building sound insulation requirements will need to include the provision of forced-air mechanical ventilation for new transitional housing units adjacent to Hartle Court, so that windows could be kept closed at the occupants' discretion to control noise. Results of the analysis, including the description of the necessary noise control treatments, will be submitted to the City along with the building plans and approved prior to issuance of a building permit.</p>	Acoustical analysis submitted with building plans pursuant to building permit application.	Applicant	Issuance of building permits.	Community Development Dept., Building Division	

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification	Monitoring Action	Monitoring Responsibility	Date Compl eted
<p>Feasible construction techniques such as these will adequately reduce interior noise levels to 45 dBA CNEL or lower.</p>						
<p><b>BIOLOGICAL RESOURCES</b></p>						
<p><u>Mitigation Measure BIO-1a:</u> In order to mitigate for on-site impacts to special-status species, the project developer shall obtain all necessary permits from the CDFG, USACE, USFWS, and the RWQCB/State Water Resources Control Board (SWRCB) as required by federal and State law to avoid, minimize or offset impacts to any species listed under either the State or federal Endangered Species Acts or protected under any other State or federal law as follows:</p>						
<ul style="list-style-type: none"> <li>◆ Before project implementation, a delineation of waters of the United States, including wetlands that would be affected by development, shall be made by qualified biologists through the formal Clean Water Act section 404 process. This shall encompass the entire site with the exception of the detention basin of Gasser North under fee ownership of the Napa County Flood Control and Water Conservation District addressed as part of the Gasser Soil Reuse and Disposal Plan in 2003.</li> </ul>	Part of Subdivision and Design Review	Applicant for all	Copy of Wetlands Delineation provided to City prior to approval	CDD, Planning Div.		
<ul style="list-style-type: none"> <li>◆ If based on the verified delineation, it is determined that fill of waters of the United States would result from project implementation, authorization for such fill shall be secured from the USACE through the section 404 permitting process.</li> </ul>	Part of Subdivision and Design Review		If wetland fill proposed, Corps permit provided and mitigation plan before approval	CDD, Planning Div.		
<ul style="list-style-type: none"> <li>◆ A CDFG Stream Bed Alteration Agreement and a RWQCB/SWRCB Clean Water Act section 401 water quality certification may also be required by the project activities. The project developer shall obtain all legally-required permits from the</li> </ul>	Part of Subdivision and Design Review		Copies of WQ permits, Streambed Alteration Agreement, if required, provided at time frame identified during project review.  Copies of USFWS permit, if	CDD, Planning Div.	CDD, Planning Div.	

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification	Monitoring Responsibility	Date Completed
<p>CDFG and RWQCB/SWRCE.</p> <ul style="list-style-type: none"> <li>◆ Consultation or incidental take permitting may be required under the Endangered Species Act. The project developer shall obtain all legally-required permits from the USFWS for the "take" of protected species under the Endangered Species Act.</li> <li>◆ Evidence that the applicant has secured any required authorization from these agencies shall be submitted to the Community Development Department of the City of Napa prior to issuance of any grading or building permits for the project.</li> </ul>	<p>Prior to issuance of grading or building permits</p>	<p>required provided at time frame identified during project review</p> <p>All Necessary Permits on File and plans reflecting permit conditions</p> <p>Construction monitoring in accordance with mitigation plan and permits</p>	<p>CDD, Engineering Div.</p> <p>CDD, Engineering</p>		
<p><u>Mitigation Measure BIO-1b: Raptors.</u></p> <ul style="list-style-type: none"> <li>◆ If grading and vegetation removal is to be initiated during the months of April through August (the raptor nesting season) preconstruction surveys shall be conducted for loggerhead shrike and tree-nesting raptors at locations with a potential for nesting activity. These locations include the undeveloped lands within 300 feet of the valley oaks, Tulocay Creek channel and seasonal wetlands.</li> <li>◆ The surveys shall be conducted by a qualified biologist no more than 30 days prior to initiation of grading or vegetation removal, whichever is first.</li> <li>◆ If any raptor nests are found within the construction area after April and before August, grading and construction in the area shall either stop or continue only after the nests are protected by an adequate setback of no less than 100 feet approved by a qualified biologist.</li> <li>◆ The setback shall be maintained during the nesting season for the period encompassing nest building and continuing until</li> </ul>	<p>Prior to the issuance of grading permits; prior to and during construction activities.</p>	<p>Applicant</p>	<p>CDD, Planning for survey; Engineering Division for construction monitoring</p> <p>Copy of survey on file with City.</p> <p>Issuance of grading permits.</p> <p>Monitoring as necessary during construction.</p>		

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Verification	Monitoring Responsibility	Date Completed
<p>fledglings leave the nest. This setback applies whenever construction or other ground-disturbing activities must begin during the nesting season in the presence of nests that are known to be occupied.</p> <ul style="list-style-type: none"> <li>◆ Setbacks shall be marked by brightly colored temporary fencing.</li> <li>◆ If it is not feasible to maintain setbacks for the entire nesting season as specified in the forth bullet above, setbacks may be eliminated with the approval of the City if a qualified biologist verifies that nesting birds have either (a) not begun egg-laying and incubation, or (b) that the juveniles from those nests are foraging independently and capable of independent survival at an earlier date.</li> <li>◆ Pre-construction surveys are not required if construction activities associated with these specific improvements are restricted to the non-nesting season (September through March).</li> </ul>						
<p><u>Mitigation Measure BIO-1c: Pond turtle:</u></p>						
<ul style="list-style-type: none"> <li>◆ Developer shall be responsible for obtaining a pre-construction nesting survey for the western pond turtle (a) at locations with aquatic habitat throughout the year or (b) at locations with potential for nesting activity if grading and vegetation removal is to be initiated during the months of April through November.</li> <li>◆ Locations of potential turtle nesting requiring pre-construction surveys include undeveloped lands within 100 feet of the Tulocay Creek channel and the stormwater ponds on the Gasser South site.</li> <li>◆ The surveys shall be conducted by a qualified biologist no more</li> </ul>	<p>Prior to the issuance of grading permits.</p>	<p>Applicant</p>	<p>Copy of survey on file with City.</p>	<p>Issuance of grading permits. Monitoring as necessary during construction.</p>	<p>CDD, Planning for survey; Engineering Division for construction monitoring</p>	

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification	Monitoring Responsibility	Date Compl eted
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than 15 days prior to initiation of grading or vegetation removal, whichever is first.

- ◆ If active turtle nests are identified, a buffer area of 300 feet shall be established between the nest and the drainage segment nearest the nest. Buffer areas shall be indicated by temporary, brightly colored fencing if construction has begun or will begin before the nesting period ends.
- ◆ If construction begins outside of the active nesting season (from December through March), then a pre-construction survey shall not be required for turtle nesting, but an inspection of any channel segment to be affected by proposed construction shall still be conducted within 15 days prior to any in-channel disturbance, and any turtles relocated to secure habitat outside the construction zone.

Mitigation Measure BIO-1d: Fish:

Prior to construction of the Gasser Drive Bridge over Tulocay Creek, appropriate construction restrictions shall be implemented to avoid take of steelhead and other listed special-status fish species.

- ◆ Any in-channel construction activity shall be restricted to the period when stray or dispersing fish would not be expected within this channel segment, from June 15 through October 15.
- ◆ Adequate measures, defined during the consultation with the USACE, CDFG, USFWS, and RWQCB/SWRCB, shall be taken during in-channel construction to minimize disturbance and sedimentation, temporarily contain flow of surface water across the construction zone, and ensure that no listed fish species are trapped within the construction zone prior to commencement of dewatering or other in-channel disturbance.

Prior to the issuance of grading permits.

Prior to and during bridge construction activities.

Copy of survey on file with City.

Issuance of grading permits. Monitoring as necessary during construction.

CDD, Planning for survey; Division for Engineering for construction monitoring

Applicant

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification	Monitoring Action	Monitoring Responsibility	Date Compl eted
<p><u>Mitigation Measure BIO-1c: Frogs:</u>                      Developer shall implement appropriate avoidance measures and shall obtain pre-construction surveys for California red-legged frog prior to the construction of the Gasser Drive bridge over Tulocay Creek, or modifications within 100 feet of ponded water on the Gasser North and Gasser South sites. The USFWS has outlined mitigation measures for activities authorized by the USACE under their Nationwide Permit program in their <i>Programmatic Formal Endangered Species Act Consultation on Issuance of Permits under Section 404 of the Clean Water Act or Authorizations under the Nationwide Permit Program for projects that May Affect the California Red-legged Frog</i> (USFWS letter report, dated January 26, 1999). The following procedures are adapted from the Programmatic opinion by the USFWS and shall be implemented to avoid potential impacts:</p> <ul style="list-style-type: none"> <li>◆ At least 15 days prior to the onset of construction activities, the project developer shall submit the name(s) and credentials of biologists who would conduct activities associated with California red-legged frog. No project activities shall begin until the project proponent has received written approval from the USFWS that the biologist(s) is qualified to conduct the work.</li> <li>◆ The approved biologist(s) shall survey the construction zone two weeks before any construction activities are initiated. If California red-legged frogs, tadpoles, or eggs are found, the approved biologist shall contact the USFWS, as appropriate, to determine if moving any of these life stages is appropriate. Only approved biologists shall participate in activities associated with the capture, handling, and monitoring of California red-legged frogs.</li> <li>◆ Before any construction activities begin, the approved biologist(s) shall conduct a training session for all construction</li> </ul>	<p>Prior to and during issuance of grading permits.</p> <p>Prior to and during construction activities.</p>	<p>Applicant</p>	<p>Names of approved biologists and credentials on file with the City.</p> <p>Copy of survey on file with City, with plan for construction if frogs are found</p> <p>Issuance of grading permits.</p> <p>Biologist monitoring as necessary during construction.</p>	<p>Community Development Planning Division for survey, plan of construction</p> <p>CDD, Engineering Div for construction monitoring</p>		

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Verification	Date Compl eted
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personnel. At a minimum, the training shall include: (a) a description of the California red-legged frog and habitat for this species; (b) the general measures that are being implemented to conserve this species as they relate to the project, and (c) the boundaries within which the project may be accomplished.

- ◆ A USFWS-approved biologist shall be present at the work site until such time as all removal of California red-legged frogs, instruction of workers, and habitat disturbance have been completed. After that time, the project developer shall designate a person to monitor on-site compliance with all minimization measures. The monitor and the USFWS-approved biologist shall have the authority to halt any action that might result in impacts that exceed the levels anticipated by the USACE or USFWS.
- ◆ During project activities, all trash that may attract predators shall be properly contained, removed from the work site and disposed of properly.
- ◆ All fueling and maintenance of vehicles and other equipment, and staging areas, shall be located at least 20 feet from the drainage or water body. Prior to the onset of work, the USACE shall ensure that the project proponent has prepared a plan to allow a prompt and effective response to any accidental spills into the drainage. All workers shall be informed of the importance of preventing spills and the appropriate measures to take should a spill occur.
- ◆ The number of access routes, number and size of staging areas, and total area of the activity shall be limited to the minimum necessary to complete the project. Routes and boundaries shall be clearly demarcated, and these areas shall be located outside the riparian habitat.
- ◆ Instream work (dewatering and pile driving) will only occur between June 15 and October 15 during low flow periods. Should the project developer demonstrate a need to conduct

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification	Monitoring Action	Monitoring Responsibility	Date Compl eted
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- activities outside this time period, the USACE may authorize such activities after obtaining the USFWS approval.
- ◆ The channel bottom shall remain earthen and will not be raised or lowered. To control erosion during and after project construction, the project proponent shall implement Best Management Practices, as identified by the RWQCB and described in a Stormwater Pollution Prevention Plan.
- ◆ The USFWS-approved biologist shall permanently remove, from within the project site, any individuals of exotic wildlife species, such as bullfrogs and crayfish to the extent possible.
- ◆ If the work site is temporarily de-watered by pumping, intakes shall be completely screened with wire mesh not larger than five millimeters to prevent California red-legged frogs, from entering the pump.

Mitigation Measure BIO-2: Developer shall ensure that the location of individual valley oaks in the western portion of Gasser South are accurately mapped through an engineered survey, and these trees shall be preserved. Grading, paths and hardscape improvements shall be restricted to areas outside the dripline of these trees to avoid disturbance to the sensitive root zone, possible damage to the trunk and lower limbs, reduce the potential hazard by future limb drop, and allow for establishment of new oaks and future regeneration. These valley oaks shall be identified as a "no-disturbance zone" on all grading and improvement plans, construction crews informed that the trees and zone are to be avoided, and construction restriction fencing installed prior to initiation of any grading and maintained in place throughout construction.

Part of Subdivision and Design Review  
 Prior to issuance of grading permits.  
 During construction activities

Applicant

Plan approval and Plan check  
 CDD, Division  
 Planning

Issuance of grading permits.  
 Monitoring during construction activities as necessary  
 CDD, Engineering and Building Divisions

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Monitoring Responsibility	Date Completed
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Mitigation Measure BIO-3:

- ◆ Disturbance to jurisdictional wetlands and waters shall be avoided and minimized to the extent feasible with the exception of the proposed restoration and enhancement efforts, and appropriate authorization obtained from jurisdictional agencies where avoidance is determined to be infeasible. Developer shall coordinate proposed modifications to jurisdictional wetlands and waters with representatives of the USACE, RWQCB and CDFG.
- ◆ The acreage of waters of the United States and riparian habitat that would be removed shall be replaced or restored/enhanced on a "no-net loss basis" in accordance with USACE and CDFG regulations.
- ◆ A detailed mitigation plan shall be prepared by a qualified wetland consultant for any wetlands or waters affected by proposed development, with replacement provided at a minimum 1:1 ratio. The plan shall clearly identify the total wetlands and other jurisdictional areas affected by proposed improvements, as well as wetlands to be created, restored, or enhanced as part of the wetland mitigation. Any replacement wetlands shall be consolidated to the degree possible to improve existing habitat values. The plan shall specify performance criteria, maintenance and long-term management responsibilities, monitoring requirements, and contingency measures. Monitoring shall be conducted by the consulting wetland specialist for a minimum of five years and continue until the success criteria are met.
- ◆ As required by Napa Municipal Code section 17.52.530, recommendations from the USACE and CDFG, including any requirement for wetland replacement or wetland restoration and management plans that were developed during consultation with these agencies, shall be incorporated into the mitigation plan.

Same as Mitigation Measure BIO-1

Applicant

Copies of permits on file with City

Issuance of grading permits

Construction Monitoring in accordance with mitigation plan

Ongoing monitoring as per mitigation plan

Community Development Dept., Planning Division

CDD, Engineering Div

CDD, Planning

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Verification	Monitoring Responsibility	Date Compl eted
<p>Habitat restoration, enhancement and/or replacement shall be at a location agreeable to the USACE and CDFG, as determined during the permitting processes for CWA section 404 and California Fish and Game Streambed Alteration Agreement.</p> <ul style="list-style-type: none"> <li>◆ The project shall comply with Napa Municipal Code sections 17.52.110 and 17.52.530.</li> <li>◆ <u>Mitigation Measure BIO-4a</u>: Deleted/overridden by City Council 12/12/06</li> </ul>						
<p><u>Mitigation Measure BIO-4b</u>: Developer shall design the proposed bridge crossing of the Tulocay Creek channel to minimize disruption of possible fish and wildlife movement in the channel. Any new crossing shall be oriented as close to perpendicular to the channel as possible to minimize disturbance to the drainages and the length of any structure over the channel. A natural bed shall be maintained below any new crossing structure and no in-channel barriers such as a weir or drop structure shall be created which could impede movement of fish or wildlife.</p>	<p>Prior to approval of building permits.</p>	<p>Applicant</p>	<p>Confirmation and approval of required bridge design elements on building plans. Approval of building permits.</p>		<p>Public Works, Engineering with assistance from CDD, Engineering Division Community Development Dept., Building Division</p>	
<p><u>Mitigation Measure BIO-4c</u>: Except as otherwise noted above in Mitigation Measure BIO-4a, new structures and parking improvements shall be located a minimum of 50 feet from wetlands to be preserved or enhanced.</p>	<p>All wetland setbacks shall be shown on the tentative map and other applications,</p>	<p>Applicant</p>	<p>Confirmation and approval of building plans. Approval of building permits.</p>		<p>Community Development Dept., Planning Division Community Development Dept.,</p>	

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Monitoring Responsibility	Date Completed
<p><u>Mitigation Measure BIO-4d:</u> Wildlife fencing of protected wetlands, as required by the RWQCB, shall be limited to 4 feet in height, unless, as a part of subsequent review, the City of Napa makes findings that a higher fence is needed in a particular portion of the area, due to safety considerations. [Note: In accordance with the Flood Project's Final Soil Disposal Plan by the Regional Water Quality Control Board, fencing around the Flood District-owned North Wetlands is to be installed prior to construction on the Gasser property for any purpose beyond soil disposal by the District. The fencing, which will be maintained by Gasser, will be installed on the wetland/detention basin side along the finished grade of areas E-7 and E-8, designed to exclude pets and trespassers into the wetlands and catch litter, prior to entering the wetlands.]</p>	<p>with reconfirmation prior to approval of building permits.</p>	<p>Building Division</p>	<p>Fence location shown on plans  Initial inspection by City of Napa.  Monitoring as necessary during construction.</p>	<p>CDD, Planning  Community Development Dept., Engineering Division</p>	
<p><b>GEOLOGY, SOILS &amp; SEISMICITY</b></p>					
<p><u>Mitigation Measure GEO-1a:</u> As required by the City of Napa's Policy Resolution 27, all construction activities shall meet the Uniform Building Code regulations for seismic safety (i.e., reinforcing perimeter and/or load bearing walls, bracing parapets, etc.) (PR 27</p>	<p>Prior to issuance of building permits.</p>	<p>Applicant</p>	<p>Issuance of Building Permits</p>	<p>CDD, Building Division</p>	

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Monitoring Responsibility	Date Compl eted
<p>Mitigation Geology and Soils VI.2.)</p> <p>The proposed project would be required to comply with the provisions of the national and California UBCs. Seismic design provisions of the UBC generally prescribe minimum lateral forces, applied statistically to the structure and combined with the gravity forces of dead and live loads. The UBC-prescribed lateral forces generally are substantially smaller than the expected peak forces that would be associated with a major earthquake. Therefore, when built according to UBC standards, structures are anticipated to (1) resist minor earthquakes without damage; (2) resist moderate earthquakes without structural damage but with some nonstructural damage; and (3) resist major earthquakes without collapse but with some structural as well as nonstructural damage.</p> <p>Conformance to the current building code standards does not guarantee that significant structural damage will not occur in the event of a maximum magnitude earthquake; but it is reasonable to expect that a well-designed and well-constructed structure would not collapse or cause loss of life in a major earthquake.</p>					

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Monitoring Responsibility	Date Compl eted
<p><b>Mitigation Measure GEO-1b:</b> As required by the City of Napa's Policy Resolution 27, all project-related grading, trenching, backfilling and compaction operations shall be conducted in accordance with the City of Napa Public Works Department Standard Specifications. All grading shall conform to regulations for seismic safety contained in the UBC (PR 27 Mitigation Geology and Soils VI.1.1.)</p>	<p>Prior to issuance of grading permit. During construction activities, including grading, trenching, and backfilling and compaction operations.</p>	Applicant	<p>Review of grading plans to verify conformance with UBC seismic safety regulations; issue grading permits Periodic inspection during grading activities, as required.</p>	CDD, Building and Engineering Divisions	
<p><b>Mitigation Measure GEO-1c:</b> As required by the City of Napa's Policy Resolution 27, for all subdivision and parcel maps, the applicant has prepared a Soils Investigation/Geotechnical Report in accordance with Section 16.36.200 of the NMC which is subject to the City's review and approval. The improvement plans shall incorporate all design and construction criteria specified in the report. The geotechnical engineer shall sign the improvement plans and approve them as conforming to their recommendations prior to Parcel/Final Map approval. The geotechnical engineer shall also assume responsibility for inspection of the work and shall certify to the City, prior to acceptance of the work, that the work performed is adequate and complies with its recommendations. Additional soils information may be required by the Chief Building Inspector during the plan check of individual building plans in accordance with Title 15 of the NMC. (PR 27 Mitigation Geology and Soils VI.5.)</p>	<p>Prior to approval of Parcel/Final Map.</p>	Applicant	<p>Verify that Final Map incorporates all design and construction criteria specified in the geotechnical report and that the geotechnical engineer has signed the improvement plans, indicating conformance reports recommendations. Approval of parcel/final map.</p>	CDD, Building and Engineering Divisions	

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Monitoring Responsibility	Date Compl eted
<p><u>Mitigation Measure GEO-2:</u> The recommendations for both special foundations and ground modification and other geotechnical engineering measures specified in the applicant's geotechnical reports shall be implemented during design and construction. These measures include engineering and compaction of new fills, removal of compressible soils, and use of relatively rigid, deepened spread-footing foundations. These measures would be implemented in the development area and would not extend into the channel or banks of Tulocay Creek. Documentation of the methods used shall be provided in the required final geotechnical report(s).</p>	<p>Recommendations of geotechnical report incorporated into development plans submitted with building permit application.</p>	<p>Applicant</p>	<p>Confirm that development plans incorporate recommendations of geotechnical report Approve building permit.</p>	<p>CDD, Engineering and Building Divisions</p>	
<p><u>Mitigation Measure GEO-3:</u> Lateral spreading will be mitigated by correcting the liquefaction hazard to which it is related. These measures shall include:</p> <ul style="list-style-type: none"> <li>◆ engineering and compaction of new fills,</li> <li>◆ removal of compressible soils, and</li> <li>◆ use of relatively rigid, deepened, spread-footing foundations.</li> </ul>	<p>Measures incorporated into development plans submitted with building permit application.</p>	<p>Applicant</p>	<p>Confirm that development plans incorporate measures to correct liquefaction hazard. Approve building permit.</p>	<p>CDD, Engineering and Building Divisions</p>	
<p><u>Mitigation Measure GEO-4:</u> As a part of final design, specific recommendations for mitigation of expansive soils under pavements and structures shall be provided by the project geotechnical engineer. These recommendations should be based on testing of the in-situ fill materials. The recommendations shall be submitted to the City as a part of building and/or paving plan submittals.</p>	<p>Recommendations of geotechnical engineer incorporated into development plans submitted with building permit</p>	<p>Applicant</p>	<p>Confirm that development plans incorporate recommendations of geotechnical engineer. Approve building permit.</p>	<p>CDD, Engineering and Building Divisions</p>	



Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Monitoring Responsibility	Date Completed
<p><u>Mitigation Measure GEO-6c:</u> All storm drainage improvements shall conform to the Uniform Building Code and the City storm drainage ordinance.</p>	<p>Prior to the approval of Final improvement Plans Prior to issuance of building permits.</p>	<p>Applicant</p>	<p>Confirm that development plans incorporate UBC and City storm drainage ordinance. Approve building permit.</p>	<p>CDD Engineering</p>	
<b>HAZARDS &amp; HAZARDOUS MATERIALS</b>					
<p><u>Mitigation Measure HAZ-1a:</u> If a small quantity of hazardous materials is released from a service truck during equipment maintenance or fueling of equipment and vehicles, site personnel shall clean up small spills and place the waste in 55-gallon drums for characterization and off-site disposal. In the case of a large spill, contaminated soils shall be placed into barrels or roll-off boxes by service personnel or off-site contractors for subsequent evaluation and off-site disposal.</p>	<p>As required during all grading and building activities.</p>	<p>Applicant</p>	<p>Monitor and clean-up as necessary</p>	<p>City of Napa Fire Dept.</p>	
<p><u>Mitigation Measure HAZ-1b:</u> Hazardous materials shall be managed and handled by trained maintenance and service personnel. Hazardous materials shall be stored in locked areas or cabinets with secondary spill containment to minimize impacts should a spill occur. Incompatible materials shall be stored separately.</p>	<p>As required during all grading and building activities.</p>	<p>Applicant</p>	<p>Periodic monitoring and inspection during construction.</p>	<p>City of Napa Fire Dept.</p>	

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Monitoring Responsibility	Date Compl eted
<p><u>Mitigation Measure HAZ-1c:</u> Before construction commences, a Spill Prevention, Control, and Countermeasure (SPCC) Plan and a Hazardous Materials Business Plan (HMBP) shall be prepared, if the volumes of hazardous materials stored onsite exceed the threshold requirements.</p>	<p>If volumes of hazardous materials stored onsite exceed the threshold requirements, SPCC Plan and HMBP shall be submitted prior to, or concurrent with, grading permit application.</p>	<p>Applicant</p>	<p>Approval of SPCC Plan and HMBP. Issuance of grading permits.</p>	<p>County Environmental Health in conjunction with Fire Prevention</p>	

**PUBLIC SERVICES**

*Solid Waste*

Mitigation Measure PUB-1: As specified in the City of Napa's Policy Resolution 27, the following measures shall be implemented.

- ◆ Developer of a commercial, industrial or multi-family project with common waste disposal facilities shall submit to and receive approval from the Public Works Director of a source reduction plan which meets the City's Source Reduction and Recycling Element and implementing guidelines. (PR 27 Mitigation Utilities and Service Systems XVI.11.)
- ◆ A recycling/solid waste enclosure shall be provided in accordance with Chapter 17.102, et seq. of the NMC for all

Prior to building permits  
Tentative Map and Design Review  
Final Plans for building permits

Source Reduction Plan approved by Public Works Director on file with City  
Plan approval  
Plan Check

Dept. of Public Works  
CDD Planning Div.  
CDD Planning Div  
CDD Engineering

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Verification	Monitoring Responsibility	Date Completed
commercial, industrial and multi-family projects with common solid waste facilities. (PR 27 Mitigation Utilities and Service Systems XVI.12.)				Inspection		
<u>Mitigation Measure PUB-2:</u> Developer shall ensure that the following measures specified in the City of Napa's Policy Resolution 27 are implemented during construction:						
◆ During the construction/demolition/renovation period of the project, Developer shall use the franchised garbage hauler for the service area in which the project is located to remove all wastes generated during project development, unless Developer transports project waste. If the Developer transports the project's waste, Developer must use the appropriate landfill for the service area in which the project is located. (PR 27 Mitigation Utilities and Service Systems XVI.9.)	Prior to issuance of grading permits. During all phases of construction, demolition and renovation.	Applicant	Applicant shall submit copy of hauling contract or letter stating intent to self-haul to City.		CDD Engineering	
◆ Developer shall provide for the source separation of wood waste for recycling. Developer shall use the franchised garbage hauler for the service area in which located for collection of such wood waste, unless the Developer transports such wood waste to a location where wood waste is recycled. (PR 27 Mitigation Utilities and Service Systems XVI. 10.)						
<b>Fire and Emergency Services</b>						
<u>Mitigation Measure PUB-3a: Evacuation Route and Emergency Operations Plan.</u> All residential development at the project site shall be required to provide analysis demonstrating that an evacuation route from each structure can reasonably be expected to exist that will not be	Part of Subdivision and Design Review	Applicant	Evacuation Route and Emergency Operations Plan shall be approved by the Dept. of Public Works		Dept. of Public Works	



Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Monitoring Responsibility	Date Compl eted
<p>In addition to Mitigation Measure PUB-3, the project applicant would be required to comply with the following mitigation measures, as specified in the City of Napa's Policy Resolution 27 (PR 27):</p> <ul style="list-style-type: none"> <li>◆ The Developer of any project which proposes commercial occupancies shall secure approval from Fire Prevention and Building Departments prior to signing lease agreements and allowing occupancy of prospective occupants that pose possible fire and life safety hazards, or are classified by the Uniform Building Code as an H (hazardous) occupancy</li> <li>◆ Developer shall pay the required fire and paramedic fees for new development in accordance with Napa Municipal Code Chapter 15.78. Such fees shall be payable at the rate in effect at the time of payment for the unit involved. The findings set forth in the ordinance and Resolution 94-106 are incorporated herein. The City further finds that calculation of the fee pursuant to the formula set forth therein demonstrates that there is a reasonable relationship between the fees imposed and the cost of improvements attributable to this project. (PR 27 Mitigation Public Services XIII.6)</li> </ul>	<p>Prior to signing commercial occupant lease agreements and permitting occupancy.</p>	<p>Applicant</p>	<p>Determination that prospective tenant poses fire and safety hazard, or is classified as 'H occupancy' in UBC.</p>	<p>Fire Department, Fire Prevention Div. and CDD Building Div.</p>	
<p><b>Schools</b></p> <p><u>Mitigation Measure PUB-4:</u> The project applicant shall pay its fair share of fees to the NVUSD to help pay for new schools. At present, the NVUSD calculates those fees at \$2.05 per square foot for residential development and \$0.33 per square foot for commercial development.</p>	<p>Prior to issuance building permits.</p>	<p>Applicant</p>	<p>Verification of payment; copy of receipt on file with City.</p>	<p>Community Development Dept. Building Division.</p>	

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification	Monitoring Action	Date Compl. eted
<p><i>Parks and Recreation</i></p> <p><b>Mitigation Measure PUB-5:</b> The following measures specified in the City of Napa's Policy Resolution 27 shall be implemented:</p> <ul style="list-style-type: none"> <li>◆ Developer shall pay the required fees for each new dwelling unit in accordance with the Napa Municipal Code Chapter 15.68. Such fees shall be payable at the rate in effect at the time of payment for the unit involved. The findings set forth in the ordinance and Resolution 92-084 are incorporated herein. The City further finds that calculation of the fee due pursuant to the formula set forth in Section 15.68.040 of the Napa Municipal Code demonstrates that there is a reasonable relationship between the fees imposed and the cost of the improvement attributable to this project (PR 27 Mitigation Recreation XIV.1).</li> <li>◆ Unless project approval requires only land dedication, the Developer shall pay in-lieu park dedication fee(s) in accordance with and for the purposes of NMC Sections 16.32.040, 15.68.010 and 15.68.090 for each residential unit authorized or allowed by project approval. Such fee(s) shall be payable at the rate in effect at the time of payment. The findings set forth in the ordinances and in Resolution 92-084 are incorporated herein. The City further finds that the calculation of fees in accordance with the formula set forth in NMC Section 16.32.040D demonstrates that there is a reasonable relationship between the amount of fees imposed and the costs or acquisition attributable to the project (PR 27 Mitigation Recreation XIV.2).</li> </ul>	<p>Prior to issuance of building permits</p>	<p>Applicant</p>	<p>Verification of payment; copy of receipt on file with City. Issuance of building permits.</p>	<p>Community Development Dept., Building Division</p>	
<p><b>UTILITIES</b></p>					

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification	Monitoring Action	Monitoring Responsibility	Date Completed
<p><i>Water</i></p> <p>Although no water supply impacts were identified, the project applicant would be required to comply with the following mitigation measures, as specified in the City of Napa's Policy Resolution 27 (PR 27):</p> <ul style="list-style-type: none"> <li>◆ All faucets in sinks and lavatories shall be equipped with faucet aerators designed to limit the maximum flow to 2.2 gallons per minute. (PR 27 Mitigation Utilities and Service Systems XVI.6.)</li> <li>◆ All showerheads shall be of a design to limit the maximum flow to 2.5 gallons per minute. (PR 27 Mitigation Utilities and Service Systems XVI.7.)</li> <li>◆ The Developer shall completely offset the water requirements of this project by complying with the retrofit requirements of Napa Municipal Code Chapter 13.09. (PR 27 Mitigation Utilities and Service Systems XVI.8.)</li> <li>◆ Water and energy conservation measures shall be incorporated into project design and construction in accordance with applicable codes and ordinances. (PR 27 Mitigation Utilities and Service Systems XVI.2.)</li> </ul>	<p>Prior to issuance of building permits.</p> <p>Verification with final inspection.</p> <p>Part of subdivision and Design Review</p>	<p>Applicant</p>	<p>Verify that specifications are incorporated into plans submitted prior to issuance of building permits.</p> <p>Approval and issuance of building permits.</p> <p>Verification of installation with final building inspection.</p> <p>Identified during project review and approval</p> <p>Verification of approved design features during plan check</p> <p>Approval and issuance of building permits</p> <p>Verification of installation with final building inspection</p>	<p>Community Development Dept., Building Division in coordination with Public Works, Water Division</p> <p>CDD, Building</p> <p>CDD, Planning</p> <p>CDD, Planning</p> <p>CDD, Building</p> <p>CDD, Building</p>		

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Monitoring Responsibility	Date Completed
<ul style="list-style-type: none"> <li>◆ Prior to trenching within existing roadway areas, the developer's engineer shall ascertain the location of all underground utility systems and shall design any proposed subsurface utility extensions to avoid disrupting the services of such systems. (PR 27 Mitigation Utilities and Service Systems XVI.1.)</li> </ul>	Prior to the issuance of grading permits.	Applicant	Issuance of grading permits upon verification of underground utility locations.	Community Development Dept., Engineering Division.	
<ul style="list-style-type: none"> <li>◆ The project shall be connected to the City of Napa water system. Any existing well must be properly protected from potential contamination. If an existing well is to be destroyed, a well-destruction permit must be obtained from the Napa County Department of Environmental Management by a licensed well driller. If an existing well is not destroyed, it must be properly protected and an approved backflow prevention device installed according to the Water District's specifications. (PR 27 Mitigation Utilities and Service Systems XVI.4)</li> </ul>		Applicant	Issuance of grading permit upon verification of well-destruction permit or installation of proper well protection.	Well permit from County Environmental Health CDD, Building	
<p><u>Mitigation Measure UTIL-1a:</u> The project applicant would be required to comply with the following mitigation measures, as specified in the City of Napa's Policy Resolution 27 (PR 27):</p> <ul style="list-style-type: none"> <li>◆ Developer shall comply with all applicable requirements of the Uniform Fire Code and the Fire Department and PWD Standard Specifications and the Fire Department "Standard Requirements for Commercial/Residential Projects," including, without limitation, the requirements for access, new construction, smoke detectors, fire extinguishers, fire hydrants, etc. Existing fire hydrants may be used to meet hydrant location requirements only if they meet or are changed to meet current hydrant specifications. (PR 27 Mitigation Public Services XIII.1.) Properties having common ownership shall provide the</li> </ul>	Prior to issuance of building permits.	Applicant	Verify that specifications are incorporated into plans submitted prior to issuance of building permits; and Copy of approved CC&R's on file	Fire Dept., Fire Prevention in coordination w. CDD, Building Div  City Attorney approves after review by Fire Prevention.	
			Approval and issuance of building permits.		

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Verification	Monitoring Responsibility	Date Completed
<p>Fire Department with a notarized copy of the recorded conditions, covenants, and restrictions agreement in a form satisfactory to the City Attorney ensuring that all components of fire protection system(s), and fire access roads will be maintained by a maintenance district, owner's association, or similar legally responsible entity. (PR 27 Mitigation Public Services XIII.2)</p>	<p>Final inspection.</p>	<p>CDD, Building Div.</p>	<p>Verification of installation with final building inspection.</p>	<p>CDD, Building Div.</p>	<p>City of Napa Fire Dept., Fire Prevention</p>	
<p>◆ All newly constructed buildings must have automatic sprinkler systems conforming to NFPA and City Standard Specifications, for which installation permit must be obtained from Fire Prevention. In multi-building complexes, or in buildings with three or more stories, special monitoring conditions will be required. Existing habitable buildings, which are retained, shall be retrofitted. (PR 27 Mitigation Public Services XIII.3)</p>						
<p>◆ The Developer of any project proposing a change in occupancy use classification (as defined in the Uniform Building Code Table 5A) in a building protected by automatic fire sprinklers shall have the sprinkler system evaluated by a licensed fire sprinkler contractor or fire protection engineer for compliance with National Fire Protection Association Installation Standards. A written report of the inspection findings shall be submitted to the Fire Department prior to final occupancy clearance. A permit is required from Fire Prevention for sprinkler system alterations. (PR 27 Mitigation Public Services XIII.4)</p>	<p>Prior to final occupancy</p>	<p>Applicant</p>	<p>Developer submit written report prior to occ. Applicant receives permit for sprinkler system alterations</p>		<p>City of Napa Fire Dept., Fire Prevention</p>	
<p>◆ Examples of these types of occupancies are: storage of flammable, combustible, explosive, or toxic materials, manufacturing processes involving the above, woodworking shops, tire rebuilding or storage, automotive repair, auto body repair and/or painting, factories where loose combustible fibers are present, semi-conductor fabrication facilities, bulk paint storage, etc. (PR 27 Mitigation Public Services XIII.5)</p>						

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Monitoring Responsibility	Date Completed
<p><u>Mitigation Measure UTIL-1b:</u> Developer shall ensure that the existing Zone 1 water mains and services on Oil Company Road and Sousa Lane shall be switched over to Zone 3 and a new Zone break shall be installed north of Sousa Lane on Soscol Avenue. This change in zones will provide the increased fire flows necessary for development of the Gasser property and will provide a third connection to the City's 24-inch transmission main that runs north along Soscol Avenue and Silverado Trail.</p>	<p>Prior to Subdivision and Design Review.</p>	<p>Applicant</p>	<p>Verification that switch from Zone 1 to Zone 3 and Zone break are shown on final map/building plans. Approval of final map, building plans.</p>	<p>Dept. of Public Works, Water Div.</p>	
<p><u>Mitigation Measure UTIL-1c:</u> Due to the high pressures of Zone 3 compared to Zone 1, developer shall ensure that water pressure reducers are installed on all services that are switched over from Zone 1 to Zone 3.</p>	<p>Prior to Subdivision and Design Review</p>	<p>Applicant</p>	<p>Verification that pressure reducers are shown on final development plans. Approval of final map/building plans.</p>	<p>Dept. of Public Works</p>	
<p><u>Mitigation Measure UTIL-1d:</u> Developer shall ensure that a water main connection is made on the west side of Soscol Avenue from the Silverado Trail intersection to Oil Company Road intersection in conjunction with the transfer of the portion of Zone 1 to Zone 3.</p>	<p>Prior to Subdivision and Design Review</p>	<p>Applicant</p>	<p>Verification that water main connection is shown on final development plans. Approval of final map/building plans.</p>	<p>Dept. of Public Works</p>	
<p><u>Mitigation Measure UTIL-1e:</u> Developer shall ensure that a water main connection shall be made through the Gasser Property from the existing 12-inch water main on Gasser Drive to the existing 8-inch water main connection north of the Silverado Trail/Soscol Avenue intersection.</p>	<p>Prior to Subdivision and Design Review</p>	<p>Applicant</p>	<p>Verification that final development plans show required water main connection, through the Property. Approval of final map/building plans.</p>	<p>Dept. of Public Works</p>	

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Monitoring Action	Monitoring Responsibility	Date Completed
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Mitigation Measure UT11-1f: Water main sizes for the infrastructure improvements shall be verified by a hydraulic analysis by the developer prior to approval of improvements to the project property.

Prior to approval of Subdivision and Design Review

Applicant

Verification that final development plans show required water main connection, through the Property.

Dept. of Public Works

Approval of final development plans.

Mitigation Measures	Timing/ Schedule	Implementation Responsibility	Verification	Monitoring Action	Monitoring Responsibility	Date Completed
<p><b>Wastewater</b></p> <p>Although no impacts were identified, the project applicant would be required to comply with the following mitigation measures, as specified in the City of Napa's Policy Resolution 27 (PR 27):</p> <ul style="list-style-type: none"> <li>◆ The project shall be connected to the Napa Sanitation District for sanitary sewer service. If the subject property is presently served by individual sewage disposal systems, the septic systems, set backs, and reserve areas must be protected and maintained during cleaning, grading, construction, and after connection to the District, the existing septic tank(s) shall be properly destroyed. (PR 27 Mitigation Utilities and Service Systems XVI.1.3)</li> </ul> <p>In addition, the project applicant would be required to comply with Policy CS-10.3 of the City's General Plan, which requires the following:</p> <ul style="list-style-type: none"> <li>◆ The project development shall secure a "will-serve" letter from the Napa Sanitation District if a critical capacity situation develops. In a critical capacity situation, the City may not issue any building permits or similar entitlements in the absence of a "will-serve" letter. The "will-serve" letter shall be obtained from Napa Sanitation District prior to receiving approval of a final subdivision map, or in the absence of a need for a final subdivision map, prior to receiving approval of any required building permits or similar ministerial approvals.</li> </ul>	<p>Prior to Building Permit issuance</p> <p>Prior to Final Subdivision map or building permit (if no map)</p>	<p>Applicant</p>	<p>Napa Sanitation shall provide written clearance after review of plans.</p> <p>NSD shall provide written clearance prior to certificate of occupancy</p> <p>Co. Dept of Environmental Health shall provide written clearance re: destruction of any septic systems.</p>	<p>Napa Sanitation District to provide Copy of "will-serve" letter on file with City.</p>	<p>CDD, Building Div. in coordination with NSD and Co. Env. Health</p>	

CITY OF NAPA  
 GASSER MASTER PLAN DRAFT EIR  
 SECTION 4.4: HYDROLOGY & WATER QUALITY

TABLE 4.4-3 FLOOD HAZARD REDUCTION ELEMENT PHASING

Preceding Action Required	Allowable Action
Lower grade at Maxwell Bridge to 14 feet (NR/PPP)	
Raise Tulocay Creek levee on south side (NR/PPP)	
Construct levee on the west and south sides of Gasser South (NR/PPP)	
Implement Wine Train bridge closure plan; or Complete east bank levees and floodwalls south of First Street to Tulocay Creek (NR/PPP)	Develop Gasser South
Construct Gasser South on-site drainage facilities	
Implement improvements needed to address additional site runoff in large storm events due to new Gasser South development per Mitigation Measure HYDRO-4c.	
Develop Creekside Commercial (Gasser North) on-site drainage	Develop Creekside Commercial (Gasser North)
Complete bypass and railroad bridge crossing at river (NR/PPP)	
Construct floodwall at the oxbow to eliminate east river overflows (NR/PPP)	
Install pump station at Gasser North wetland (North Basin), as well as river outfall structures (NR/PPP)	
Augment North Basin pumping capacity for additional Gasser North drainage as needed	
If Oil Company Road is to be a City street and used as an evacuation route for new residential: Construct drainage improvements at Soscol Avenue/Oil Company Road	Develop remainder of Gasser North except Tulocay Square
Construct culvert from Oil Company Road to North Basin	
Raise Tulocay Creek levee on the north side (NR/PPP)	
Construct levee and floodwall on the west side of Gasser North (NR/PPP)	
Construct Tulocay Village on-site drainage facilities	
Implement Mitigation Measure HYDRO-6b	
Develop Tulocay Square (Gasser North) on-site drainage	Develop Tulocay Square

## Gasser Master Plan

### IMPLEMENTATION SECTION Conditions of Approval

The following conditions of approval are intended to clarify (but not supersede) certain requirements of the Environmental Impact Report Mitigation Measures and several other issues in order to determine which improvements must be done by the Developer, in what order, such that it is anticipated that the “Gasser South Area” (the area south of Tulocay Creek), will develop as a first phase of any subdivision/use permit/discretionary permit of the Gasser Property and that “Gasser North Area” (the area north of Tulocay Creek), will develop at a later time. When an application for a subsequent specific development project for the Master Plan site is submitted to the City of Napa, these conditions of approval will be used to frame the final conditions of approval for that development project and/or subdivision. Conditions of Approval, which any individual development project is subject to at the time of application include, but are not limited to, Standard City Conditions of Approval, requirements to meet City Standard Specification and Standard Plans (except for street sections approved as part of the Master Plan), current municipal code requirements, current engineering practice, including but not limited to stormwater treatment best management practices. The project will also need to meet the requirements of any other outside agencies (California Department of Transportation, California Department of Fish and Game, County of Napa, Napa County Flood Control and Water Conservation District, Napa Sanitation District, U. S. Army Corps of Engineers, U.S. Fish and Wildlife Service, NOAA Fisheries, California Regional Water Quality Control Board, etc.) For example, when the applicant applies for an encroachment permit for any improvement on a State Highway, they will need to comply with Caltrans requirements such as AM peak analysis) These items will be included in the final resolution approving the Master Plan project which will incorporate all of the conditions of approval.

**Master Plan Revisions:** The Draft Master Plan document shall be revised (to the satisfaction of City’ Community Development Director) prior to final approval consistent with City Council direction relating to such issues as design, proposed streets, and bicycle and pedestrian connections.

**Assumptions:**

1. The “South Area” development occurs first.
2. The realignment of the Silverado Trail – Soscol Avenue Intersection precedes, or occurs concurrently, with the “North Area” development.
3. The traffic conditions of approval are based on the traffic mitigations measures developed for the “2010 with Project Buildout” scenario, which includes both the “South Area” and the “North Area.”

4. If the “North Area” develops prior to the “South Area,” then additional traffic analysis may need to be completed and the traffic conditions amended accordingly. Other conditions will be reviewed to determine whether any further changes are needed.

## OVERALL GASSER MASTER PLAN AREA

### Finance Mechanism and Maintenance

COA 1. The Developer and subsequent property owners will not object to the formation of a Redevelopment Project Area incorporating the area covered by the Gasser Master Plan.

COA 2. Prior to the first building permit or first final map<sup>4</sup> for the South area, whichever occurs first, the Developer and any subsequent property owners of the Gasser Property will petition the City of Napa to institute the formation of a Community Facilities District (CFD) pursuant to Government Code § 53319 which will incorporate the area covered by the Gasser Master Plan. This petition may include but not be limited to improvements, maintenance and services such as streets, trails, staging facilities, landscaping, public safety services (i.e., Police Services). The City anticipates that the CFD will include properties other than the Gasser Property, such as the South Napa Market Place.

COA 3. The Napa County Flood Control and Water Conservation District owns and maintains the “north wetlands” on a separate parcel. The District holds an easement for maintenance of Tulocay Creek. The Developer shall provide for the long-term maintenance of all other of the wetlands, detention basins, storm drainage facilities, post construction best management practices, and creek areas. The Developer shall enter into an agreement with the City indicating how the long-term maintenance of each facility will be funded and who the responsible party will be. If the responsible party is another agency, documentation to that affect will need to be provided by the Developer to the City. Long-term maintenance must be assured for any parcel within a subdivision map or parcel map prior to approval of the final map by the City or prior to the issuance of any building permits within the parcel which contains one of these features.

### Housing

The Developer shall comply with the requirements of the City’s Affordable Housing Overlay District (NMC chapter 17.36) and the Inclusionary Housing Ordinance (NMC section 17.94.05). If the Developer intends to rely on an alternative equivalent proposal (pursuant to NMC subsection 17.94.050(B) for the purpose of a residential development application in the North area, the proposal must be approved by the City Council before the Developer submits a complete application for residential units in the North area. If the Developer’s proposal for an alternative equivalent proposal includes development of: (a) a 59-bed single adults homeless shelter with health clinic, and (b) 6 two-bedroom transitional housing apartments (12 beds total), and (c) 18

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<sup>4</sup> Excludes a parcel map to create a transitional housing lot only  
 R2006 213 Page 90 of 115  
 EXHIBIT A – Conditions of Approval

one-bedroom permanent housing units for homeless adults with mental disabilities and a community building with meeting and service rooms, the City Council shall consider granting an alternative equivalent proposal to offset the Developer's obligation to construct ten percent of total units for very low income households (i.e., even with the alternative equivalent determination, the Developer would construct ten percent of total units for low income households). If the Developer's proposal for an alternative equivalent proposal includes less than the elements identified herein, the City Council shall consider granting an alternative equivalent proposal to offset a lesser portion of the Developer's obligation to construct units for very low income households. Additionally, the alternative equivalent units must receive their certificate of occupancy and be available prior to issuance of the 150<sup>th</sup> building permit for the residential development in the North area.

### **Water Quality**

COA-WQ1: Show Wetland Buffers: Wetland buffers around the two wetlands north and south of Tulocay Creek shall be shown on future tentative maps and any other development applications, and shall be agreed upon by the City, Water Quality, Fish and Game and any other regulatory agencies prior to project approvals.

COA-WQ3 Street Wetland Buffer Encroachments: Prior to approval of any subdivision or other discretionary development approval north of Tulocay Creek and before approving any final street designs for North Drive and Gasser Drive, the street sections for North Drive and Gasser Drive extension shall be shifted further away from wetlands, revised to provide a 50' buffer from the edge of wetlands as shown on the Final Soil Disposal Plan dated 9/23/02, or an amendment made to the 9/23/02 Final Soil Disposal Plan Water Quality Control Board Order. For Gasser Drive, the ROW shall continue to be a minimum 84 feet. The responsibility for these corrections lies with the current applicant (as of 11/06).

### **GASSER SOUTH AREA (The area south of the centerline of Tulocay Creek)**

#### **Traffic Improvements**

#### **Gasser Drive Extension and the Gasser Drive Bridge Over Tulocay Creek**

COA 4. The Developer shall prepare the improvement plans for the construction of the extension of Gasser Drive (Kansas Avenue to Soscol Avenue) including the new Gasser Drive Bridge over Tulocay Creek, as proposed by the Master Plan.

The Gasser Drive Extension shall be designed to allow dedicated left-turn lanes with adequate storage lengths (as approved by the City of Napa) for northbound traffic into the Creekside Commercial property, onto northbound North Drive and onto northbound Soscol Avenue and for southbound traffic, into the Creekside Commercial property and onto eastbound Kansas Avenue.

The Developer is responsible for the cost of the preparation of the improvement plans. The improvement plans must be approved by the City of Napa in coordination with the Napa County Flood Control District prior to the first building permit or first final map, which ever occurs first.

**Gasser Drive Intersection with New Hartle Court (Traffic Safety and Operations Review Study)**

COA 5. The Developer shall prepare improvement plans for the construction of the new traffic signal at the intersection of Gasser Drive and the new, or relocated, Hartle Court.

The Developer is responsible for the cost of the preparation of the improvement plans. The improvement plans must be approved by the City of Napa prior to the first building permit or first final map for the South area, which ever occurs first.

**Imola Avenue/SR-121 Intersection with Gasser Drive (Mitigation Measure TRA-4/17)**

COA 6. The Developer shall prepare the improvement plans for the construction of the following improvements:

- a. Installation of the second left-turn lane and transitional tapers for eastbound traffic on Imola Avenue at the Gasser Drive intersection.
- b. Re-striping of the southbound leg of Gasser Drive to implement a single left-turn lane and a double right turn lane configuration and providing right-turn overlapping traffic signal phasing.
- c. Striping the northbound leg of Gasser Drive north of Imola Avenue to provide a through lane and a shared-through-right-turn lane at the South Napa Marketplace entrance and merge the two through lanes into a single lane north of the entrance.

The Developer is responsible for the cost of the preparation of the improvement plans. The improvement plans must be approved by the City of Napa and Caltrans prior to the first non-residential building permit or first final map, which ever occurs first.

COA 7. The Developer shall construct and install the following improvements:

- a. The new traffic signal at the intersection of Gasser Drive and the new, or relocated, Hartle Court.
- b. The second left turn lane and transitional tapers for eastbound traffic on Imola Avenue at the Gasser Drive intersection.
- c. Re-striping of the south bound leg of Gasser Drive to implement a single left turn lane and a double right-turn lane configuration and providing right-turn overlapping traffic signal phasing.
- d. Striping the northbound leg of Gasser Drive north of Imola Avenue to provide a through lane and a shared-through-right-turn lane at the South Napa Marketplace entrance and merge the two through lanes into a single lane north of the entrance.

- e. Widening of Imola Avenue between Gasser Drive and South Napa Marketplace intersections as needed.

The Developer shall be responsible for the cost and the construction and installation of these improvements.

The Developer may have these improvements included in a Subdivision Improvement Agreement or Project Improvement Agreement (which will include the requirement for improvement security as required per the Napa Municipal Code) which must be executed by the Developer and the City prior to the issuance of the first building permit or filing of the final map, whichever comes first.

These improvements shall be installed, constructed and operational to the satisfaction of the City of Napa and Caltrans prior to the issuance of the building permit for the shell of the proposed theater or if there is not a theater, the equivalent commercial building.

**Silverado Trail(SR-121)/Soscol Avenue(SR-121)/Gasser Drive intersection Realignment (Mitigation Measure TRA-14)**

COA 8. The South pays their Street Improvement Fees for development prior to the issuance of each building permit.

**Imola Avenue/SR-121 (Soscol Avenue to SR29) (Mitigation Measure TRA-1/8/9/10)**

COA 9. The Developer shall design a program to coordinate signals and optimize signal timing and phasing throughout the corridor (SR-29 southbound ramps to Soscol Avenue) as approved by Caltrans and the City of Napa.

The Developer is responsible for the cost of the preparation, and implementation of the program . The signal timing and phasing program must be approved by the City of Napa prior to the first building permit or first final map, whichever occurs first. It is the City of Napa's understanding that the existing equipment is sufficient to implement these improvements.

The final signal timing program shall be fine tuned and implemented approximately six months after the issuance of the first occupancy permit and when at least 50 percent of the buildings have been occupied. This will allow for the signal timing to reflect post-project equilibrium conditions for the "South" area.

The surety for the improvement agreement for the improvement which is the subject of this condition will not be released until the signal timing has been accepted by the City of Napa and Caltrans.

**Soscol Avenue/SR-121 (Silverado Trail to Imola Avenue) (Mitigation Measure TRA-2)**

COA 10. The Developer shall design a program to coordinate signals and optimize signal timing and phasing throughout the corridor (Silverado Trail to south of Magnolia Avenue) as approved by Caltrans and the City of Napa.

The Developer is responsible for the cost of the preparation, and implementation of the program. The signal timing and phasing program must be approved by the City of Napa prior to the first building permit or first final map for the South area, which ever occurs first. It is the City of Napa's understanding that the existing equipment is sufficient to implement these improvements.

The final signal timing program shall be fine tuned and implemented approximately six months after the issuance of the first occupancy permit in the South area and when at least 50 percent of the buildings in the South area have been occupied. This will allow for the signal timing to reflect post-project equilibrium conditions for the "South" area.

The surety for the improvement agreement for the improvement which is the subject of this condition will not be released until the signal timing has been accepted by the City of Napa and Caltrans.

**Soscol Avenue intersection with Lincoln Avenue (Mitigation Measure TRA-12)**

COA 11. Prior to the issuance of the first building permit for the "South" area, the Developer is required to deposit with the City, their proportionate share of the cost (as approved by the City of Napa) for the design of improvement plans and the construction of the installation of a double left turn lane on the southbound approach of Soscol Avenue to Lincoln Avenue and provide for overlap traffic signal phasing for the westbound right-turn lane on Lincoln Avenue.

The Gasser Master Plan's proportionate share is 5.47% of the total cost of this intersection improvement. The South Gasser share is 3.12 % and the North Gasser share is 2.35%. The fee will be determined prior to issuance of any building permit in either area. The Gasser Master Plan's proportionate share, the South Gasser share and the North Gasser share were calculated in accordance with Exhibit A to these Conditions of Approval.

**Third Street Intersection with the Silverado Trail/SR-121, Coombsville Road and East Avenue (Mitigation Measure TRA-3/13)**

COA 12. Prior to the issuance of the first building permit for the "South" area, the developer is required to deposit with the City, their proportionate share of the cost of the design and installation of the interim design plans for interim improvement of the Third Street intersection with the Silverado Trail, Coombsville Road and East Avenue as approved by Caltrans and City of Napa.

The Gasser Master Plan's proportionate share is 8.91% of the total cost of this intersection improvement. The South Gasser share is 5.08 % and the North Gasser share is 3.83%. The fee will be determined prior to issuance of any building permit in either area. The Gasser Master Plan's proportionate share, the South Gasser share and the North Gasser share were calculated in accordance with Exhibit A to these Conditions of Approval.

**Water Quality (Mitigation Measure HYDRO-2 and 3)**

COA 13. Before the City can approve any phase of development at the project site, the applicant must demonstrate through a stormwater management plan for that development phase that is approved by the City Public Works Director that their proposed development plan meets the requirements of the City of Napa NPDES General Permit.

COA-WQ3: South Gasser Wetland Buffers: As part of the initial subdivision or other development application for South River Place, the applicant shall provide a map showing the prior wetland delineation and setbacks established as part of the South Napa Market Place approval with the updated wetland delineation and setbacks to make sure that the protected area within previously approved and proposed setbacks is not reduced in size. (Added 11/06)

**Flood Hazards (Mitigation Measure HYDRO-4)**

COA 14. Before development may be approved by the City of Napa within properties zoned ".FP", which presently includes the entire area proposed for development within the Gasser Master Plan a floodplain permit must be obtained from the City's floodplain administrator in accordance with Napa Municipal Code Chapter 17.38.

COA 15. If Alternative Mitigation Measure HYDRO-4a is implemented, the U.S. Army Corps of Engineers has not addressed interior/residual drainage in the General Design Memorandum for the NRFPP, so there may still be flooding in the South area. Graded building pads on the improvement plans shall be a minimum of one foot above the one percent chance per year "100-year" overland release elevation per Mitigation Measure HYDRO-4d.

**Drainage Improvements (Mitigation Measure HYDRO-5)**

COA 16A. Prior to the issuance of the first building permit for the Gasser South area, the lowering of the terrace grade at the newly constructed Maxwell Bridge needs to be completed by the Napa River Flood Protection Project (NRFPP) to an elevation of 14 feet; the raising of the levee on the south side of Tulocay Creek needs to be completed by the NRFPP; the construction of the levee on the west and south sides of Gasser South needs to be completed by the NRFPP; and the Wine Train Bridge closure plan or the east bank levees and floodwalls from south of First Street to Tulocay Creek needs to be completed by the NRFPP. Any items identified or as modified by the NRFPP as necessary to complete the NRFPP to allow development on the Gasser South Area must also be designed and completed.

As an option, the developer may assume the responsibility of any NRFPP work, so long as the improvement plans and construction are approved and accepted by the NRFPP including, but not limited to, the Napa County Flood Control and Water Conservation District and the U.S. Army Corps of Engineers.

16B. As an alternative, if a Letter of Map Revision (LOMR) or Conditional Letter of Map Revision (CLOMR) is approved by FEMA per Hydro 4a and the NRFPP is not completely protecting Gasser South, then the floodplain management and evacuation requirements in Hydro 4 shall be met prior to the issuance of grading and building permits.

### **Water System Improvements**

COA 17. As part of the Gasser South Area of the project, the following water facility improvements shall be completed at the sole cost of the Developer prior to initiation of water service to the project site:

- a. Hartle Court was realigned to a location north of the existing road adjacent to Fire Station #4 and the Napa Homeless Shelter. The relocation of water facilities to the alignment of the new road shall be completed and the existing 12" water main within the old alignment shall be abandoned in accordance with City of Napa Water Division standards.
- b. The Developer shall dedicate to the City of Napa a 20' Water Utility Easement within the center of the parking lot drive aisle on the west side of the property from the new alignment of Hartle Court south to Imola Avenue (a north-south alignment along the Napa Sanitation District (NSD) property line on the west side of the Gasser property.) The City's Water Easement must be outside of the existing 60 foot NSD easement. The exact location of the Water Easement will be determined and approved by the City of Napa Water Division prior to the approval of the first set of civil improvement plans for the area south of the new Hartle Court. If required for the fire flows for the project, Applicant shall install a new 12" DIP water main through the new 20' Water Utility Easement, and continue easterly (5-feet south of the edge of Caltrans right-of-way) on the north side of Imola Avenue and connect to the existing 12" DIP water main in Gasser Drive. Applicant shall be responsible for obtaining permits from Caltrans for any work within the Caltrans right-of-way.

COA 18. A new 8" DIP water main shall be designed within the new Tulocay Creek Bridge within the Gasser property at the sole cost of the Developer. If the deck of the bridge does not have sufficient space for the water main, the water main shall be placed under the creek within a steel casing 10-feet from the edge of the bridge footing, and a new 20-foot public water utility easement shall be provided over the centerline of the new water main. If the water main is not installed within the bridge, the creek crossing shall be installed and the new easement provided with the first phase of the Gasser project.

### **Bicycle and Pedestrian Facilities (TRA-29)**

**Trails**

COA 19. In general, all trail easements shall be provided with the initial subdivision of a parcel containing a trail and prior to subdividing Tulocay Creek as a separate parcel. That is, trail easements on the Tulocay Creek uplands shall be granted prior to any change in ownership. Bonding for construction shall occur with first building permit of any development within the noted development area. Construction shall be complete consistent with the subdivision or project improvement agreement for the first nonresidential building within the responsible district defined below. Development areas responsible for easement dedication and construction of various trail segments, some of which are offsite, are as follows:

*South of Tulocay Creek:*

**Multi use trail from Hartle Court to railroad bridge:** A public access easement shall be dedicated from Hartle Court to the railroad bridge and the Napa River Trail with the initial subdivision of South River Place. Tulocay Creek shall not be subdivided as a separate parcel until needed trail easements are in place. Bonding for construction shall occur with the first building permit of any development within the South River Place and construction shall be completed consistent with the subdivision or project improvement agreement.

**Bicycle Staging Facilities**

COA 20. As part of the South Gasser improvements, public parking shall be provided convenient to the Tulocay Creek Crossing to the River Trail as part of the initial South River Place development, with construction timing to be identified as part of the initial subdivision. Parking shall be signed.

**Second Connection between North and South on western edge of property**

COA 21. No development plans shall be submitted by the Developer which propose a site plan south of Tulocay Creek which preclude the installation of a future connection between North Gasser and South Gasser across Tulocay Creek near the western edge of the Gasser Master Plan property.

**Bus Turnouts and Shelters (Mitigation Measure TRA-28)**

COA 22. The Developer shall prepare improvement plans for the installation of the new bus turnouts and shelters. These shall be coordinated with and approved by the Napa County Transportation Planning Agency, Caltrans and the City of Napa.

The improvement plans must be approved by the City of Napa, Caltrans and the Napa County Transportation Planning Agency.

The Developer shall be responsible for the cost and the construction and installation of these improvements.

The Developer may have these improvements included in a Subdivision Improvement Agreement or Project Improvement Agreement (which will include the requirement for improvement security as required per the Napa Municipal Code) which must be executed by the Developer and the City prior to the issuance of the first building permit for the “North” area or filing of the final map, whichever comes first.

### **Fencing**

COA 23. Fence design shall be included as part of adjacent or nearby development applications. Fencing along open space areas shall be an attractive, open design unless responsible agencies require otherwise in a specific area to mitigate an environmental impact.

## **NORTH AREA (The area north of the centerline of Tulocay Creek.)**

### **Traffic Improvements**

#### **Gasser Drive Extension (Mitigation Measure TRA-29)**

COA 24. The Developer shall construct the Gasser Drive extension (Kansas Avenue to Soscol Avenue), including the new Gasser Drive Bridge over Tulocay Creek.

The Developer shall be responsible for the cost and the construction and installation of these improvements. Provided, however, to the extent Developer submits documentation to the satisfaction of the City that demonstrates that the improvements required by this condition are “oversized” (they exceed the Developer’s fair share contribution and the improvements benefit other properties), the Developer may request a reimbursement agreement. Potential sources of revenue for any such reimbursement agreement may include the Street Improvement Fee Program (only to the extent the City Council subsequently authorizes adding these improvements to the Street Improvement Fee Program), funding from a Community Facilities District (if a CFD is formed for the Gasser Master Plan area, and if these improvements are identified as an authorized expenditure), or a new redevelopment project area (if a new redevelopment project area is formed, and if these improvements are identified as an authorized expenditure)

In the event that a redevelopment project area is formed that includes the Gasser Master Plan area, the net proceeds of tax increment revenue generated by the Gasser Master Plan area may be used to finance a portion of the cost of the Gasser Drive Extension, subject to the approval of the Redevelopment Agency. Net proceeds means the tax increment available after required payments to a low-and moderate income housing fund, mandatory tax sharing payments and other requirements.

The Developer may have these improvements included in a Subdivision Improvement Agreement or Project Improvement Agreement (which will include the requirement for improvement security as required per the Napa Municipal Code) which must be executed by the Developer and the City prior to the issuance of the first building permit or filing of the final map, whichever comes first.

**Silverado Trail(SR-121)/Soscol Avenue(SR-121)/Gasser Drive intersection Realignment (Mitigation Measure TRA-14)**

COA 25. The intersection of Silverado Trail/Soscol Avenue and Gasser Drive is required to be realigned and reconstructed to form a standard four-leg intersection (“Realignment Project”) consistent with the City of Napa General Plan Transportation Element.

There is an “oversizing” portion of the Realignment Project (the portion of the Realignment Project that exceeds the Developer’s fair share contribution and benefits other properties); however, the City has not yet quantified the oversizing portion. The City shall quantify the oversized portion of the Realignment Project concurrently with the City’s review and approval of the financing plan (described below). The Developer may request a reimbursement agreement for the costs of the oversized portion of the Realignment Project.

With the first application for Tentative Map, Use Permit or Design Review, the Developer shall submit a financing plan for review and approval by the City on how the Realignment Project will be financed. The financing plan shall identify all cost elements for the Realignment Project, including design, property acquisition, and construction; as well as all potential sources of revenue, including a methodology for determining the Developer’s fair share contributions, Street Improvement fees, a Community Facilities District (“CFD”), redevelopment funding, or any other private or public sources of revenue.

A portion of the Street Improvement Fees required of the Gasser Master Plan area may be credited against the cost of the Realignment Project.

In the event that a Community Facilities District (“CFD”) is formed that includes the Gasser Master Plan area and identifies the Realignment Project as an authorized expenditure, the CFD may incur bonded indebtedness to fund a portion of the cost of the Realignment Project.

In the event that a redevelopment project area is formed that includes the Gasser Master Plan area, the net proceeds of tax increment revenue generated by the Gasser Master Plan area may be used to finance a portion of the cost of the Realignment Project, subject to the approval of the Redevelopment Agency. Net proceeds means the tax increment available after required payments to a low-and moderate income housing fund, mandatory tax sharing payments and other requirements.

The Developer shall provide the improvement plans for the ultimate realignment of Silverado Trail and the reconstruction of said intersection at the time of the review of the subdivision map and related improvements plans for the “North” area. The Developer shall obtain the necessary approvals and encroachment permits from Caltrans. The Developer is required to construct these improvements.

This condition may require the acquisition of off-site real property. The Developer shall enter into a property acquisition agreement with the City (prior to the first of the following occurrences in the North area: approval of the first tentative map, or execution of the first Subdivision Improvement Agreement or Project Improvement Agreement), by which the following

requirements will be documented: (1) Developer will make a reasonable good faith effort to acquire the necessary right-of-way at the Developer's cost within a specified timeframe; (2) if the Developer makes a reasonable good faith effort but is unable to acquire the necessary right-of-way within the specified timeframe, the Developer may request the City to acquire the necessary right-of-way through negotiations or the exercise of eminent domain; (3) the Developer shall pay all costs incurred by the City to acquire the necessary right-of-way; (4) the Developer shall complete the improvements required by this condition at such time as the City acquires an interest in the necessary right-of-way that will permit the improvements to be made; and (5) if the City does not acquire the necessary right-of-way that will permit the improvements to be made, within a specified timeframe, the Developer shall be relieved of the obligation to construct the off-site improvements. The Developer should begin good faith efforts to identify and acquire any necessary property at its earliest opportunity, so that construction of required improvement is not delayed by this process. As noted in this condition, the Developer's cost of property acquisition is included in the costs of the Realignment Project, and the Developer is eligible for reimbursement for the oversized portion of the costs of the Realignment Project.

The Developer may have these improvements included in a Subdivision Improvement Agreement or Project Improvement Agreement (which will include the requirement for improvement security as required per the Napa Municipal Code) which must be executed by the Developer and the City prior to the issuance of the first building permit or filing of the final map in the North Area, whichever comes first.

**Third Street intersection with the Silverado Trail, Coombsville Road and East Avenue (Mitigation Measure TRA-3/13)**

COA 26. Prior to the issuance of the first building permit for the "South" area, the developer is required to deposit with the City, their proportionate share of the cost of the design and installation of the interim design plans for interim improvement of the Third Street intersection with the Silverado Trail, Coombsville Road and East Avenue as approved by Caltrans and City of Napa.

The Gasser Master Plan's proportionate share is 8.91% of the total cost for this intersection improvement. The South Gasser share is 5.08 % and the North Gasser share is 3.83%. The fee will be determined prior to issuance of any building permit in either area. The Gasser Master Plan's proportionate share, the South Gasser share and the North Gasser share were calculated in accordance with Exhibit A to these Conditions of Approval.

**Soscol Avenue intersection with Sousa Lane (Mitigation Measure TRA-7)**

COA 27. The Developer shall design the improvement plans for the new traffic signals at the Soscol Avenue/Sousa Lane intersection. The intersection geometry described in the following conditions shall be implemented prior to or concurrently with the signal installation.

This project is included within the Street Improvement Fees and therefore, the developer/subdivider is able to receive credits for design and construction costs as approved by the City of Napa.

The Developer shall be responsible for the construction and installation of these improvements.

The Developer may have these improvements included in a Subdivision Improvement Agreement or Project Improvement Agreement (which will include the requirement for improvement security as required per the Napa Municipal Code) which must be executed by the Developer and the City prior to the issuance of the first building permit for the "North" area or filing of the final map, whichever comes first.

COA 28. The Developer shall prepare the improvement plans for the construction of the reconfiguration and installation of the eastbound and westbound approaches of Sousa Lane to Soscol Avenue to include re-striping of a single left-turn lane, a single through lane and a single right-turn lane at the new signals.

The Developer shall be responsible for the cost and the construction and installation of these improvements.

This reconfiguration and additional lanes are not included in the Street Improvement Fee program.

This condition may require the acquisition of off-site real property. The Developer shall enter into a property acquisition agreement with the City (prior to the first of the following occurrences in the North area: approval of the first tentative map, or execution of the first Subdivision Improvement Agreement or Project Improvement Agreement), by which the following requirements will be documented: (1) Developer will make a reasonable good faith effort to acquire the necessary right-of-way at the Developer's cost within a specified timeframe; (2) if the Developer makes a reasonable good faith effort but is unable to acquire the necessary right-of-way within the specified timeframe, the Developer may request the City to acquire the necessary right-of-way through the exercise of eminent domain; (3) the Developer shall pay all costs incurred by the City to acquire the necessary right-of-way; (4) the Developer shall complete the improvements required by this condition at such time as the City acquires an interest in the necessary right-of-way that will permit the improvements to be made; and (5) if the City does not acquire an interest in the necessary right-of-way that will permit the improvements to be made, the Developer shall be relieved of the obligation to construct the off-site improvements. The developer should begin good faith efforts to identify and acquire any necessary property at its earliest opportunity, so that construction of required improvement is not delayed by this process.

The Developer may have these improvements included in a Subdivision Improvement Agreement or Project Improvement Agreement (which will include the requirement for improvement security as required per the Napa Municipal Code) which must be executed by the Developer and the City prior to the issuance of the first building permit for the "North" area or filing of the final map, whichever comes first.

**Imola Avenue/SR-121 with Jefferson Street Intersection (Mitigation Measure TRA-15)**

COA 29. The Developer shall prepare the improvement plans for the installation of a right-turn lane on the southbound approach and the reconfiguration of this approach to provide a left-turn lane, a shared-through-left-turn lane, and a right-turn lane of Jefferson Street to Imola Avenue which shall be approved by Caltrans and by the City of Napa.

If new development projects are proposed at this intersection, they would also be subject to the same condition above.

The Developer shall be responsible for the cost and the construction and installation of these improvements.

The Developer may have these improvements included in a Subdivision Improvement Agreement or Project Improvement Agreement (which will include the requirement for improvement security as required per the Napa Municipal Code) which must be executed by the Developer and the City prior to the issuance of the first building permit for the "North" area or filing of the final map, whichever comes first.

**Imola Avenue/SR-121 with Coombs Street Intersection (Mitigation Measure TRA-16)**

COA 30. Prior to the issuance of the first building permit for the "North" area, the Developer shall pay for the improvement plans and for the implementation of right-turn overlap traffic signal phasing for the eastbound approach, which shall be approved by Caltrans and by the City of Napa.

If new development projects are proposed at this intersection, they would also be subject to the same condition above.

The Developer shall be responsible for the cost and the construction and installation of these improvements.

The Developer may have these improvements included in a Subdivision Improvement Agreement or Project Improvement Agreement (which will include the requirement for improvement security as required per the Napa Municipal Code) which must be executed by the Developer and the City prior to the issuance of the first building permit for the "North" area or filing of the final map, whichever comes first.

**Soscol Avenue/SR-121 Intersection with Kansas Avenue (Mitigation Measure TRA-18)**

COA 31. The Developer shall prepare improvement plans for the following improvements:

- Re-striping of eastbound Kansas Avenue at Soscol Avenue to install a double left turn lane, a single through-right turn lane at the existing signals.
- Installation of a single westbound left turn lane, a single through-right lane and a single right turn lane at the existing signals.

- Addition of an overlap phase for the westbound and southbound right-turn movements and provide protected-permitted phasing for the southbound left-turn movement.

These improvement plans will require Caltrans approval and a Caltrans encroachment permit. The Developer shall be responsible for the cost and the construction and installation of these improvements.

The above improvements may require additional right-of-way along Kansas Avenue. The Developer shall enter into a property acquisition agreement with the City (prior to the first of the following occurrences in the North area: approval of the first tentative map, or execution of the first Subdivision Improvement Agreement or Project Improvement Agreement), by which the following requirements will be documented: (1) Developer will make a reasonable good faith effort to acquire the necessary right-of-way at the Developer's cost within a specified timeframe; (2) if the Developer makes a reasonable good faith effort but is unable to acquire the necessary right-of-way within the specified timeframe, the Developer may request the City to acquire the necessary right-of-way through the exercise of eminent domain; (3) the Developer shall pay all costs incurred by the City to acquire the necessary right-of-way; (4) the Developer shall complete the improvements required by this condition at such time as the City acquires an interest in the necessary right-of-way that will permit the improvements to be made; and (5) if the City does not acquire an interest in the necessary right-of-way that will permit the improvements to be made, the Developer shall be relieved of the obligation to construct the off-site improvements. The developer should begin good faith efforts to identify and acquire any necessary property at its earliest opportunity, so that construction of required improvement is not delayed by this process.

The Developer may have these improvements included in a Subdivision Improvement Agreement or Project Improvement Agreement (which will include the requirement for improvement security as required per the Napa Municipal Code) which must be executed by the Developer and the City prior to the issuance of the first building permit for the "North" area or filing of the final map, whichever comes first.

If the intersection realignment of Silverado Trail (SR-121)/Soscol Avenue (SR-121)/Gasser Drive intersection Realignment Project is under construction or included in an executed Improvement Agreement concurrent with the issuance of the first building permit for the "North" area, the improvements listed above at the Kansas Avenue/Soscol Avenue (SR-121) intersection are not required.

#### **Soscol Avenue/SR-121 Intersection with Shetler Avenue (Mitigation Measure TRA-19)**

- COA 32. The Developer shall prepare the improvement plans for the following improvements:
- Modifying the eastbound approach to a left-turn lane, shared left-through-right-turn lane, and a right-turn lane
  - Providing overlap phasing for the eastbound, northbound, and southbound right turns.

The improvement plans must be approved by the City of Napa and Caltrans.

The Developer shall be responsible for the cost and the construction and installation of these improvements.

This condition may require the acquisition of off-site real property. The Developer shall enter into a property acquisition agreement with the City (prior to the first of the following occurrences in the North area: approval of the first tentative map, or execution of the first Subdivision Improvement Agreement or Project Improvement Agreement), by which the following requirements will be documented: (1) Developer will make a reasonable good faith effort to acquire the necessary right-of-way at the Developer's cost within a specified timeframe; (2) if the Developer makes a reasonable good faith effort but is unable to acquire the necessary right-of-way within the specified timeframe, the Developer may request the City to acquire the necessary right-of-way through the exercise of eminent domain; (3) the Developer shall pay all costs incurred by the City to acquire the necessary right-of-way; (4) the Developer shall complete the improvements required by this condition at such time as the City acquires an interest in the necessary right-of-way that will permit the improvements to be made; and (5) if the City does not acquire an interest in the necessary right-of-way that will permit the improvements to be made, the Developer shall be relieved of the obligation to construct the off-site improvements. The developer should begin good faith efforts to identify and acquire any necessary property at its earliest opportunity, so that construction of required improvement is not delayed by this process.

The Developer may have these improvements included in a Subdivision Improvement Agreement or Project Improvement Agreement (which will include the requirement for improvement security as required per the Napa Municipal Code) which must be executed by the Developer and the City prior to the issuance of the first building permit for the "North" area or filing of the final map, whichever comes first.

**Soscol Avenue/SR-121 Intersection with Imola Avenue/SR-121 (Mitigation Measure TRA-5/20)**

COA 33. The Developer shall prepare the improvement plans for the following improvements:

- Installation on eastbound Imola Avenue of a double left turn lane, a single through lane, a right turn lane and two receiving lanes at the existing signals
- Installation on westbound Imola Avenue of a single left turn lane, a single through lane and a right turn lane at the existing signals
- Provide protected phasing for the eastbound and westbound left-turn movements, as well as right-turn overlap phasing in the westbound and northbound approaches

The above improvements may require additional right-of-way along Imola Avenue to allow for the required improvements to meet Caltrans' standard design specifications. An alternative to this right-of-way need is to seek a design exception from Caltrans to implement the needed improvements within the existing public street right-of-way. If Caltrans does not approve such a design exception prior to the City's approval of a Tentative Map, Use Permit, or Design Review Approval for the first project in the "North" area, the Developer shall enter into a property acquisition agreement with the City (prior to the first of the following occurrences in the North area: approval of the first tentative map, or execution of the first Subdivision Improvement Agreement or Project Improvement Agreement), by which the following requirements will be

documented: (1) Developer will make a reasonable good faith effort to acquire the necessary right-of-way at the Developer's cost within a specified timeframe; (2) if the Developer makes a reasonable good faith effort but is unable to acquire the necessary right-of-way within the specified timeframe, the Developer may request the City to acquire the necessary right-of-way through the exercise of eminent domain; (3) the Developer shall pay all costs incurred by the City to acquire the necessary right-of-way; (4) the Developer shall complete the improvements required by this condition at such time as the City acquires an interest in the necessary right-of-way that will permit the improvements to be made; and (5) if the City does not acquire an interest in the necessary right-of-way that will permit the improvements to be made, the Developer shall be relieved of the obligation to construct the off-site improvements. The developer should begin good faith efforts to identify and acquire any necessary property at its earliest opportunity, so that construction of required improvement is not delayed by this process.

The improvement plans must be approved by the City of Napa and Caltrans.

The Developer shall be responsible for the cost and the construction and installation of these improvements.

The Developer may have these improvements included in a Subdivision Improvement Agreement or Project Improvement Agreement (which will include the requirement for improvement security as required per the Napa Municipal Code) which must be executed by the Developer and the City prior to the issuance of the first building permit for the "North" area or filing of the final map, whichever comes first.

#### **Soscol Avenue intersection with Lincoln Avenue TRA-12**

COA 34. Prior to the issuance of the first building permit for the "North" area, the Developer is required to deposit with the City, their proportionate costs for the improvement plans and the construction of the installation of a double left turn lane on the southbound approach of Soscol Avenue to Lincoln Avenue.

The Gasser Master Plan's proportionate share is 5.47% of the total cost of this intersection improvement. The South Gasser share is 3.12 % and the North Gasser share is 2.35%. The fee will be determined prior to issuance of any building permit in either area.

#### **Soscol Avenue/SR-121 from Silverado Trail to Magnolia Avenue (Northbound and Southbound) (Mitigation Measure TRA-2/11)**

COA 35. The Developer shall prepare the improvement plans for the widening of Soscol Avenue to six through lanes between Magnolia Drive and Silverado Trail through pavement signing and striping while staying within the existing public street right-of-way, as approved by Caltrans and the City of Napa. This corridor improvement is not anticipated to require new right-of-way, but may require a design exception (for narrower than standard lane widths as necessary to stay within the existing right-of-way) for the encroachment permit from Caltrans.

The Developer shall have prepared a right-of-way exhibit defining the Caltrans, City or otherwise public right-of-way for Soscol Avenue(SR 121) from the north curb return of the intersection of Soscol Avenue and the existing Silverado Trail to the southern curb return of the intersection of Soscol Avenue with Magnolia Avenue. The purpose of this exhibit shall be to determine if there is adequate existing right-of-way to restripe or improve Soscol Avenue to 6 through lanes. This exhibit must be submitted as a part of a complete Planning Application for a Tentative Map, Use Permit, or Design Review Approval for the first project in the "North" area.

If the exhibit indicates that additional right-of-way is required, the Developer shall immediately request a design exception from Caltrans to allow for the installation of lanes within the existing right-of-way (that may be below Caltrans standard lane width). If Caltrans does not approve such a design exception prior to the City's approval of a Tentative Map, Use Permit, or Design Review Approval for the first project in the "North" area, the Developer shall enter into a property acquisition agreement with the City (prior to the first of the following occurrences in the North area: approval of the first tentative map, or execution of the first Subdivision Improvement Agreement or Project Improvement Agreement), by which the following requirements will be documented: (1) Developer will make a reasonable good faith effort to acquire the necessary right-of-way at the Developer's cost within a specified timeframe; (2) if the Developer makes a reasonable good faith effort but is unable to acquire the necessary right-of-way within the specified timeframe, the Developer may request the City to acquire the necessary right-of-way through the exercise of eminent domain; (3) the Developer shall pay all costs incurred by the City to acquire the necessary right-of-way; (4) the Developer shall complete the improvements required by this condition at such time as the City acquires an interest in the necessary right-of-way that will permit the improvements to be made; and (5) if the City does not acquire an interest in the necessary right-of-way that will permit the improvements to be made, the Developer shall be relieved of the obligation to construct the off-site improvements. The developer should begin good faith efforts to identify and acquire any necessary property at its earliest opportunity, so that construction of required improvement is not delayed by this process.

The improvement plans must be approved by the City of Napa and Caltrans.

The Developer shall be responsible for the cost and the construction and installation of these improvements.

The Developer may have these improvements included in a Subdivision Improvement Agreement or Project Improvement Agreement (which will include the requirement for improvement security as required per the Napa Municipal Code) which must be executed by the Developer and the City prior to the issuance of the first building permit for the "North" area or filing of the final map, whichever comes first.

COA 36. The Developer shall design a program to coordinate signals and optimize signal timing and phasing throughout the Soscol Avenue corridor(i.e. from Silverado Trail intersection to south of the intersection with Magnolia Avenue) as approved by Caltrans and the City of Napa.

The Developer is responsible for the cost of the preparation, and implementation of the program. The signal timing and phasing program must be approved by the City of Napa prior to the first building permit or first final map, whichever occurs first.

The final signal timing program shall be fine tuned and implemented approximately six months after the issuance of the first occupancy permit and when at least 50 percent of the buildings have been occupied. This will allow for the signal timing to reflect post-project equilibrium conditions for the "North" area. The surety for the improvement agreement will not be released until the signal timing has been accepted by the City of Napa and Caltrans.

### **Bus Turnouts and Shelters (Mitigation Measure TRA-28)**

COA 37. The Developer shall prepare improvement plans for the installation of the new bus turnouts and shelters within the Gasser Master Plan. These shall be coordinated with and approved by the Napa County Transportation Planning Agency, Caltrans and the City of Napa.

The improvement plans must be approved by the City of Napa, Caltrans and the Napa County Transportation Planning Agency.

The Developer shall be responsible for the cost and the construction and installation of these improvements.

The Developer may have these improvements included in a Subdivision Improvement Agreement or Project Improvement Agreement (which will include the requirement for improvement security as required per the Napa Municipal Code) which must be executed by the Developer and the City prior to the issuance of the first building permit for the "North" area or filing of the final map, whichever comes first.

### **North Drive**

COA 38. Construction of North Drive (from Gasser Drive extension to Oil Company Road) shall be required to be designed and constructed with the development of Tulocay Place or Tulocay Village whichever comes first.

The Developer shall construct and install these improvements. The Developer may have these improvements included in a Subdivision Improvement Agreement or Project Improvement Agreement which will include the requirement for improvement security as required per the Napa Municipal Code which must be executed by the Developer and the City prior to the issuance of the first building permit in either Tulocay Place or Tulocay Village, whichever comes first.

**Water Quality (Mitigation Measure HYDRO-2 and 3)**

COA 39. Before the City can approve any phase of development at the project site, the applicant must demonstrate through a stormwater management plan for that development phase that is approved by the City Public Works Director that their proposed development plan meets the requirements of the City of Napa NPDES General Permit.

COA-WQ4: Tulocay Creek Setback Evaluation: As part of subsequent development applications, potential Tulocay Creek setbacks will need to be evaluated by the Water Quality Control Board; such setbacks, if applied, could affect development envelopes in North Gasser districts, however, they are not intended to preclude a Tulocay Creek trail or trail creek crossing at the railroad bridge.”

COA-WQ5: Drainage Baseline Improvements. Drainage improvements that are part of the Flood Project baseline condition shall be resolved prior to any subsequent approvals for Gasser North; if this resolution changes the size or configuration of future development areas, the Master Plan acreages and map shall be revised at that time.

**Flood Hazards (Mitigation Measure HYDRO-4)**

COA 40. Before development may be approved by the City of Napa within properties zoned “:FP”, which presently includes the entire area proposed for development within the Gasser Master Plan a floodplain permit must be obtained from the City’s floodplain administrator in accordance with Napa Municipal Code Chapter 17.38.

COA 41. Graded building pads on the improvement plans shall be a minimum of one foot above the one percent chance per year “100-year” overland release elevation per Mitigation Measure HYDRO-4d.

**Drainage Improvements HYDRO-5/6**

COA 42. Prior to the issuance of the first building permit for the Creekside Commercial which is in the North area, the Developer shall fund the design, the construction and installation of all of the on-site drainage for the Creekside Commercial. Additionally, Conditions of Approval 24-41 above shall be implemented.

The Developer shall construct and install these improvements. The Developer may have these improvements included in a Subdivision Improvement Agreement or Project Improvement Agreement which will include the requirement for improvement security as required per the Napa

Municipal Code which must be executed by the Developer and the City prior to the issuance of the first grading and building permits.

COA 43. Prior to the issuance of the first building permit for any remainder of Gasser North, excepting the Tulocay Place development, the Napa River Oxbow bypass and the Conditions of Approval 24-42 above shall be implemented; the replacement of the railroad bridge crossing Napa River by the Napa River Flood Protection Project (NRFPP) shall be completed and operational; the floodwall at the oxbow, which will be constructed by the NRFPP and will eliminate river overflows, shall be completed and be operational; the pump station at the Gasser North wetland (North Basin) and the river outfall structures which are to be designed, installed and constructed by the NRFPP shall be completed and be operational; the Developer, the USACOE, NCFWCDC or other non-City funding source shall pay for the design and construction of any augmentation for the North Basin pumping capacity for the additional Gasser North drainage and the improvements shall be completed and be operational; the levee on the North side of Tulocay Creek, which is to be designed, installed and constructed by the NRFPP shall be completed and be operational; and the levee and floodwall on the west side of Gasser North, which is to be designed, installed and constructed by the NRFPP shall be completed and be operational. If Oil Company Road is to be a city street and used as an evacuation route, then the Developer shall pay for the design and construction of the drainage improvements at the intersection of Soscol Avenue and Oil Company Road and along Oil Company Road, as approved by the City of Napa, and these improvements shall be completed and be operational. The drainage improvements shall be designed to route residual flood flows under baseline conditions as defined in the FEIR so that there is less than one foot of water in the streets during a one percent chance per year storm. Following this, the City of Napa will allow the issuance of building permits for the remainder of Gasser North, excepting the Tulocay Place development.

COA 44 and 45. Prior to the issuance of the first building permit, the developer is required to design and construct a stormwater system to convey both (1) residual flows and on-site storm drainage under baseline conditions as defined in the FEIR across the property to the North Wetlands; and (2) all estimated one percent change per year "100 year" off-site flood flows that would drain to the North Basin from Soscol Avenue-Oil Company Road intersection as a result of the Soscol Area Gateway Drainage Project studied in the Schaaf & Wheeler, 2005 Soscol Area Drainage Study – Design Options. The portion of the system caused by flows described in part (2) shall be referred to as the "oversized portion" of the system. This system shall be designed and constructed as part of the Oil Company Road and North Drive street improvements from Oil Company Road to the North Basin to the satisfaction of the City of Napa. This system is currently envisioned as two- four (4) foot by sixteen (16) foot culverts but may be an equivalent alternative.

The City has not yet quantified the oversizing component. The oversized portion of the system shall be quantified by comparing the design and construction costs for culverts (assuming the 100-year residual overland flow under baseline conditions, as described in FEIR Mitigation Measure HYDRO-6b—which represents the Developer's fair share contribution), to the design and construction costs for culverts required to be designed and constructed by the developer in

accordance with this condition. The drainage plan described in MM HYDRO-6b shall provide the basis for reimbursement.

The Developer may request a reimbursement agreement for the costs for the oversized portion of the system required by this condition, (including analysis of area of benefit, requirements imposed by other government agencies due only to oversizing and construction). Potential sources of revenue for any such reimbursement agreement may include funding from a Community Facilities District (if a CFD is formed for the Gasser Master Plan area, and if these improvements are identified as an authorized expenditure), or a new redevelopment project area (if a new redevelopment project area is formed, and if these improvements are identified as an authorized expenditure).

A study shall be prepared to the satisfaction of the City, spreading the costs for the oversized portion of the system to an area of benefit in order to determine other property owners that benefit from the oversized portion of the system.

In addition, any other necessary drainage conveyances identified in COA 24- 42 within the North Area shall be designed and constructed.

The Developer shall design, construct and install these improvements. The Developer may have these improvements included in a Subdivision Improvement Agreement or Project Improvement Agreement which will include the requirement for improvement security as required per the Napa Municipal Code which must be executed by the Developer and the City prior to the issuance of the first building permit.

### **Water System Improvements**

COA 46. As part of the north phase of the project, the following water facility improvements shall be completed at the sole cost of the Developer prior to initiation of water service to the project site.

- a. The existing water main in Sousa Lane from Silverado Trail to Soscol Avenue shall be converted into a Zone 3 pipeline. This will require a new hot tap and connection to the existing 24" water main in Silverado Trail, a new zone break and loop created in Soscol Avenue connecting the two 8" water mains (remaining as Zone 1) to each other, and installing pressure reducers on existing services on Sousa Lane transferred from Zone 1 into Zone 3.
- b. Extend the existing 8" water main on Soscol Avenue from the current Gasser Office Building to Oil Company Road. This work shall occur after the zone change on Sousa Lane.
- c. The existing 12" water main on Gasser Drive shall be extended to the new portion of Gasser Drive and tie-into both the 12" main on Oil Company Road (along the North Drive alignment) and the 8" main on Soscol Avenue.

COA 47. If Silverado Trail is realigned to match the alignment of Gasser Drive as part of the Master Plan, the following improvements shall be made in coordination of the realignment:

- a. The existing 24" water main (that currently crosses Soscol Avenue and heads north on Silverado Trail) shall be abandoned within the old alignment from the old Soscol Avenue intersection to the new Silverado Trail intersection.
- b. A new 24" DIP shall be installed from the old Soscol Avenue intersection to the new Silverado Trail intersection within the new Silverado Trail alignment. The existing 8" DIP water main between the new alignment and the old alignment within Soscol Avenue shall be replaced with a new 24" DIP to provide a continuous 24" DIP feed from Soscol Avenue onto Silverado Trail.
- c. The existing 24" DIP water main serving Adobe Lane shall be replaced and downsized to a new 8" DIP water main and placed along the east side of the old Silverado Trail alignment. A new 12" DIP water main connection shall be installed on the new 24" DIP water main at the intersection of the new Silverado Trail alignment and the old Silverado Trail alignment crossing to the east side of Silverado Trail with 12" DIP ending in a 12" tee. The 12" tee shall have a 12" butterfly valve (in the closed position) and an MJ cap to the north for future connection. To the south, the 12" tee shall have a 12" butterfly valve and a 12" to 8" reducer. A new 8" DIP shall be installed from the reducer to the existing 8" water main in Adobe Lane. A new 8" tee shall connect to the existing 8" DIP in Adobe Lane to the east, to the new 8" DIP in Silverado Trail to the north, and to a new 8" gate valve (in the closed position) and MJ cap to the south for future connection.

COA 47-2. A new 8" DIP water main shall be installed within the new Tulocay Creek Bridge within the Gasser property at the sole cost of the Developer. If the deck of the bridge does not have sufficient space for the water main, the water main shall be placed under the creek within a steel casing 10-feet from the edge of the bridge footing, and a new 20-foot public water utility easement shall be provided over the centerline of the new water main. If the water main is not installed within the bridge, the creek crossing shall be installed and the new easement provided with the first phase of the Gasser project.

#### **Trails (Mitigation Measure TRA-29)**

COA 48. In general, all trail easements shall be provided with the initial subdivision of a parcel containing a trail and prior to subdividing Tulocay Creek as a separate parcel. That is, trail easements on the Tulocay Creek uplands shall be granted prior to any change in ownership. Bonding for construction of the trail shall occur prior to first building permit or subdivision of any development within the noted development area. Construction shall be complete prior to in accordance with the Subdivision or Project Improvement Agreement. Development areas responsible for easement dedication and construction of various trail segments, some of which are offsite, are as follows:

*North of Tulocay Creek:*

COA 49. Multi use trail (between river and Tulocay Village residential) from railroad bridge to Oil Company Road:

A public access easement shall be dedicated with the initial subdivision of Tulocay Village. Tulocay Creek shall not be subdivided as a separate parcel until needed trail easements are in place. Bonding for construction shall occur with first building permit of any development within Tulocay Village and construction shall be completed in accordance with the Subdivision or Project Improvement Agreement.

COA 50. Multi use trail (between north wetlands and Tulocay Village residential) outside of required wetlands buffer from Tulocay Creek trail easement along north side of north wetlands to North Drive ROW:

A public access easement shall be dedicated with the initial subdivision of Tulocay Village. Tulocay Creek shall not be subdivided as a separate parcel until needed trail easements are in place. Bonding for construction shall occur with first residential building permit within the Tulocay Village District and construction shall be completed in accordance with the Subdivision or Project Improvement Agreement. The alignment of this trail should follow the North Wetlands as closely as feasible to North Drive outside of the required wetlands buffer area.

COA 51. Tulocay Creek multi use trail (within existing access easement or comparable replacement easement) from Tulocay Village trail to west edge of Creekside Commercial property:

Bonding for construction shall occur with first residential building permit within the Tulocay Village District and construction shall be completed in accordance with the Subdivision or Project Improvement Agreement.

COA 53. Tulocay Creek multi use trail (within existing public access easement or comparable replacement) and any easement needed for access to cross Gasser Drive from west edge of Creekside Commercial property to Soscol Avenue, including the connection across Gasser Drive:

The connection across Gasser Drive would be at a light at the intersection of Gasser Drive and Kansas Avenue.

### **Bicycle Staging Facilities**

COA 54. A bicycle staging facility consisting of adequate public parking spaces, public restrooms, landscaping and possible added facilities such as picnic tables shall be dedicated, designed and constructed as part of the Tulocay Village development, with construction complete in accordance with the Subdivision or Project Improvement Agreement.

**Landscape Area between Gasser Office Building and North Drive**

COA 55. The Gasser Foundation agrees to permit its landscape areas along the western edge of the parking lot to be further landscaped when North Drive is constructed. Tulocay Place shall be responsible for landscaping this parking lot edge as part of its approval.

**Fencing**

COA 56. Fence design shall be included as part of any adjacent or nearby development applications. Fencing along open space areas shall be an attractive, open design unless responsible agencies require otherwise in a specific area to mitigate an environmental impact. Tulocay Place shall be responsible for any needed fencing adjacent to North Drive on the east side, and for providing a fence between the west edge of the street construction and wetlands.

**Noise**

COA 57. The EIR identified long term average noise levels (Community Noise Equivalent Levels) of 59-61 decibels in 2003 and 2005, which is at the 60 dB CNEL level for which noise analyses are required. Noise levels shall be re-measured in the northern part of the residential neighborhood near Oil Company Road as part of the subsequent residential application to assure that they have not increased; if they are greater than 60dB, a subsequent analysis shall be required.

**Right-of-Ways/Easements**

COA 58. The ROW for North Drive and Oil Company Road shall provide sufficient ROW for needed utilities (sewer, water, gas, electric, telephone, cable) including storm culverts to handle all stormwater flows, including residual overland flows.

**Second Connection between North and South on western edge of property**

COA 59. Prior to submittal of the application requesting approval of the residential development in the North, the developer shall evaluate the feasibility of a direct, narrow street connection between Tulocay Village and south River Plan over Tulocay Creek to the satisfaction of the City of Napa, if the sewer line of the Napa Sanitation District and any District plans for future sewer or recycled water lines as well as the wetland buffers south of Tulocay Creek do not preclude a street connection. If the connection is found to be feasible by the City of Napa, the development plans submitted by the Developer shall propose a site plan which incorporates the installation of this connection between North Gasser and South Gasser across Tulocay Creek near the western edge of the Gasser Master Plan property. Should the feasibility study determine that such a connection is not feasible by the City of Napa, the site plan does not need to incorporate the connection.

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## Exhibit A

### Gasser Foundation Master Plan – Fair Share Calculation Method for Indirect Impacts

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This memorandum provides clarification as to the method for calculating the Master Plan's fair share for off-site roadway infrastructure improvements where the project has indirect traffic impacts. An indirect impact is one where the intersection fails prior to addition of project traffic and where the addition of project traffic constitutes an impact by exacerbating the failure. The method is defined in the Traffic Advisory Committee's *Policy Guidelines: Traffic Impact Analysis for Private Development Review (TAC Policy Guidelines)*. The following is the text of the TAC Policy Guidelines (Concept Adopted by the Traffic Advisory Committee: December 12, 2002, Revisions Adopted by the TAC: May 12, 2005).

#### F. Project Fair Share

The project fair share contribution for an impacted intersection that fails operationally under existing or interim baseline conditions shall be determined through the use of traffic volumes during the critical peak hour. The fair share for the project shall be calculated as the ratio of the project trips over the trips under 'Baseline + Project' conditions. "Baseline" may refer to either "Existing" or "Interim Baseline" scenario, as used in the traffic impact study. Projects only pay based on what trips they add to post-project conditions.

The fair share for the project shall be calculated using the traffic volumes that enter an intersection during the most critical peak hour period analyzed. The project fair share calculation is demonstrated below:

$P =$  Project Fair Share (in percent)

$T_{(P)} =$  Trips entering the intersection during the critical peak hour generated by the Project (in vehicles per hour)

$T_{(B+P)} =$  Trips entering the intersection during the critical peak hour under 'Baseline + Project' conditions (in vehicles per hour)

$P = T_{(P)} / T_{(B+P)}$

Note that this fair share calculation method applies only for indirect impacts, i.e., where the intersection failure exists prior to the addition of project traffic. For locations where the project has a direct impact, i.e., failure exists only as a result of traffic added by the project, the mitigation for the impact is 100% the responsibility of the project and the fair share concept does not apply.

For the Gasser project the Interim Baseline scenario is the year 2010 and  $T_{(P)}$  for a particular intersection is the sum of project generated traffic volumes for that intersection as shown in the *Gasser Master Plan Draft EIR, Appendix C-2, Traffic Studies*, Figure 11 and Figure 12 (*Traffic Assignment of 2010 Project Trips North/South*).

$T_{(B+P)}$  for the intersection is the sum of all traffic volumes for the same intersection as shown in the *Gasser Master Plan Draft EIR*, Figure 4.3-8A and Figure 4.3-8B (*Year 2010 With Project PM Peak Hour Traffic Volumes*).

Thus, the Gasser fair share for mitigation of indirect impacts at a particular intersection is the sum of traffic volumes for all movements at that location as depicted in Figure 11 or Figure 12, divided by the sum of traffic volumes for all movements at the same location as depicted in Figure 4.3-8A of Figure 4.3-8B.

For example, the fair share at Silverado Tr/Third St/East Ave/Coombsville Rd (intersection 9) is:

$$T_{(P)} = 103+21+5+3+10+71+3+8 = 224$$

$$T_{(B+P)} = 69+680+273+10+10+33+47+10+9+145+107+8+34+20+686+26+35+187+10+114 = 2513$$

$$P = T_{(P)} / T_{(B+P)} = 224 / 2513 = 8.91\%$$

Once again, it should be noted that the operational failure at this intersection exists prior to the addition of project traffic, and the project traffic exacerbates the failure, thus causing an indirect impact. The fair share calculation method shall only be applied in such cases, and not where the project has a direct impact, or where the project is the sole reason for construction of a new roadway or intersection.

EXHIBIT D-4

Resolution No. R2006-214 approving an Inclusionary Ordinance "Alternative Equivalent Action" for the Gasser Master Plan Zoning Project

## RESOLUTION R2006 214

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAPA,  
STATE OF CALIFORNIA, APPROVING AN INCLUSIONARY  
ORDINANCE "ALTERNATIVE EQUIVALENT ACTION" FOR THE  
GASSER MASTER PLAN ZONING PROJECT (02-0134)

WHEREAS, in November, 2003, the Gasser Master Plan site residential portion, was designated with the :AH Affordable Housing Overlay District; and

WHEREAS, the Gasser Master Plan has refined the location of the :AH Affordable Housing residential site as being Tulocay Village; and

WHEREAS, Chapter 17.36 of the Zoning Ordinance requires that designated Mixed Use sites with an "Affordable Housing" Overlay are required to provide 10% of total units constructed onsite to be affordable to very low income households, and 10% of total units constructed on site to be affordable to low income households as defined in the City's Inclusionary Ordinance Chapter 15.94.

WHEREAS, the Inclusionary Ordinance Section 15.94.050.B allows a development project to propose to meet all or a portion of the City's inclusionary requirements by an "Alternative Equivalent Action", and

WHEREAS, in October, 2006, the Gasser Foundation presented an "Alternative Equivalent Action" to meet the 10% very low income requirement as described in Exhibit A attached hereto and incorporated herein; and

WHEREAS, the Master Plan Conditions of Approval clarify when the Alternative must be constructed; as follows:

**"Housing**

The Developer shall comply with the requirements of the City's Affordable Housing Overlay District (NMC chapter 17.36) and the Inclusionary Housing Ordinance (NMC section 17.94.05. If the Developer intends to rely on an alternative equivalent proposal (pursuant to NMC subsection 17.94.050(B) for the purpose of a residential development application in the North area, the proposal must be approved by the City Council before the Developer submits a complete application for residential units in the North area. If the Developer's proposal for an alternative equivalent proposal includes development of: (a) a 59-bed single adults homeless shelter with health clinic, and (b) 6 two-bedroom transitional housing apartments (12 beds total), and (c) 18 one-bedroom permanent housing units for homeless adults with mental disabilities and a community building with meeting and service rooms, the City Council shall consider granting an alternative equivalent proposal to offset the Developer's obligation to construct ten percent of total units for very low income households (i.e., even with the alternative equivalent determination, the Developer would construct ten percent of total units for low income households). If the Developer's proposal for an alternative equivalent proposal includes less than the elements identified herein, the City Council shall consider granting an alternative equivalent proposal to offset a lesser portion of the Developer's obligation to construct units for very low income households. Additionally, the alternative equivalent units must receive their certificate of occupancy and be available prior to issuance of the 150<sup>th</sup> building permit for the residential development in the North area."

WHEREAS, the Housing Authority Director reviewed the proposed Alternative Equivalent Action and recommended the proposal to the Planning Commission and City Council for approval with the above Condition of Approval; and