REGULAR PARKS & COMMUNITY SERVICES COMMISSION MEETING AGENDA

City Hall - Council Chambers
4381 Broadway, Ste. 201, American Canyon
April 10, 2025
6:30 PM

Chair:	Gina Griggs
Vice Chair:	Elston Mallory, Jr.
Commissioners:	Shirley Koot, Scott Myer, Iain Smith
Youth Commissioner:	Heather Mora

Tonight's meeting is a limited public forum. American Canyon promotes respectful and responsible behavior among its meeting participants, whether they are present in person or remotely. Using offensive language or remarks that promote, foster, or perpetuate discrimination based on race, creed, color, age, religion, gender marital status, status regarding public assistance, national origin, physical or mental disability or sexual orientation/gender identification, as well as any other category protected by federal, state or local laws will not be tolerated. In the case of an occurrence, the speaker will be immediately disconnected from the microphone.

PUBLIC PARTICIPATION
Parks and Community Services Commission and other public meetings will be conducted in person. This meeting is also available via Zoom, is broadcast live to residents on Napa Valley TV, on our website and on YouTube.

Zoom Link: Click here. **Webinar ID:** 821 3687 7863; Passcode: 123456. **Phone in to Zoom:** 408-638-0968

Oral comments, during the meeting: Oral comments can be made in person during Open and Closed Session or through Zoom in Open Session only. On Zoom use the "raise your hand" tool during any public comment period. To avoid confusion, hands raised outside of Public Comment periods will be lowered.

Written comments: Submit written comments by the eComments link, located on the Meetings & Agendas page of our website. eComments are available to council members in real time. To allow for Council review of comments, eComments will close at 3:00 pm on the day of the meeting.

The above identified measures exceed all legal requirements for participation in public comment, including those imposed by the Ralph M. Brown Act. For more information, please call the Office of the City Clerk at (707) 647-4369 or email cityclerk@americancanyon.gov.

AGENDA MATERIALS: Agenda materials are published 72 hours prior to the meeting and are available to the public via the City's website at www.americancanyon.gov.

AMERICANS WITH DISABILITIES ACT: Agenda materials will be provided in appropriate alternative formats to comply with the Americans with Disabilities Act. Please send a written request to City Clerk at 4381 Broadway, Suite 201, American Canyon, CA 94503 or by email to cityclerk@americancanyon.gov. Include your name, address, phone number and brief description of the requested materials, as well as your preferred alternative format or auxiliary aid, at least three calendar days before the meeting.

6:30 P.M. REGULAR MEETING

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATIONS

1. Administer Oath of Office

Recommendation: Direct the Deputy City Clerk to administer the Oath of Office to new Parks and Community Services Commissioner Scott Myer.

PUBLIC COMMENTS - ITEMS NOT ON THE AGENDA

This time is reserved for members of the public to comment on items that are not on the agenda and are within the subject matter jurisdiction of the Commission. Comments are limited to 3 minutes. Comments for items on the agenda will be taken when the item is called. The Commission is prohibited by law from taking any action on matters discussed that are not on the agenda, and no adverse conclusions should be drawn if the Commission does not respond to public comment at this time.

AGENDA CHANGES

The Chair/Commissioners may change the order of the Agenda or request discussion of a Consent Item. A member of the Public may request discussion of a Consent Item by completing a Speaker's Card and presenting it to the Clerk of the meeting prior to Public Comment.

CONSENT CALENDAR

2. Minutes of March 13, 2025

Recommendation: Approve the minutes of the Regular Parks and Community Services Commission meeting held on March 13, 2025.

BUSINESS

3. General Plan Comprehensive Update

Recommendation: Receive the General Plan Comprehensive Update and provide comments.

4. Draft Fiscal Year 2025/26 Annual Work Plan

Recommendation: Review and discuss the Fiscal Year 2025/26 Work Plan for the Parks and Community Services Commission for consideration by the City Council at the June 17, 2025, Council meeting.

MANAGEMENT AND STAFF ORAL REPORTS

ADJOURNMENT

CERTIFICATION

I, Nicolle Hall, Deputy City Clerk for the City of American Canyon, do hereby declare that the foregoing agenda of the Parks and Community Services Commission was posted in compliance with the Brown Act prior to the meeting date.

_____

Nicolle Hall, Deputy City Clerk

CITY OF AMERICAN CANYON
REGULAR PARKS AND COMMUNITY SERVICES COMMISSION MEETING

ACTION MINUTES
March 13, 2025

6:30 P.M. REGULAR MEETING

CALL TO ORDER
The Parks and Community Services Commission meeting was called to order at 6:31 p.m.

PLEDGE OF ALLEGIANCE
The Pledge of Allegiance was recited.

ROLL CALL
Present: Youth Commissioner Heather Mora, Commissioner Shirley Koot, Commissioner Elston Mallory, Jr., Commissioner Iain Smith, Commissioner Gina Griggs
Absent: None
Excused: Commissioner Scott Myer

PRESENTATIONS

1. Welcome Commissioners
Commissioners received a welcome from Parks & Recreation Director Alexandra Ikeda.

2. Administer Oaths of Office
City Clerk Taresa Geilfuss administered the Oath of Office for Commissioners Koot, Mallory and Smith.

PUBLIC COMMENTS - ITEMS NOT ON THE AGENDA
Chair Gina Griggs opened public comments. Written comments: none. Oral comments: none. The public comment period was closed.

AGENDA CHANGES
There were no changes to the agenda.

CONSENT CALENDAR

Action: Motion to adopt CONSENT CALENDAR made by Commissioner Gina Griggs, seconded by Commissioner Elston Mallory, Jr., and CARRIED by roll call vote.

Ayes: Commissioner Shirley Koot, Commissioner Elston Mallory, Jr., Commissioner Iain Smith, Commissioner Gina Griggs
Nays: None
Abstain: None
Absent: Commissioner Scott Myer
Excused: None

3. Minutes of November 14, 2024
Action: Approved the minutes of the Regular Parks and Community Services Commission meeting held on November 14, 2024.

BUSINESS

4. Selection of Chair and Vice Chair

Commissioners considered a Chair and Vice Chair to the Parks and Community Services Commission for the term of March 5, 2025, to December 31, 2025.

Action: Motion to appoint Gina Griggs as Chair to the Parks and Community Services Commission for the term of March 5, 2025, to December 31, 2025, made by Commissioner Iain Smith, seconded by Commissioner Elston Mallory, Jr., and CARRIED by roll call vote.

Ayes: Commissioner Shirley Koot, Commissioner Elston Mallory, Jr., Commissioner Iain Smith, Commissioner Gina Griggs
Nays: None
Abstain: None
Absent: Commissioner Scott Myer
Excused: None
Action: Motion to appoint Elston Mallory, Jr. as Vice Chair to the Parks and Community Services Commission for the term of March 5, 2025, to December 31, 2025, made by Commissioner Shirley Koot, seconded by Commissioner Iain Smith, and CARRIED by roll call vote.

Ayes: Commissioner Shirley Koot, Commissioner Elston Mallory, Jr., Commissioner Iain Smith, Commissioner Gina Griggs
Nays: None
Abstain: None
Absent: Commissioner Scott Myer
Excused: None

5. FY2024/25 Work Plan Recap

Commissioners received and filed a FY2024/25 Work Plan Recap from Parks & Recreation Director Alexandra Ikeda. Chair Gina Griggs opened public comments. Written comments: none. Oral comments: none. The public comment period was closed.

6. Facility Naming for the "former" Napa Junction Elementary School, Community Park I, and Community Park II.

Commissioners received a Facility Naming staff report from Parks & Recreation Director Alexandra Ikeda. Chair Griggs opened public comments. Written comments: none. Oral comments: Beth Marcus was called to speak; Marsha Smith was called to speak; Carla Mallory was called to speak. The public comment period was closed.

Action: Motion to adopt recommend to City Council for Community Park 1: Rio Del Mar Park or John Mikolajcik Park made by Commissioner Iain Smith, seconded by Commissioner Elston Mallory, Jr., and CARRIED by roll call vote.

Ayes: Commissioner Shirley Koot, Commissioner Elston Mallory, Jr., Commissioner Iain Smith, Commissioner Gina Griggs
Nays: None
Abstain: None
Absent: Commissioner Scott Myer
Excused: None
Action: Motion to recommend to City Council for Community Park I: Donaldson Park or Independence Park
made by Commissioner Gina Griggs, seconded by Commissioner Iain Smith, and CARRIED by roll call vote.

Ayes: Commissioner Shirley Koot, Commissioner Elston Mallory, Jr., Commissioner Iain Smith, Commissioner Gina Griggs
Nays: None
Abstain: None
Absent: Commissioner Scott Myer
Excused: None
Action: Motion to adopt recommend to City Council for former Napa Junction Elementary School: Mikolajcik Activity Center and Junction Point Center made by Commissioner Gina Griggs, seconded by Commissioner Iain Smith, and CARRIED by roll call vote.

Ayes: Commissioner Shirley Koot, Commissioner Elston Mallory, Jr., Commissioner Iain Smith, Commissioner Gina Griggs
Nays: None
Abstain: None
Absent: Commissioner Scott Myer
Excused: None

7. Fiscal Year 2025/26 Capital Improvement Program

Council received a Fiscal Year 2025/26 Capital Improvement Program staff report from Parks & Recreation Director Alexandra Ikeda. Chair Griggs opened public comments. Written comments: none. Oral comments: Beth Marcus was called to speak; Marsha Smith was called to speak. The public comment period was closed. Commissioners provided comments.

MANAGEMENT AND STAFF ORAL REPORTS

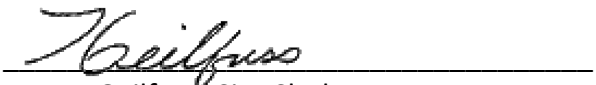
Council received oral updates from Parks & Recreation Director Alexandra Ikeda.

ADJOURNMENT

The meeting was adjourned at 7:48 p.m.

CERTIFICATION

Respectfully Submitted,



Taresa Geilfuss, City Clerk

CITY OF AMERICAN CANYON
REGULAR PARKS AND COMMUNITY SERVICES COMMISSION MEETING

ACTION MINUTES
March 13, 2025

6:30 P.M. REGULAR MEETING

CALL TO ORDER
The Parks and Community Services Commission meeting was called to order at 6:31 p.m.

PLEDGE OF ALLEGIANCE
The Pledge of Allegiance was recited.

ROLL CALL
Present: Youth Commissioner Heather Mora, Commissioner Shirley Koot, Commissioner Elston Mallory, Jr., Commissioner Iain Smith, Commissioner Gina Griggs
Absent: None
Excused: Commissioner Scott Myer

PRESENTATIONS

1. Welcome Commissioners
Commissioners received a welcome from Parks & Recreation Director Alexandra Ikeda.

2. Administer Oaths of Office
City Clerk Taresa Geilfuss administered the Oath of Office for Commissioners Koot, Mallory and Smith.

PUBLIC COMMENTS - ITEMS NOT ON THE AGENDA
Chair Gina Griggs opened public comments. Written comments: none. Oral comments: none. The public comment period was closed.

AGENDA CHANGES
There were no changes to the agenda.

CONSENT CALENDAR

Action: Motion to adopt CONSENT CALENDAR made by Commissioner Gina Griggs, seconded by Commissioner Elston Mallory, Jr., and CARRIED by roll call vote.

Ayes: Commissioner Shirley Koot, Commissioner Elston Mallory, Jr., Commissioner Iain Smith, Commissioner Gina Griggs
Nays: None
Abstain: None
Absent: Commissioner Scott Myer
Excused: None

3. Minutes of November 14, 2024
Action: Approved the minutes of the Regular Parks and Community Services Commission meeting held on November 14, 2024.

BUSINESS

4. Selection of Chair and Vice Chair

Commissioners considered a Chair and Vice Chair to the Parks and Community Services Commission for the term of March 5, 2025, to December 31, 2025.

Action: Motion to appoint Gina Griggs as Chair to the Parks and Community Services Commission for the term of March 5, 2025, to December 31, 2025, made by Commissioner Iain Smith, seconded by Commissioner Elston Mallory, Jr., and CARRIED by roll call vote.

Ayes: Commissioner Shirley Koot, Commissioner Elston Mallory, Jr., Commissioner Iain Smith, Commissioner Gina Griggs
Nays: None
Abstain: None
Absent: Commissioner Scott Myer
Excused: None
Action: Motion to appoint Elston Mallory, Jr. as Vice Chair to the Parks and Community Services Commission for the term of March 5, 2025, to December 31, 2025, made by Commissioner Shirley Koot, seconded by Commissioner Iain Smith, and CARRIED by roll call vote.

Ayes: Commissioner Shirley Koot, Commissioner Elston Mallory, Jr., Commissioner Iain Smith, Commissioner Gina Griggs
Nays: None
Abstain: None
Absent: Commissioner Scott Myer
Excused: None

5. FY2024/25 Work Plan Recap

Commissioners received and filed a FY2024/25 Work Plan Recap from Parks & Recreation Director Alexandra Ikeda. Chair Gina Griggs opened public comments. Written comments: none. Oral comments: none. The public comment period was closed.

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Ayes: Commissioner Shirley Koot, Commissioner Elston Mallory, Jr., Commissioner Iain Smith, Commissioner Gina Griggs
Nays: None
Abstain: None
Absent: Commissioner Scott Myer
Excused: None

Action: Motion to recommend to City Council for Community Park I: Donaldson Park or Independence Park
made by Commissioner Gina Griggs, seconded by Commissioner Iain Smith, and CARRIED by roll call vote.

Ayes: Commissioner Shirley Koot, Commissioner Elston Mallory, Jr., Commissioner Iain Smith, Commissioner Gina Griggs
Nays: None
Abstain: None
Absent: Commissioner Scott Myer
Excused: None

Action: Motion to adopt recommend to City Council for former Napa Junction Elementary School: Mikolajcik Activity Center and Junction Point Center made by Commissioner Gina Griggs, seconded by Commissioner Iain Smith, and CARRIED by roll call vote.

Ayes: Commissioner Shirley Koot, Commissioner Elston Mallory, Jr., Commissioner Iain Smith, Commissioner Gina Griggs
Nays: None
Abstain: None
Absent: Commissioner Scott Myer
Excused: None

7. Fiscal Year 2025/26 Capital Improvement Program

Council received a Fiscal Year 2025/26 Capital Improvement Program staff report from Parks & Recreation Director Alexandra Ikeda. Chair Griggs opened public comments. Written comments: none. Oral comments: Beth Marcus was called to speak; Marsha Smith was called to speak. The public comment period was closed. Commissioners provided comments.

MANAGEMENT AND STAFF ORAL REPORTS

Council received oral updates from Parks & Recreation Director Alexandra Ikeda.

ADJOURNMENT

The meeting was adjourned at 7:48 p.m.

CERTIFICATION

Respectfully Submitted,

_____

Taresa Geilfuss, City Clerk

TITLE
General Plan Comprehensive Update

RECOMMENDATION
Receive the General Plan Comprehensive Update and provide comments.

CONTACT
Brent Cooper, AICP, Community Development Director

BACKGROUND & ANALYSIS
What is a General Plan:
The General Plan guides the city toward a shared community vision of a Healthy, Equitable, Resilient, and Economically Vibrant community through the Year 2040 and beyond. Since 1990, the California Supreme Court has firmly established that the General Plan is the pre-eminent statement of local planning that governs future growth and development. Referring to it as "the constitution for all future development," the General Plan is inherently broad-based because it lays out overarching goals, policies, and actions that guide all government actions.

Our current General Plan was adopted soon after incorporation on November 3, 1994. Over the years, the General Plan has been amended many times - as recently as November 2023. However, inconsistencies among the elements emerge, and some policies have become outdated. The proposed Comprehensive General Plan Update addresses current local and regional conditions, as well as changes in State law that may not have been in effect when the General Plan was originally adopted.

With a legally adequate General Plan in place, the City can systematically implement its vision through regulatory tools such as Specific Plans, Municipal Code Ordinances, Land Use Policies, and Design Guidelines, as well as immediate-term projects like Land Subdivisions, Design Permits, Conditional Use Permits, Community Programs, and Capital Improvement Programs, such as Parks and Recreation Facility construction.

The proposed 2040 Technical General Plan Update is organized into the a wide range of topics, called "Elements" These include: Land Use; Housing; Mobility; Utilities; Public Services and Facilities;

Environment, Parks, and Recreation; Safety; and Environmental Justice. Together, these elements cover all topics required to be included in a General Plan under State law. Additional elements may be added in the future as resources and priorities arise. A copy of the General Plan is included as Attachment 1.

A graphic prepared by the League of California Cities illustrates the General Plan and its relationship to mid- and short-range policy actions. See Attachment 4 General Plan graphic. You can read more about the Purpose and Use of a General Plan in the Introduction Chapter of the General Plan. The General Plan is available in Attachment 1, 2040 General Plan Policy Document.

Parks & Community Services:

The General Plan overarching objective is ***Love Where You Live***. A General Plan that emphasizes Parks & Community Services creates a healthier, more sustainable, and more vibrant community - a place where residents will ***Love Where They Live*** by furthering these and many more benefits:

Open Space

1. Environmental Benefits: Open spaces, such as parks and green areas, help reduce air and water pollution, mitigate urban heat islands, and protect natural habitats.
2. Social Interaction: A place for community members to meet, fostering social connections and a sense of belonging.
3. Economic Value: Attractive open spaces can increase property values and attract investment, boosting the local economy and attracting new residents to live, work and play.

Community Services

1. Enhanced Civic Engagement: Community services encourage residents to participate in local activities, strengthening civic involvement and community pride.
2. Building Social Capital: Partnering with volunteer and nonprofit community service organizations help build relationships and networks among residents, creating a more cohesive community and expanding the availability of important services.
3. Lifelong Learning: Educational programs, such as art and music classes, computer literacy workshops, and many more further intellectual growth for all age groups.

Active and Passive Recreation

1. Physical Health: Active recreation, like sports and hiking, promotes physical fitness and reduces the risk of chronic diseases.
2. Mental Health: Both active and passive recreation, such as reading in a park or walking, can reduce stress and improve mental health.
3. Community Engagement: Recreational activities provide opportunities for residents to interact and engage with each other, strengthening community ties.

An updated General Plan provides the legal and policy basis for many good programs that will further Parks & Community Services in our community.

Tips to Review the General Plan Materials:
Given the significance of the General Plan, there are many materials to review. Supportive policies related to Parks & Community Services issues, and more are located throughout all Elements of the General Plan. To narrow the areas that may interest you the most, please review the General Plan Table of Contents. See Attachment 1, 2040 General Plan Policy Document.

- The General Plan Introduction will provide a broad overview of the General Plan and how it fits in local decision making.

- The General Plan includes an Implementation Program at the end of each element. The Implementation Program offers tangible ways to implement numerous policies in the General Plan along with a tentative schedule.

- The Draft EIR Project Description has a great summary of the General Plan as well as the environmental review process. The Draft EIR is included as Attachment 11.

- The General Plan Update was evaluated consistent with the California Environmental Quality Act. Certain issues require programs to lessen or eliminate environmental impacts. These programs are referred to as Mitigation Measures. You can view a list of Mitigation Measures that commit the city or future development to certain actions in the future. The Mitigation Measure and Reporting Program (MMRP) is available in Attachment 16.

General Plan Study Areas:
California state law requires the study area to "include the city limits plus any land outside its boundaries, in the planning agency's judgment, that bears relation to its planning" (Gov. Code § 65300). Consistent with State Law, there are several geographical areas that influence long-term planning in American Canyon. These include the following:

- **City Limits**. This is the boundary within the incorporated city limits. Land Use policies in American Canyon are adopted by the City Council. Except for property owned and operated by the Federal Government or State of California and their agencies (i.e.: Caltrans, Napa Valley Unified School District), American Canyon has land use authority over all land within its city limits.

- **Sphere of Influence**. The Napa Local Agency Formation Commission (LAFCO) establishes the Sphere of Influence (SOI), which defines the probable physical boundary and service area of a local agency. The SOI includes incorporated and unincorporated areas where the city has or plans to have responsibility to provide public facilities and services. In most situations, property must be located in the SOI before it can be annexed into the City limits. The City's SOI was approved by LAFCO at the time of incorporation in 1992 and updated periodically since then. The most recent update was in 2015 in association with the Canyon Estates

annexation.

- **Urban Limit Line**. The City Council adopted a voter-initiated Urban Limit Line (ULL) around the city in 2008. Negotiated with Napa County in 2008, the ULL extends beyond the City's SOI. The ULL boundary represents an agreement between the City and County over the City limits to the Year 2030, after which the ULL expires. The General Plan contemplates extending the existing ULL indefinitely and designates the Hess/Laird Property northeast of the City's current ULL as a ULL Study Area.

- **General Plan Planning Area**. The General Plan Planning Area encompasses the City of American Canyon Water and Sewer Service areas. Napa County has land use authority outside the City Limits, however, as the Water and Sewer Service provider, the City has authority over these services. For this reason, the Water and Sewer Service areas bear relation to the City's planning consistent with Government Code Section 65300.

A map published by LAFCO depicts the city in grey, the SOI with a solid black line, and the ULL with a dashed red line. See Attachment 5. A map depicting the City's General Plan Planning Area is included as Attachment 6.

General Plan Update Scope:
The General Plan update effort began in December 2019 with Mintier Harnish as the project manager. Later on, Rincon Associates joined the team. Over these years, numerous significant activities influenced the proposed General Plan. A summary of important milestones is listed below:

- January 2020 - The City Council established an advisory committee for Lifelong Learning and the West Side Roadway Connector. Numerous meetings helped shape policies in the 2040 General Plan.

- January 2020 - The City Council amended the General Plan to update the Citywide Bicycle Master Plan. This plan remains in the 2040 General Plan along with the Pedestrian Master Plan, adopted in 2017. The Napa Valley Transportation Authority is preparing a Countywide Active Transportation Plan. When this plan is completed, the General Plan will be updated to replace the Citywide Bicycle Master Plan and Active Transportation Plan with the new Active Transportation Plan.

- September 2020 - Significant budget reductions caused by diminished economic activity from the Covid Pandemic necessitated a lower General Plan budget and reduced scope.

- June 2021 - The City Council accepted the West Side Committee's roadway alignment recommendation. See Attachment 7.

- September 2021 - The City Council amended the General Plan to incorporate greenhouse gas

and climate change policies into the Land Use Element. This General Plan Amendment enabled an ordinance to prohibit any new gas stations in American Canyon.

- September 2021 - The City Council amended the General Plan to allow multifamily residential development on the east side of Oat Hill. A series of entitlements were approved at that time, and today, apartment construction is well under way. This project will provide a public trail along the eastern hillside ridge offering stunning views of the city and beyond.

- January 2022 - City Council modified the scope to address a more technical approach, intended to expedite completion of the General Plan schedule.

- April 2022 - The City Council directed staff to add the Hess/Laird property to the General Plan scope as a Special Study area for potential inclusion in the City's Urban Limit Line.

- June 2022 - The City issued a Notice of Preparation (NOP) to begin the environmental review process for the General Plan. The NOP provides a detailed description of the General Plan Update. A copy of the NOP is included in Attachment 8.

- January 2023 - In a joint meeting with the Planning Commission, the City Council approved an update to the Housing Element. In June 2023, the State of California Department of Housing and Community Development (HCD) certified the Housing Element.

- April 2023 - The City Council amended the General Plan to delete growth control policies that conflicted with State Housing laws.

- August 2023 - The City Council amended the General Plan to accommodate changes to the Watson Ranch Specific Plan.

- September 2023 - The City Council adopted for "Vehicle Miles Traveled" (VMT) standards for new development. Adopting VMT standards is a goal in the NOP scope of work and will help to facilitate active transportation and sustainability.

- September 2023 - The City Council decided to not amend the NVUSD surplus school sites to a residential zoning district through the General Plan update process.

- November 2023 - The City Council amended the General Plan to accommodate pre-zoning for the Paoli/Watson Lane annexation.

- February 2024 - The City Council certified the Measure K Initiative, establishing ministerial permitting for certain warehouse facilities in American Canyon.

- February 2024 - The City Council approved first-of-its-kind industrial greenhouse gas and

commerce center sustainability standard ordinances in the Bay Area.

- September 2024 - The General Plan Draft Environmental Impact Report (EIR) was released for public review.

- October 2024 - The Planning Commission conducted a workshop on the Draft EIR conclusions.

- December 2024 - Napa County Airport Land Use Commission (ALUC) adopted an updated Airport Land Use Compatibility Plan (ALUCP) for the County's two airports - Angwin and Napa. This issue is discussed further in the staff report.

- December 2024 - The extended General Plan EIR public review period ends.

- March 2024 - Responses were sent to address comments on the Draft EIR.

General Plan Map and Zoning Map Changes:
The proposed General Plan Land Use map is included as Attachment 9. This map designates a General Plan land use category to all property within the city limits, sphere of influence, and urban limit line.

Normally, a Comprehensive General Plan Update brings many land use changes. Fortunately, because many significant land use amendments were completed during the General Plan update, there are few remaining land use changes needed. What is left include General Plan land uses that do not match the existing uses. For example, various creeks are redesignated from Residential to Open Space. Napa Junction Elementary School, Donaldson Way Elementary School, and various parks are redesignated from Residential to Public. Proposed land use changes are shown in Attachment 10.

The General Plan land use changes are paired with zoning map changes. Amending the zoning at the same time as the General Plan maintains consistency between these two documents.

Public Review Draft General Plan Revisions:
The General Plan was made available for public review in September 2024. During this time, the city received a letter from the Napa County Bicycle Coalition. In addition,City staff conducted its own review. The Napa County Bicycle Coalition comments improved the General Plan.

Nearly all the Napa County Bicycle Coalition recommendations were included in the revised General Plan. One area that staff is unable to accommodate involves the Bike Coalition's recommendations for service standards. Examples include committing to a specific percentage VMT reduction by 2045, completing 50% of our active transportation network by 2040, street sweeping schedules, and similar suggestions.

While staff does not necessarily disagree with the intent and benefits of these standards, they require City Council policy direction related to general plan implementation. We appreciate the time spent by the Napa County Bicycle Coalition to improve the General Plan. A copy of their letter and staff response is included as Attachment 13.

The draft General Plan has been renamed "Public Review Draft March 2025." The current draft identifies changes to the September Public Review Draft. Deleted text is noted with strikethrough. Added text is noted with a double underline. Each change is explained with a Justification note. As additional letters are received, staff will review them and provide an update to the City Council at the planned April 15, 2025 General Plan update workshop.

General Plan Graphic Images:
Apart from the content itself, there are a number of placeholder graphics throughout the General Plan. Over the past year, the City Communications team has acquired an extensive library of local photos. Prior to the General Plan adoption, staff will review the General Plan graphics and replace "non-local" images with illustrations more representative of life in American Canyon.

Napa Airport Land Use Compatibility Plan Update:
On December 4, 2024, the Napa County Airport Commission (ALUC) adopted a new Airport Land Use Compatibility Plan (ALUCP) for the County's two airports - Angwin and Napa. The 2024 Airport Land Use Compatibility Plan (ALUCP) updates and entirely replaces the 1991 ALUCP amended in December 1999 (1999 ALUCP). Much like our General Plan, the need for the comprehensive update arose primarily because of a ALUC desire to bring the plan up to current standards, reflect current airport layout plans (ALPs), and address stakeholder needs.

The primary function of the Airport Land Use Compatibility Plan (ALUCP) is to ensure compatibility between Napa and Angwin Airports and future land use development in their surrounding areas. The plan achieves this by establishing a set of compatibility criteria for new development around each airport.

The ALUCP is a complex regulatory document because it considers many different land use scenarios in the vicinity of each airport. A land use compatibility zone map that corresponds to safety generally associated with aircraft patterns around the airport is a primary tool to regulate building occupancy and land uses within the airport influence area. The Napa Airport land use compatibility zone map is an exhibit in the new Zoning Code Chapter 19.55 Airport Land Use Compatibility (Attachment 3).

The Land Use Compatibility Zone map divides the airport influence area into Zones A through E. Zone A is the most restrictive, and Zone E is the last restrictive. In American Canyon, most areas of the city are located well outside the most restrictive areas close to the airport. In our industrial districts located south of Napa Airport, the warehouse, logistics and office use meet the building

occupancy standards. Under the new plan there is no significant change anticipated to occupancy limitations on new development.

The areas of American Canyon, generally south of the warehouses off Green Island Road, and north and east of Oat Hill were located in Zone D of the former Airport Compatibility Plan. Under the former plan, Zone D was considered an aircraft noise impact area and housing was considered incompatible.

The new plan updated aircraft noise contours and concluded that very low density and higher density housing is compatible in the southern areas of the former Zone D. Today, the new ALUCP designates this area as Zone D2. Zone D2 covers the vacant properties between Eucalyptus Drive and Green Island Road, the Paoli/Watson Annexation area, and the Hess/Laird properties, among others. Allowance of residential uses in the former Zone D opens up new opportunities for vacant properties within the General Plan study area. Amendments to the General Plan, should it be considered, would occur *after* this current General Plan update is complete.

For now, because the Napa Airport Land Use Compatibility Plan extends into American Canyon, State Law requires our General Plan to be revised within 180 days of the ALUCP adoption. The 180-day deadline will occur on June 2, 2025. To meet this deadline, the General Plan update adopts the ALUCP as a standalone document into the General Plan and adds policy amendments. The ALUCP may be viewed in Attachment 2. The ALUCP policy amendments may be viewed in the Land Use Element, Goal LU-9 and the Safety Element, Goal S-6.

State Law also requires the Zoning Ordinance be consistent with the ALUCP. To provide this consistency, the Zoning Code Amendment includes a new Municipal Code Chapter 19.55 - Airport Land Use Compatibility. This new zoning chapter provides further consistency with the ALUCP. The new Chapter 19.55 can be viewed in Attachment 3, Exhibit C.

Amendment of the General Plan, including policies to bring the General Plan and Zoning into conformance with the ALUCP requires a conformance review by the ALUC. Administered by Napa County staff, we will submit the General Plan and Zoning Code update to ALUC shortly after the Planning Commission hearing. The project schedule contemplates a conformance determination by the ALUC prior to City Council action on the EIR, General Plan and Zoning Code Amendments.

California Environmental Quality Act:

The General Plan Update is subject to the California Environmental Quality Act (CEQA), a state law enacted in 1970. CEQA requires all public agencies to identify and disclose potentially significant environmental effects of land use projects and to avoid or mitigate those effects if feasible.

The 2040 Technical General Plan Update Environmental Impact Report (EIR) examines the potential environmental effects of the proposed General Plan and subsequent activities, such as zoning code amendments and approval of development proposals throughout the City.

The 2040 Technical General Plan Update EIR consists of several documents:

1. Draft EIR (Attachment 11)
2. Draft EIR Appendices (Attachment 12)
3. Final EIR (Attachment 14)
4. CEQA Findings and Statements of Overriding Considerations (Attachment 15)
5. Mitigation Monitoring and Reporting Plan (Attachment 16)

The EIR evaluates numerous environmental issues and categorizes each potential impact under one of four levels of environmental significance:

1. **No Impact**: The proposed plan would have no effect on environmental conditions or would reduce existing environmental problems or hazards.
2. **Less than Significant**. An impact that may be adverse but does not exceed the threshold levels and does not require mitigation measures. However, mitigation measures that could further lessen the environmental effect may be suggested if readily available and easily achievable.
3. **Less than Significant with Mitigation Incorporated**. An impact that can be reduced to below the threshold level with reasonably available and feasible mitigation measures. Such an impact requires findings under Section 15091 of the CEQA Guidelines.
4. S**ignificant and Unavoidable**. An impact that cannot be reduced to below the threshold level with reasonably available and feasible mitigation measures. Such an impact requires a Statement of Overriding Considerations to be issued if the proposed plan is approved pursuant to Section15093 of the CEQA Guidelines.

Fortunately, the General Plan is anticipated to cause only two significant and unavoidable environmental impacts:

1. Construction Noise. Construction noise will temporarily exceed limits in the Noise Ordinance. Although noise may exceed standards, many measures can be taken to reduce noise to the greatest extent possible, including measures that will reduce noise from non-construction activities. Table ES-1 in the Draft EIR identifies these measures. See Attachment 11.

2. Vehicle Miles Traveled. Vehicle Miles Traveled (VMT) measures the distance people travel. Typically, automobile travel is inefficient because many of us travel alone in cars. As a result, transportation is a major source of greenhouse gases that contribute to climate change. Smart growth policies, such as improving transit, creating safer ways to walk and bike to frequent destinations, and reducing the distance between homes and shopping or employment can reduce VMT.

American Canyon adopted a Vehicle Miles Travelled (VMT) Policy in 2023, aiming to reduce per capita vehicle transportation use by 19 percent. The good news is that smart growth policies in the

updated General Plan reduce non-residential (employee) VMT by nearly 33%, exceeding the 19% reduction goal. However, citywide residential VMT is forecasted to be reduced by only 4.4%, falling short of the 19% reduction goal. Continued efforts to provide services near residents and economic development efforts to bring more jobs closer to American Canyon residents will help reduce VMT in the long term.

Because the General Plan Update creates two significant and unavoidable impacts, the Planning Commission will be requested to recommend the City Council adopt a Statement of Overriding Considerations which is contained in Attachment 15.

Economic Development:
A General Plan promotes economic development by providing a framework for future growth, including land use, infrastructure, and housing. This framework attracts businesses and creates a stable environment for economic activity.

The original General Plan included an Economic Development Element, but its policies are now outdated. Due to Covid-era budget limitations, a new Economic Development Element was removed from the General Plan scope. While an Economic Development Element can be useful, an updated General Plan that complies with State Law is itself a powerful tool for spurring economic development. For example, a General Plan that highlights American Canyon's intrinsic appeal can attract economic activity.

What makes American Canyon an attractive location for economic activity? The City's contribution to economic activity is good governance. Good governance means implementing the General Plan through the following public services:

- Specific Plans (such as Watson Ranch and Broadway District),
- CEQA Streamlining with Program EIRs (such as the General Plan EIR),
- Online permitting,
- Responsive development application review times,
- Cost-effective infrastructure implementation (including parks, trails, roadways, and utilities),
- Strong public safety,
- Robust recreation and active transportation measures,
- Environmental stewardship and climate adaptation,
- Support for public schools and lifelong learning,
- Inclusive community outreach and participation,
- Extensive community partnership,
- A balanced municipal budget, and much more.

Policies addressing these and other issues, when implemented earnestly, will enhance American Canyon as an attractive place to do business, thereby furthering economic development in our city.

General Plan Review Schedule:

The General Plan Update schedule would complete the update and associated zoning code amendments before the City's next Fiscal Year, which begins July 1. Listed below is the schedule:

Date	Hearing Body	Hearing Type
03.27.25	Planning Commission	EIR, General Plan & Zoning Public Hearing
04.02.25	OSATS Commission	General Plan & Zoning Recommendation
04.10.25	Parks & Community Services Commission	General Plan & Zoning Recommendation
04.15.25	City Council	EIR, General Plan & Zoning Workshop
05.07.25	Napa County ALUC	General Plan & Zoning Conformance
05.20.25	City Council	EIR, General Plan & Zoning Public Hearing
06.03.25	City Council	Zoning Final Reading Consent

The Planning Commission completed its review and recommended approval of the EIR, General Plan and Zoning Code amendments. The OSATS Commission completed its review and comments for Council consideration. Technical amendments were made directly to the redline General Plan attached to this staff report. Additional amendments will be made as new input is brought forward through these workshops and correspondence.

COUNCIL PRIORITY PROGRAMS AND PROJECTS

Organizational Effectiveness: "Deliver exemplary government services."

FISCAL IMPACT

The cost to prepare the General Plan Update project is included in the current and proposed Citywide budget.

ENVIRONMENTAL REVIEW

The City of American Canyon prepared an Environmental Impact Report (EIR – State Clearinghouse No. 2022070038) for the General Plan Update Project in accordance with the California Environmental Quality Act.

ATTACHMENTS:

1. 2040 General Plan Policy Document
2. Napa County Airport Land Use Compatibility Plan
3. Chapter 19.55 Airport Land Use Compatibility
4. General Plan Graphic
5. Sphere of Influence and Urban Limit Line Map
6. General Plan Study Area Map
7. West Side Connector Map
8. EIR Notice of Preparation (NOP) 7-5-22
9. General Plan Land Use Map

10. General Plan Land Use Amendments
11. 2040 General Plan Update Draft EIR
12. 2040 General Plan Update DEIR Appendices
13. NC Bicycle Coalition Comments
14. 2040 General Plan Update FEIR
15. CEQA Findings and Statement of Overriding Consideration
16. Mitigation Monitoring and Reporting Program

CITY OF AMERICAN CANYON

2040 GENERAL PLAN POLICY DOCUMENT

PUBLIC REVIEW DRAFT
MARCH 2025

LOVE WHERE YOU LIVE.
AMERICAN CANYON GENERAL PLAN WWW.AMCAN2040.ORG

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1. Introduction INT-1

2. Land Use Element LU-1

Land Use Diagram and Designations LU-3

3. ~~Economic Development Element ..... Published under separate cover~~

3. Reserved

Justification The comprehensive General Plan Update does not include an Economic Development Element.

4. Mobility Element M-1

Mobility Vision M-3

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Transportation Setting M-7

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5. Utilities Element U-1

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9. Environmental Justice Element EJ-1
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Attachments:

4-1 Bicycle Master Plan (Resolution 2020-11)
4-2 Pedestrian Master Plan (Resolution 2017-42)
8-1 Napa County Airport Land Use Compatibility Plan

Justification: Attachments 4-1 and 4-2 were previously adopted into the General Plan and remain in the Updated General Plan. The Napa County Airport Land Use Compatibility Plan is new and needs to be included in the General Plan.

1 Introduction

The General Plan expresses the shared community vision of a Healthy, Equitable, Resilient, and Economically Vibrant community to the Year 2040 and beyond. A General Plan benefits American Canyon by promoting better projects, streamlined processes, integrated planning, and improved access and use of available resources.

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Introduction

Purpose and Use of the General Plan

What is a General Plan?

Every city and county in California must have a General Plan, which is the local government's long-term framework or "constitution" for future growth and development. The General Plan represents the product of extensive community engagement that expresses the community's vision for its future. This General Plan is designed to address the issues facing the jurisdiction for the next 20 years. The General Plan typically has four defining features:

- **General.** A General Plan provides general policy guidance that will be used to direct future land use and resource decisions.
- **Comprehensive.** A General Plan is comprehensive, covering topics such as land use; housing; economic development; environmental justice; sustainability and resiliency; mobility; public safety; recreation; natural resources; and much more.
- **Long-Range.** A General Plan provides guidance on reaching a future envisioned 20 or more years in the future. To achieve the vision, a General Plan includes goals, policies, and implementation programs that address both immediate and long-term needs.
- **Integrated and Coherent.** The goals, policies, and implementation programs in a General Plan present a comprehensive, unified program for development, resource conservation, and other issues that impact the community. A General Plan uses assumptions and projections to assess future demands for housing, employment, and public facilities (e.g., infrastructure). A General Plan has goals, policies, and implementation programs that enable citizens to understand the vision of the General Plan, and landowners, businesses, and industry to be more certain about how the Plan will be implemented.

A General Plan is made up of "elements" that cover mandatory and optional topics important to the community. Eight elements are required to be included in the General Plan by the State. These are: Land Use, Circulation, Housing, Conservation, Open Space, Noise, Safety, and Environmental Justice. Though the required topics must be addressed in the General Plan, communities can organize their General Plan anyway they choose.

Communities may also include other optional elements that address issues of local interest, such as Economic Development, Health, or Education.

Zoning is an important implementation tool of the General Plan. Although the General Plan and zoning code designate how land may be developed, they do so in different ways. The General Plan identifies allowable land uses, spatial land use relationships, and general pattern of future development.

Land uses shown on the General Plan diagram will be reflected in the local zoning maps, as required per State law. Zoning refines and implements the General Plan land uses by providing specific development standards such as lot size, building setbacks, and allowable uses. Development must not only meet the specific requirements of the zoning code, but also the broader policies set forth in the General Plan.

The American Canyon General Plan meets the requirements of State law by including required elements and one optional element as described in more detail later in this chapter under "Organization of the General Plan." Some of the required elements address additional issues of local interest. Each element contains goals and policies that will guide future decisions within the City. They each also identify implementation programs that will be used to ensure the goals and policies in the General Plan are carried out.

The American Canyon Community

American Canyon is located in Southern Napa County close to the world-famous Napa Valley wine growing region and in close proximity to the San Francisco Bay. Beginning with the McKnight Acres subdivision in the 1940s and the Rancho Del Mar subdivision in the 1950s, American Canyon began a period of initial growth. With McKnight Acres' 150 residential sites and Rancho Del Mar's 600 homes, schools, businesses, and the area's first fire and sewer districts quickly emerged. By 1963 the area supported 27 businesses and was the largest industrial zone in the county. Despite this growth, the area would remain an unincorporated area of Napa County through the 1980s.

In 1991, American Canyon residents overwhelmingly voted to incorporate the City. At the heart of incorporation is the resident's ability to gain local control over land use and other important decisions that affect their everyday life.

The City operates under a council-manager form of government and is a general law city. The City provides a full range of municipal services including police and fire protection services; construction and maintenance of City

streets, storm drains, bridges and similar infrastructure type assets; park maintenance and community recreation activities; short and long-range community planning; operation of water, wastewater, and recycled water utilities; and more.

Since becoming a City on January 1, 1992, the City has grown to more than 21,000 residents., American Canyon is home to three elementary schools, one middle school and one high school and dozens of businesses. In addition to the tourism related economic benefits of proximity to the Napa Valley, American Canyon benefits tremendously as a wine processing hub. Because of our strategic location at the southern end of Napa County and with easy access to state and interstate highways, American Canyon's industrial district is home to millions of square feet of wine processing, bottling, storage, and shipping space. Demand for space in this area is very high, with very little vacancy and there is new development underway.

Regional Setting

Located 35 miles northeast of San Francisco, the City of American Canyon covers an area approximately 6.5 square miles as shown in Figure INT-1. The City is bounded geographically by the Napa River to the west, the Eastern Foothills of the Sulphur Springs Mountain Range to the east, the City of Vallejo to the south, and the Napa Airport to the north.

American Canyon Boundaries

The General Plan uses several terms to describe the City and planning boundaries, as shown on Figure 2.

- **City Limits.** The boundary within the incorporated city limits. American Canyon has land use authority over all land within its city limits.

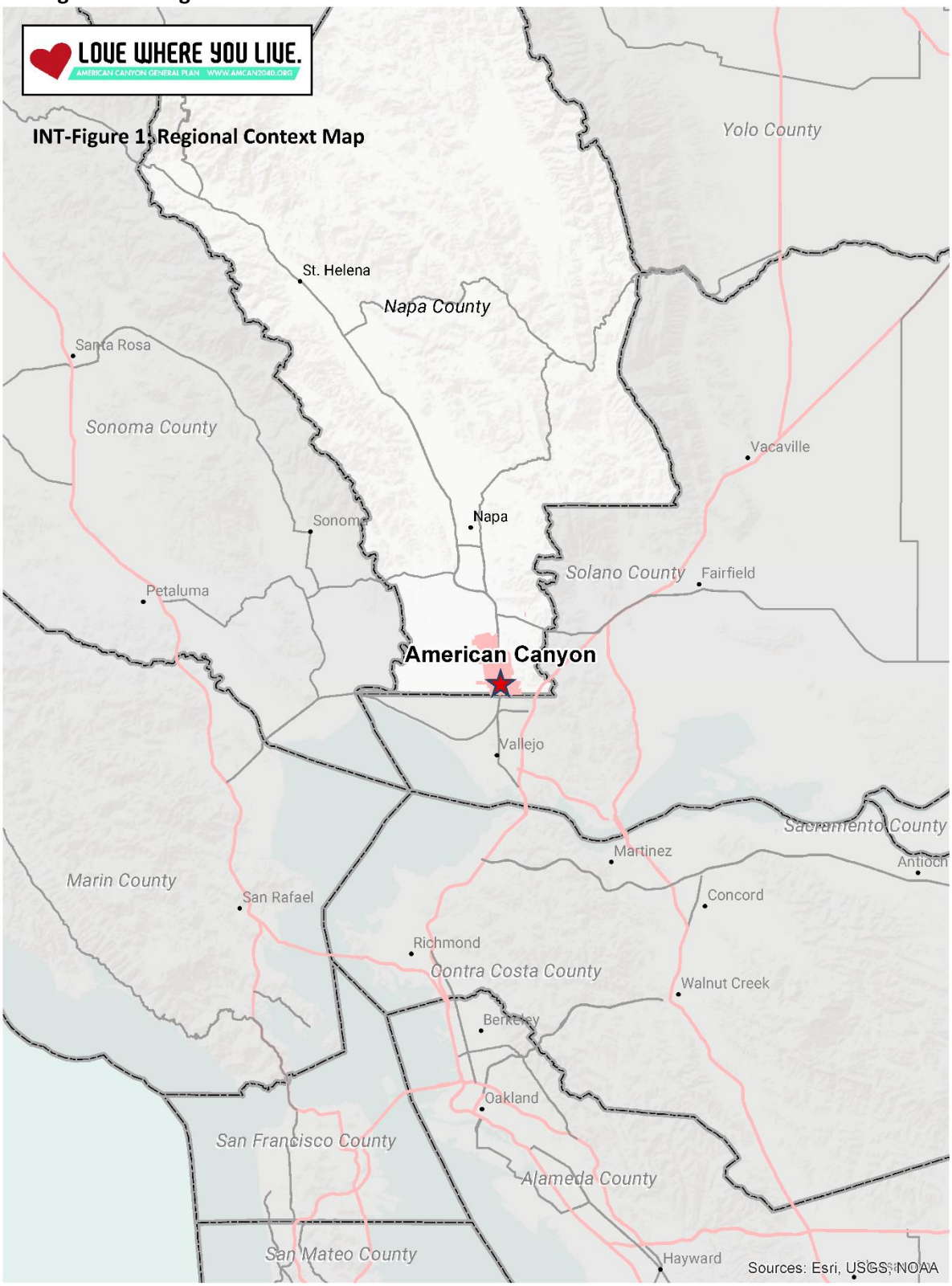
- **Sphere of Influence.** The Napa Local Agency Formation Commission (LAFCo) establishes the Sphere of Influence (SOI), which defines the probable physical boundary and service area of a local agency. The SOI includes incorporated and unincorporated areas where the City has or plans to have responsibility to provide public facilities and services. The City's SOI was approved by the Napa Local Agency Formation Commission (LAFCo) at the time of incorporation in 1992 and updated in ~~2003~~ 2015 in association with the Canyon Estates annexation. ***Justification:*** Updated the most recent SOI amendment.

- **City Urban Limit Line.** The City Council adopted a 2008 voter-initiated Urban Limit Line (ULL) around the city. This ULL was negotiated with Napa County to be consistent with the county's general plan and agricultural protection ordinances. The boundary helps preserve agriculture and open spaces, prevent urban sprawl, and implements the planned development of the city. The ULL also fosters sustainable growth and maintains a balance between housing and jobs. According to the initiative, the ULL will expire in 2030. The General Plan extends the existing ULL indefinitely and includes an addition of the Hess/Laird Property northeast of the city's current ULL.

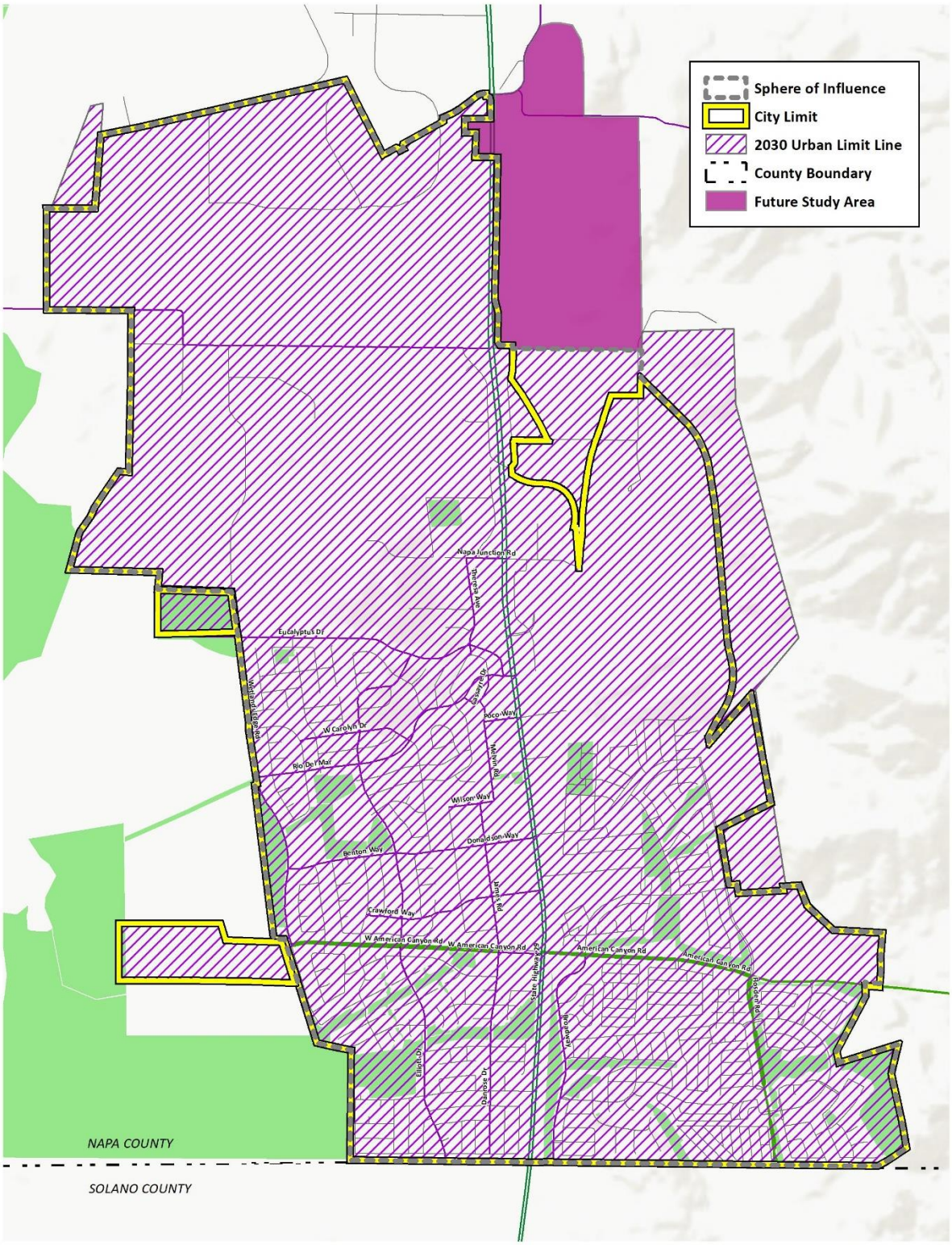
- **General Plan Planning Area.** A General Plan, pursuant to State law, must address all areas within the jurisdiction's Planning Area that bears a physical relationship to the long-term planning of the city. The General Plan Planning Area encompasses the City of American Canyon Water and Sewer-Service area. This area includes the City, SOI, ULL, and Extraterritorial Water and Sewer Service area. Unincorporated Napa County has land use authority outside the City limits, ~~within the Extraterritorial Water and Sewer Service area,~~ however, as the Water and Sewer Service provider, the City~~'s Extraterritorial Water and Sewer~~ has authority over these services. For this reason, the Water and Sewer Service area bears relation to the City's planning consistent with Gov. Code §65300.

Justification: The revised language is intended to explain the Water and Sewer Service area's relationship to the General Plan in clearer terms.

INT-Figure 1: Regional Context



INT-Figure 2: General Plan Planning Boundaries



Using the General Plan

The General Plan is an important reference document used by the City Council, Planning Commission, and City staff to make recommendations and decisions with direct or indirect land use implications. It also provides a framework for inter-jurisdictional planning coordination among officials and staff of the City and other Federal, State, and local agencies. City residents, property owners, and businesses use the General Plan for guidance on City policies for geographic areas or to be informed of policies on particular subjects of interest.

As the constitution of development, the General Plan provides the basis for a broad range of development-related regulatory measures and administrative procedures. California planning law requires consistency between the General Plan and implementing programs, such as zoning and subdivision ordinances, capital improvement programs, specific plans, environmental impact procedures, and building and housing codes. The specific roles of the City Council, Planning Commission, and City departments with respect to the approval and use of the General Plan are described below.

City Council

The City Council is the political body which formulates and implements policies in American Canyon. It is the City Council, through its decision-making authority, that affirms the policy direction and priorities contained within this General Plan. The City Council is responsible for adoption of the General Plan, as well as the regulations, capital improvement programs, and financing mechanisms that implement the General Plan.

Planning Commission

The Planning Commission is a 5-member body responsible for offering insights into the General Plan policies, conducting public hearings on the General Plan and Zoning Code modifications, considering public input on development applications and policy changes, and making recommendations to the City Council on these matters. After the General Plan is adopted, the Planning Commission through findings included in the administrative record, verifies that all subsequent land use ordinances, policies, guidelines, and development applications are consistent with the goals, objectives, and policies in the General Plan.

Parks and Community Services Commission

The Parks and Community Services Commission is a 5-member body responsible for advising the City Council on matters pertaining to park development, park and recreation facility use issues, recreation programming and related issues.

Open Space, Active Transportation, and Sustainability Commission

The Open Space, Active Transportation, and Sustainability Commission is a 5-member body responsible for advising the City Council on open space, active transportation, and sustainability efforts in and around American Canyon.

City Departments

The General Plan is a resource for all City services and provides an internally consistent checkpoint for assessing alternatives for the City's future. For this reason, all City departments use the General Plan for policy guidance as it pertains to their operations, service delivery, and planning for future capital projects and potential service level changes. The City's planning staff ensure that the General Plan is implemented on a day-to-day basis so that appropriate land uses are proposed in the proper locations, appropriate levels of service are provided, proposed land uses conform to development regulations, and the environment has been adequately protected.

Preparing the General Plan

In early 2020, the City kicked off the General Plan Update process. This Update ensures the City grows according to current community needs and priorities. New issues, such as community health and climate change, housing, shared mobility, and online shopping, is also included in the updated General Plan. The update process involved multiple opportunities for the public to engage in the development of the Plan (see Community Engagement section below).

Community Engagement

The General Plan was shaped through robust public engagement program that provided an opportunity for all community members to be involved in the General Plan update process. The City gathered community input through the following methods:

1. In-person and virtual community workshops;

2. General Plan Update website – www.cityofamericancanyon.org/government/community-development/planning-zoning/general-plan-update;
3. eBlasts;
4. Circulation Element Advisory Committee meetings;
5. Education and Lifelong Learning Element Advisory Committee meetings;
6. Parks and Recreation Element Working Group meetings; and
7. Planning Commission and City Council meetings, study sessions, and public hearings.

Community Workshops

The update process involved multiple opportunities for the public to engage in the development of the 2040 General Plan. The City gathered community input through the following methods:

- On **February 18, 2020**, the City held their annual State of the City at the Boys and Girls Club Clubhouse. The event led with a presentation and was followed by an open house to discuss the General Plan Update. The purpose of the open house was to provide an overview of the General Plan Update, relay opportunities to get involved in the process, collect input on issues and opportunities that should be addressed through the Plan, and receive initial feedback on a citywide vision for American Canyon.

- On **April 13 and 27, 2022**, the City hosted (via Zoom) two, separate, yet identical workshops. The purpose of this workshop was to introduce the Housing Element and new State requirements, as well as an opportunity for the public to provide comments on housing concerns in the community.

General Plan Update Website

To help expand the outreach efforts of the General Plan, this project included a project website (www.cityofamericancanyon.org/government/community-development/planning-zoning/general-plan-update) to provide information on the process including information on the General Plan, meeting dates and locations, and related documents. The City used regular updates to the project website throughout the update process to keep community members informed and involved.

eBlasts

Throughout the update process, the City sent timely eBlasts to the General Plan contact list, which included elected and appointed officials, City Staff, stakeholders, and engaged community members. People could join the contact list through a link on the project website, by signing-in at a General Plan community workshop or public meeting, or by directly contacting the City of American Canyon.

Circulation Element Advisory Committee Meetings

The Circulation Element Advisory Committee recommended a road alignment for the "West Side Connector," along with programs and policies for multi-modal transportation solutions throughout the City.

Education and Lifelong Learning Element Advisory Committee Meetings

The Education and Lifelong Learning Element Advisory Committee provided recommendations for educational needs for all residents, including children younger than public school age and adults of post-secondary education age and seniors.

Parks and Recreation Element Working Group meetings

The Parks and Recreation Element Working Group will provide recommendations to meet the parks and recreation needs of all residents and it is anticipated that this effort will effectively result in a new Parks and Community Services Master Plan.

Planning Commission and City Council Meetings, Study Sessions, and Public Hearings

The City held various Planning Commission and City Council meetings, study sessions, and public hearings throughout the update process to inform decision-makers and the public, discuss key milestones, and provide direction for the next steps.

Analyses Informing the General Plan

Existing Conditions StoryMap. The Existing Conditions StoryMap tells the story of American Canyon – where it has been, where it is today, and the trends that will shape its future and focuses on providing the foundational

information about the physical, natural, cultural, and economic conditions and trends that set the stage for updating the General Plan.

Organization of the General Plan

Table INT-1 shows how the elements of the American Canyon General Plan are organized to meet the requirements of State law.

INT-Table 1: Elements of the American Canyon General Plan

American Canyon Elements	State Mandated								Optional Elements
	Land Use	Circulation	Housing	Conservation	Noise	Open Space	Safety	Environmental Justice	
Land Use	■							■	
Housing	■		■					■	
Economic Development									■
Mobility		■							
Utilities	■						■		
Public Services and Facilities	■	■		■					
Parks and Recreation	■								
Environment				■		■			
Safety					■		■	■	
Environmental Justice	■							■	

The General Plan is organized into 12 chapters (an introductory chapter, 10 elements, and a glossary), allowing users to find topics or sections that interest them. The policies throughout all elements work together and users must

consider them comprehensively when making planning decisions. The chapters of the General Plan are as follows.

1. **Introduction**

   The Introduction chapter provides an overview of the General Plan, its use and maintenance, the process used to develop the 2040 General Plan, and the Vision and Guiding Principles. This chapter also includes a Reader's Guide that provides useful information on how to read and use the goals, policies, and implementation programs presented in each element.

2. **Land Use Element**

   The Land Use Element establishes the pattern and intensity of land use in the city and sets forth policies and standards to guide future development.

3. **Housing Element**

   The Housing Element ensures that there is adequate land in place to accommodate American Canyon's fair share of new residents. Housing Elements are updated on separate cycles per State law. The current Housing Element will cover the time span from 2023-2031 and will address housing needs in the city in compliance with State housing law.

4. ~~**Economic Development Element**~~ **Reserved**

   ~~The Economic Development Element focuses on supporting traditional employment sectors, including retail and office commercial, industrial, and commercial recreation, while ensuring the city is responsive to cost pressures, and shifting consumer demands.~~

   Justification: The Economic Development Element was not part of the updated General Plan scope.

5. **Mobility Element**

   The Mobility Element focuses on providing a balanced, multimodal transportation network that meets the needs of all users of streets, roads, and highways for safe and convenient travel.

6. **Utilities Element**

The Utilities Element guides decision-making concerning public and private infrastructure and utilities.

7. **Public Services and Facilities Element**

   The Public Services and Facilities Element provides policies focused on improving the City's services and facilities focused on education, recreation, libraries and emergency and medical services.

8. **Parks and Recreation Element**

   The Parks and Recreation Element focuses on conserving the city's park and open space environments for present and future residents, as well as enhancing important attributes to American Canyon that provide recreation for residents and visitors.

9. **Environment Element**

   The Environment Element aims to preserve, protect, and enhance the natural and historical resources that make American Canyon a unique place.

10. **Safety Element**

    The Safety Element establishes a policy framework for protecting people and property from unreasonable risks from natural disasters, noise, and other events. It also focuses on disaster and emergency response.

11. **Environmental Justice Element**

    The Environmental Justice Element establishes a policy framework for encouraging and supporting local efforts to increase participation in the local political process and to improve local conditions relative to environmental justice issues. The themes covered in this element lay the foundation for creating a more equitable and inclusive City for all residents of American Canyon.

12. **Glossary**

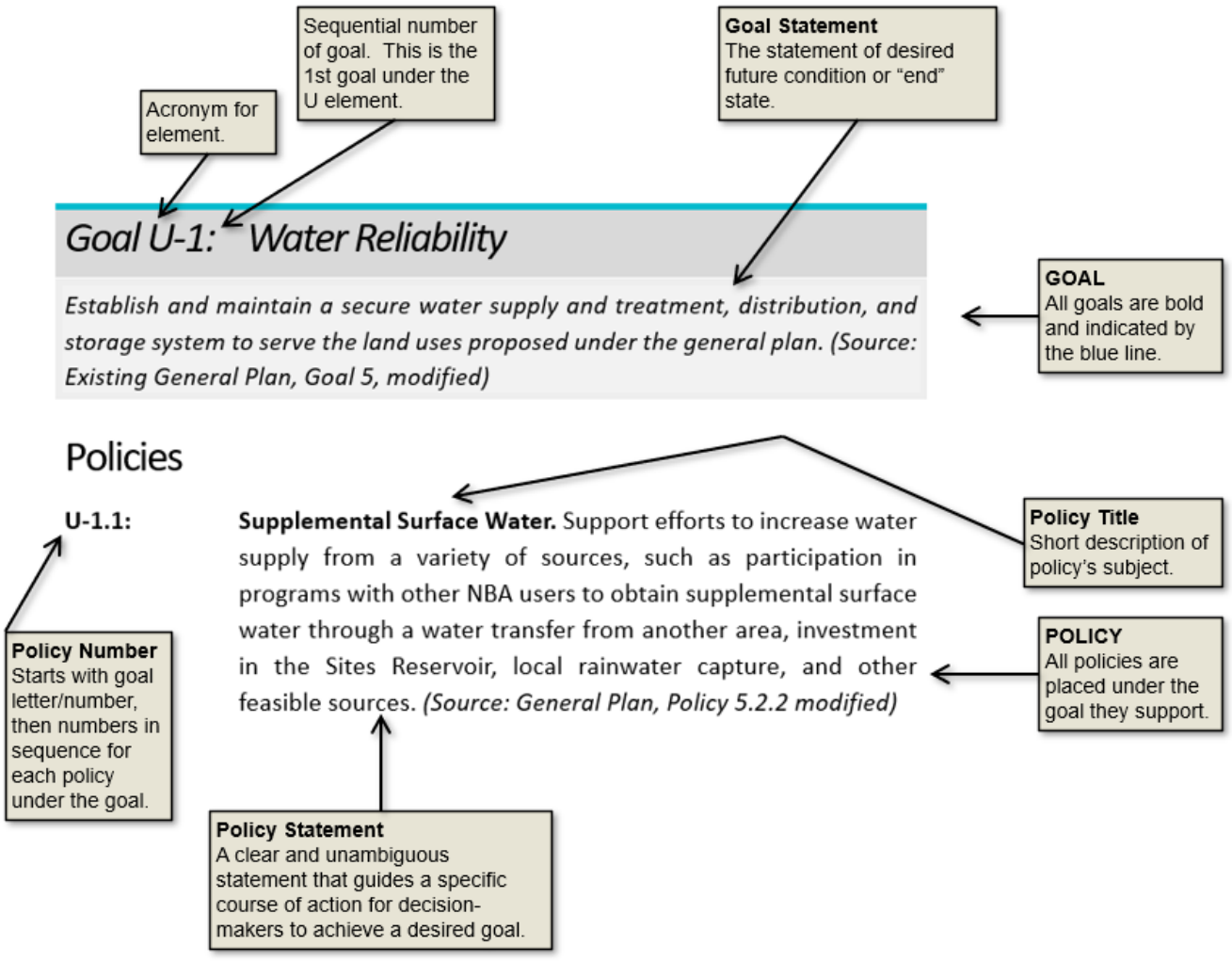
    This chapter provides a definition of the key terms used in the General Plan.

Readers' Guide

Goals and Policies

Each element contains the goals and policies that the City will use to guide future land use, development, resource management, and environmental protection decisions. Figure I-3 explains the standard format for goals and policies, using a sample goal and policy.

INT-Figure 3: How to Read Goals and Policies



Goal

A goal is a statement that describes in general terms a desired future condition or "end" state. Goals describe ideal future conditions for a topic and tend to be very general and broad.

Policy

A policy is a clear and unambiguous statement that guides a specific course of action for decision-makers to achieve a desired goal.

"Shall" vs. "Should"

Policies and implementation measures throughout the General Plan use terms such as "shall" and "should" to define the intentions of the City relative to these components. These modifiers are used as follows in the General Plan:

"Must" or "shall" or "required" are used to signify a mandatory requirement that the City will follow. For example, Policy U-4.4 says: "Continue to participate in the National Flood Insurance Program. To this end, the City **shall** ensure that local regulations are in full compliance with standards adopted by the Federal Emergency Management Agency (FEMA)."

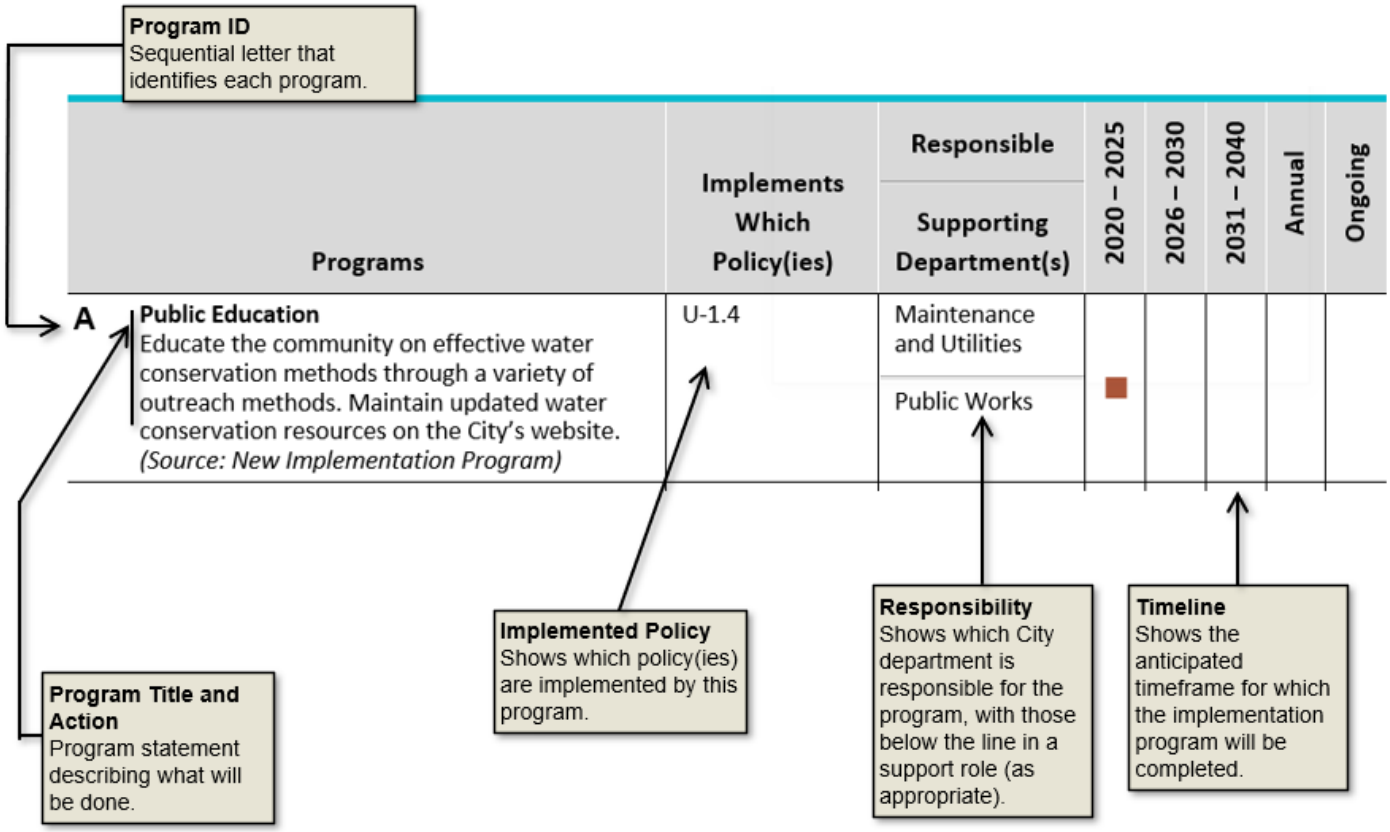
Words such as "should" or "may" are used to signify a less rigid directive, that will be honored in the absence of compelling or contravening considerations.

For example, Policy U-2.5 says: "Subject to State regulations and organizational capacity, **consider** new ways that recycled water can replace potable water. " This provides flexibility in addressing the policy in the context of the project or proposal.

Implementation Programs

Many policies will be implemented as part of routine City operations, and some policies require specific actions. The final section of each Element includes a table of implementation programs in a format illustrated on Figure I-4. Each implementation program will be evaluated in light of City resources, such as financial, staffing, and technology over the 20-year planning period.

INT-Figure 4: How to Read Implementation Programs



Maintaining the General Plan

Over time, the City's population will likely increase, its goals will evolve, and the physical environment will change. In order for the General Plan to remain relevant to current needs, it must be monitored and periodically revised to respond to changing conditions and needs over time.

The General Plan should be reviewed annually, with a more comprehensive and thorough review and revision done every ten years to reflect changes in local conditions, new local priorities, or State law. Though not required, many cities and counties will undertake a technical review of their general plan five years after adoption. State law permits the General Plan to be amended up to four times in any calendar year unless special conditions apply as defined by

Government Code Sections 65358(c) and (d). Each amendment may contain more than one change to the General Plan.

General Plan Amendments can be initiated by the City or at the request of a property owner. Each General Plan Amendment is subject to review under the California Environmental Quality Act (CEQA) and goes through a public review process, including hearings with the Planning Commission and City Council. While specific findings may be applied on a project-by-project basis, at a minimum the following standard findings shall be made for each proposed General Plan amendment:

1. The amendment is deemed to be in the public interest;
2. The amendment is consistent and/or compatible with the rest of the General Plan ~~and any implementation programs that may be affected~~;

Justification: As a matter of State law, the City Council should be free to amend the general plan even if it would affect any implementation programs. Implementation programs should be made consistent with any general plan amendments, not the other way around, to assure vertical consistency.

3. The potential impacts of the amendment have been assessed and have been determined not to be detrimental to the public health, safety, or welfare; and
4. The amendment has been processed in accordance with the applicable provisions of the California Government Code, the California Environmental Quality Act (CEQA), and the City's Municipal Code.

City-initiated amendments, as well as amendments requested by other public agencies, are subject to the same basic process described above to ensure consistency and compatibility with the General Plan. This includes appropriate environmental review, public notice, and public hearings, leading to an official action by the City Council.

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2 Land Use

The Land Use Element goals, policies, and programs strategically accommodate future growth and community vision while preserving and enhancing the qualities that make American Canyon a great place to live and work. The Element contains the Land Use Diagram, a map of land uses within the planning area, and a description of the land use designations.

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Land Use Diagram and Designations

The Land Use Element designates land uses that achieve the development vision for the city through the 2040 planning horizon year.

The core of the Land Use Element is the land use diagram and land use designations that distinguish the various land uses in the City. Corresponding levels of intensity, density, and allowable uses are defined in this section, as required by Government Code Section 65302(a).

The General Plan development projections were determined by analyzing vacant and underutilized parcels within the city and the realistic level of development potential based on what is allowed under the applicable land use designation factoring for known physical constraints and/or regulatory requirements.

Important Note

It is common for the Land Use Diagram to be updated over time. Please check with the American Canyon Community Development Department, Planning Division, to ensure you have the current version.

Planning Boundaries

The following planning boundaries are recognized as part of the American Canyon General Plan:

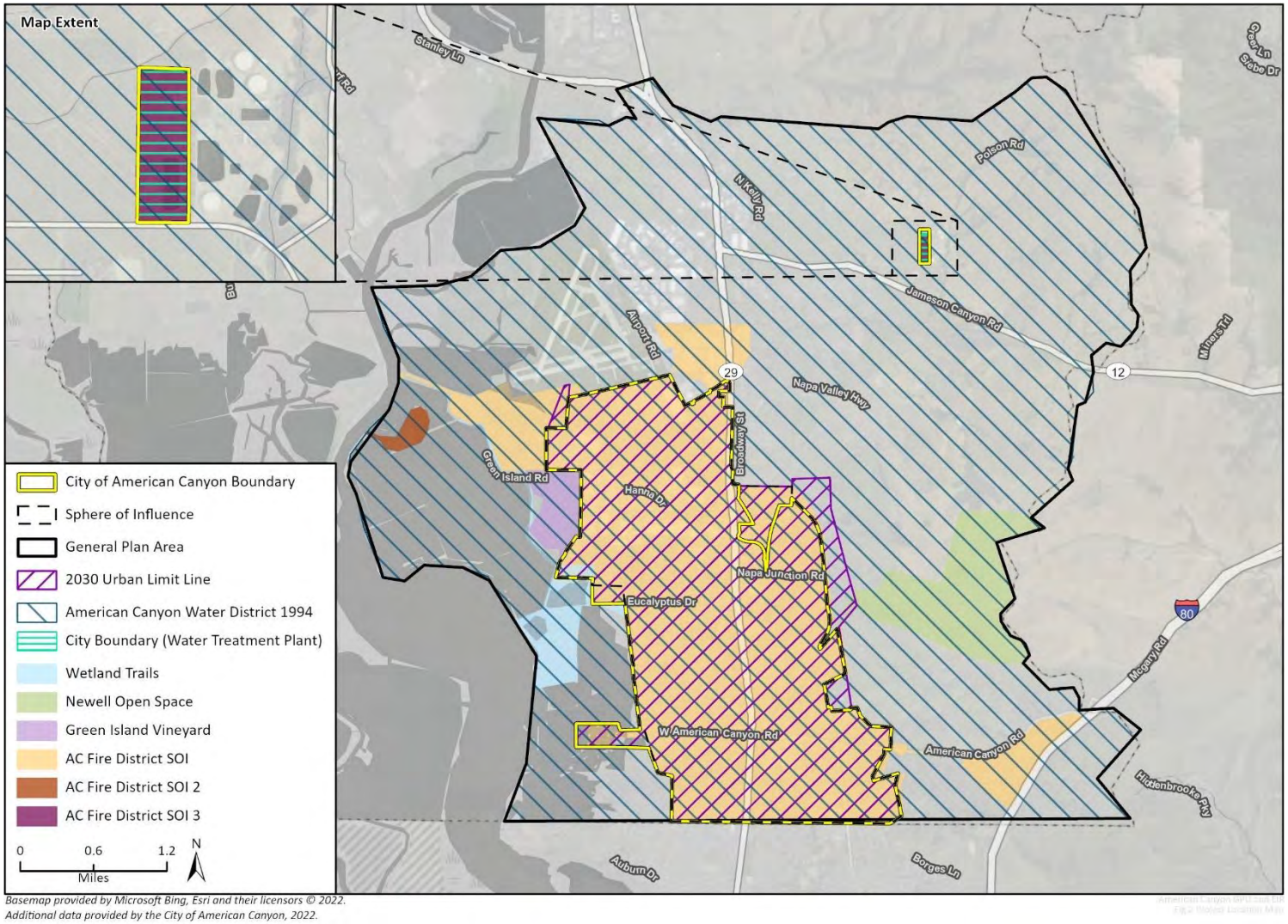
- **City Limit.** The political boundary within the incorporated city limits. American Canyon has land use authority over all land within its city limits.
- **Sphere of Influence.** The Local Agency Formation Commission (LAFCo) establishes the Sphere of Influence (SOI), which defines the probable future incorporated City boundary. An SOI typically includes areas where the City already has or plans to have responsibility to provide municipal facilities and services.
- **Urban Limit Line.** The City's Urban Limit Line was adopted by the City Council in response to a 2008 voter initiative (Resolution 2008-106). This Urban Limit Line was coordinated with Napa County to be consistent with the County's General Plan and City-centered urban growth policies. The 2040 General Plan extends the existing ULL indefinitely from a 2030 expiration date and includes consideration of an addition of the Hess/Laird Property northeast of the city's current

ULL which addition will occur concurrently with the indefinite extension of the ULL. ***Justification:*** The CEQA NOP includes the Hess/Laird property as Future Study area, not an outright addition to the ULL.

- **General Plan Planning Area.** A General Plan, pursuant to State law, must address all areas within the jurisdiction's Planning Area that bears a physical relationship to the long-term planning of the city. Consistent with this principle, the General Plan Planning Area includes the City of American Canyon Water and Sewer Service area, City, SOI, and ULL. Unincorporated Napa County has land use authority within the Extraterritorial Water and Sewer Service area, however, as the Water and Sewer Service provider, the City's Extraterritorial Water and Sewer Service area bears relation to the City's planning consistent with Gov. Code §65300.

Figure LU-1, the General Plan Planning Area Diagram, shows the planning boundaries that make up the General Plan Planning Area.

Figure LU-1 Planning Area Boundary



Basemap provided by Microsoft Bing, Esri and their licensors © 2022.
Additional data provided by the City of American Canyon, 2022.

Land Use Diagram

Figure LU-1, the General Plan Land Use Diagram, shows the distribution of the land use designations within the City's Planning Area. There are 14 residential, commercial, mixed-use, and public/quasi-public uses land use designations within the City's Planning Area.

The Land Use Diagram is intended to be more general than the Zoning Map. While the Land Use Diagram guides zoning, it is not the same as the City's Zoning Map. Each land use designation has one or more corresponding compatible zoning districts. Whereas the land use designations are intentionally broad, the zoning designations are more detailed and provide specific development standards, including permitted and conditional uses, building heights, setbacks, lot coverage, and parking requirements.

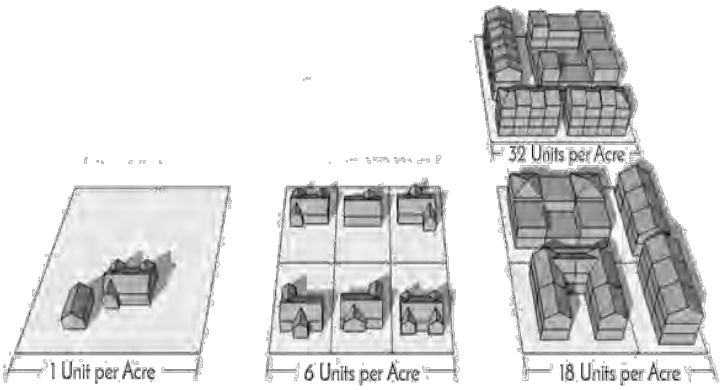
Land Use Designations

Table LU-1 describes the land use designations along with their corresponding density/intensity standards:

- **Designation.** This provides the name of each land use designation and the acronym used when referring to the designation.
- **Color.** Each land use designation has an assigned color used in the Land Use Diagram (Figure LU-2).
- **Description.** This describes the purpose and application of each land use designation. The City's Zoning regulations provide further detail about uses allowed and permitted in zoning districts that implement the land use designations.
- **Density/Intensity Standards.** This describes development density or intensity. Designations allowing residential uses include a minimum and maximum density, expressed as dwelling units per acre (du/ac). Non-residential uses include maximum building intensity standards, expressed as Floor Area Ratio (FAR), which is defined below. Most non-residential land use designations also allow residential uses and include density standards as well.

Residential Density

Development is defined by allowed density (minimum and maximum) measured in dwelling units per acre (du/ac). Residential density is calculated by dividing the number of dwelling units on a site (excluding accessory dwelling units) by the gross acreage of the site. The image to the right shows prototypical examples of different residential densities for one-acre properties.

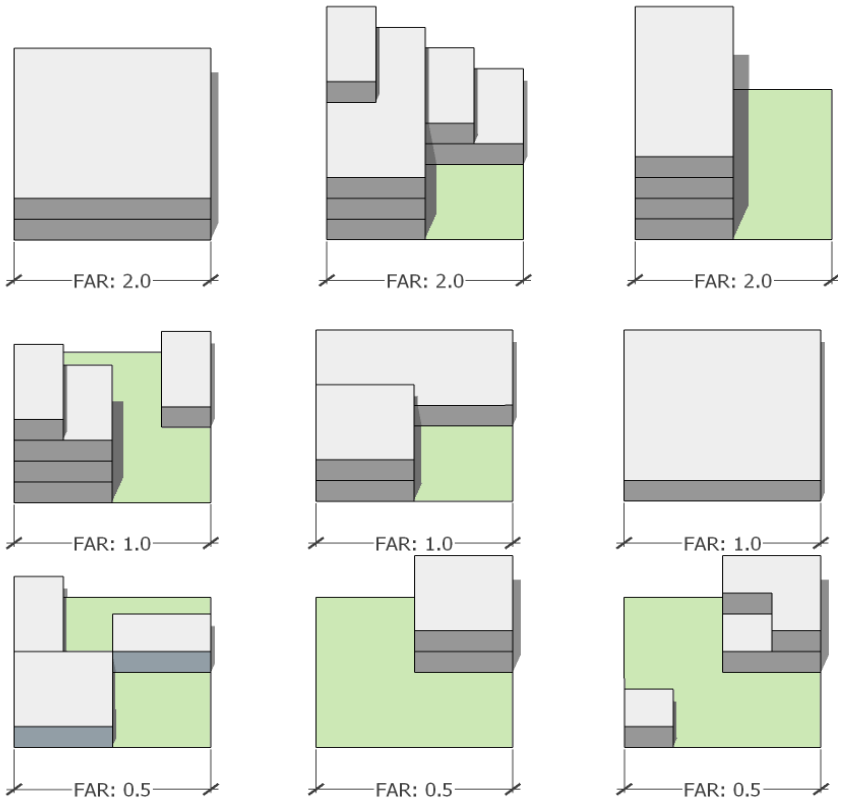


State planning law requires general plans to include standards for measuring population density. Population density is determined by multiplying the maximum number of dwelling units allowed in a given land use designation by the average number of persons per household (as determined by the California Department of Finance). Standards of density for residential uses are stated as the allowable range (i.e., minimum and maximum) of dwelling units per gross acre (du/ac).

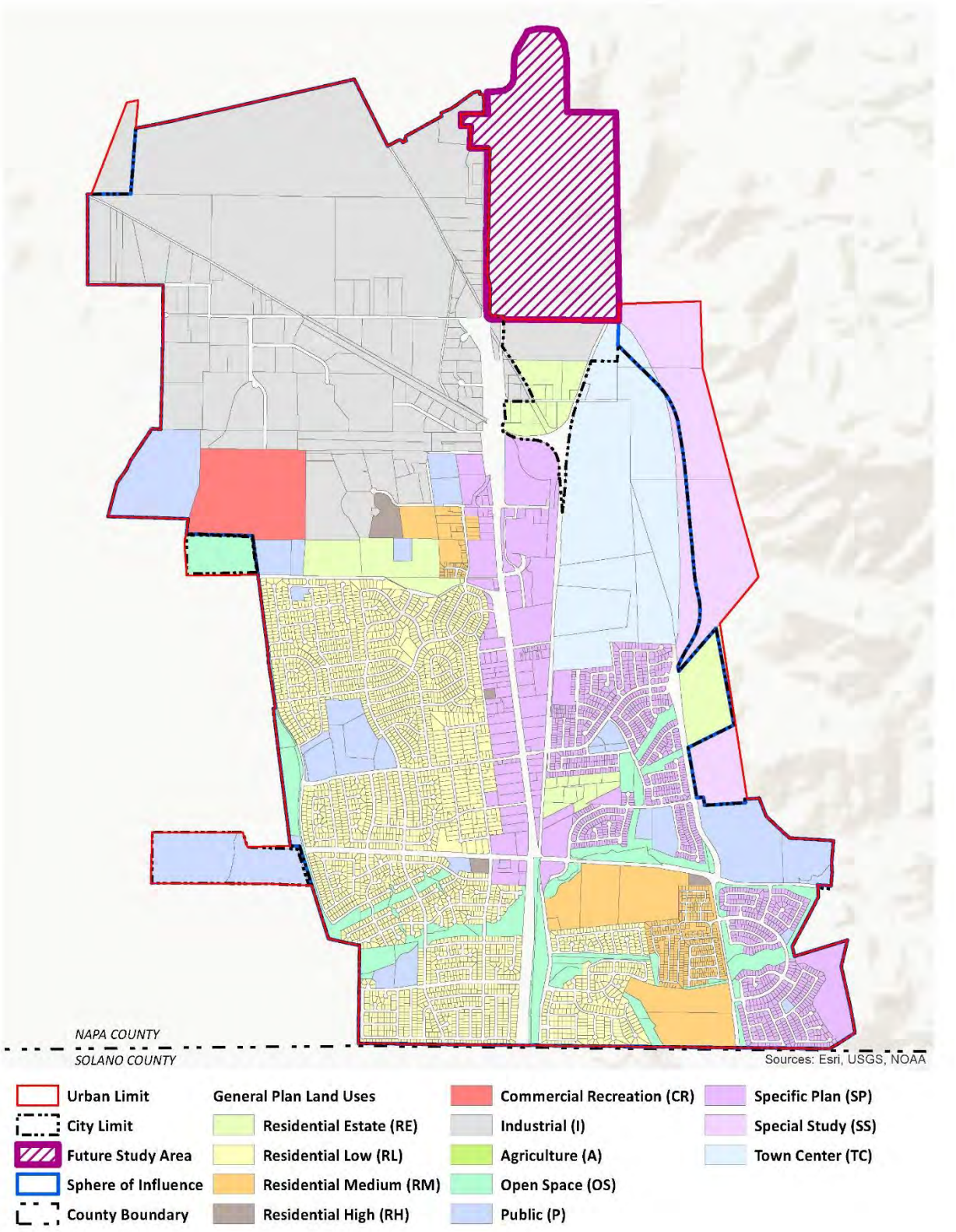
Floor Area Ratio (FAR)

Standards of building intensity for nonresidential uses such as office, commercial, industrial, and institutional development are defined in terms of floor area ratio (FAR). FAR is an indicator of how much building space is permitted on a given site. In the case of mixed-use developments that include residential uses, density standards are applied to the residential component while FAR standards are applied to the nonresidential component. A site includes all contiguous parcels that will share parking or access.

While FAR provides overall development intensity, it does not specify the form or character of the building. Different configurations of the same FAR can result in buildings of different character. To encourage building configurations of allowed FARs consistent with community vision, zoning regulations identify height limits, building setbacks, lot coverage, or open space requirements to guide the form of buildings with a given FAR.



LU-Figure 2: Land Use Diagram



LU-Table 1: Land Use Designations

Residential Estate (RE)

This designation allows for single-family residential development. This designation is characterized by detached single-family residences on large parcels. *(Source: Existing General Plan, Objective 1.7 and Policy 1.7.1 modified)*

Density/Intensity Range

- Density: 1.0 to 2.0 du/ac
- Intensity: N/A

Residential Low (RL)

This designation allows for single-family residential development in both an attached and detached format. *(Source: Existing General Plan, Objective 1.7 and Policy 1.7.2 modified)*

Density/Intensity Range

- Density: 2.0 to 5.0 du/ac
- Intensity: N/A

Residential Medium (RM)

This designation allows for the development of multi-family dwellings and mobile home parks. *(Source: Existing General Plan, Objective 1.8, modified)*

Density/Intensity Range

- Density: 5.0 to 12.0 du/ac
- Intensity: N/A

Residential High (RH)

This designation allows for the development of multi-family dwellings at a variety of densities. This designation also includes two sub-designation of RH-1 and RH-2. The only difference between the two sub-designations is the allowable density. *(Source: Existing General Plan, Objective 1.8 and Policy 1.8.2, modified)*

Density/Intensity Range

- Density:
    - RH-1: 16.0 to 20.0 du/ac
    - RH-2: 0.0 to 20.0 du/ac
- Intensity: N/A

Commercial Recreation (CR)

This designation allows for allows for development of recreation and winery-oriented.

Density/Intensity Range

- Density:
    - CR: None.
- Intensity: None.

Industrial (I)

This designation allows for the continuation of existing and development of new industries that capitalize upon the geographic advantages of the City (including adjacency to Napa County Airport and the railroad), the agricultural production of the region, and emerging types of businesses (such as "thematic" and "environmental" based industries), offer opportunities for the clustering of key economic sectors, and maintain the environmental quality of the City. *(Source: Existing General Plan, Objective 1.22, modified)*

Density/Intensity Range

- Density: N/A
- Intensity: 0.5 to 0.7 FAR

Public (P)

This designation allows for the continuation of existing and expansion of governmental administrative, recreation, public safety, human service, cultural and educational, infrastructure, utility infrastructure, and other public land uses and facilities to support the existing and future population and development of the City. *(Source: Existing General Plan, Objective 1.23, modified)*

Density/Intensity Range

- Density: N/A
- Intensity: N/A

Open Space (OS)

This designation preserves the important environmental resources of the City including significant wildlife habitats and vegetation, hillsides and canyons, creeks, rivers, and wetlands. *(Source: Existing General Plan, Objective 1.24)*

Density/Intensity Range

- Density: N/A
- Intensity: N/A

Specific Plan (SP)

This designation reserves land for designated specific plans within the City. *(Source: New Text)*

Density/Intensity Range

- Density: Dependent on the approval of individual Specific Plans.
- Intensity: Dependent on the approval of individual Specific Plans.

~~Specific~~ Study (SS)

This designation allows certain parcels as "special study" areas that may be needed for future urban growth, but for which appropriate land use designations have yet to be determined. *(Source: Existing General Plan, Objective 1.25, modified)*

Density/Intensity Range

- Density: N/A
- Intensity: N/A

Town Center (TC)

This designation allows for the development of a Town Center that physically and functionally serves as the symbolic and identifiable focus of community activities and events for the City and which is a regional destination within Napa Valley. The Town Center shall have two principal land use areas: (s) Town Center Core Area, and (b) Town Center Residential Neighborhoods. The Town Center Core Area shall mean the area around the basalt industrial ruins which will be developed with the land uses to create a true "downtown" for American Canyon. The Town Center Residential Neighborhoods shall mean the residential areas portion of Town Center that surrounds the Town Center Core Area. *(Source: Existing General Plan, Objective 1.19, modified)*

Density/Intensity Range

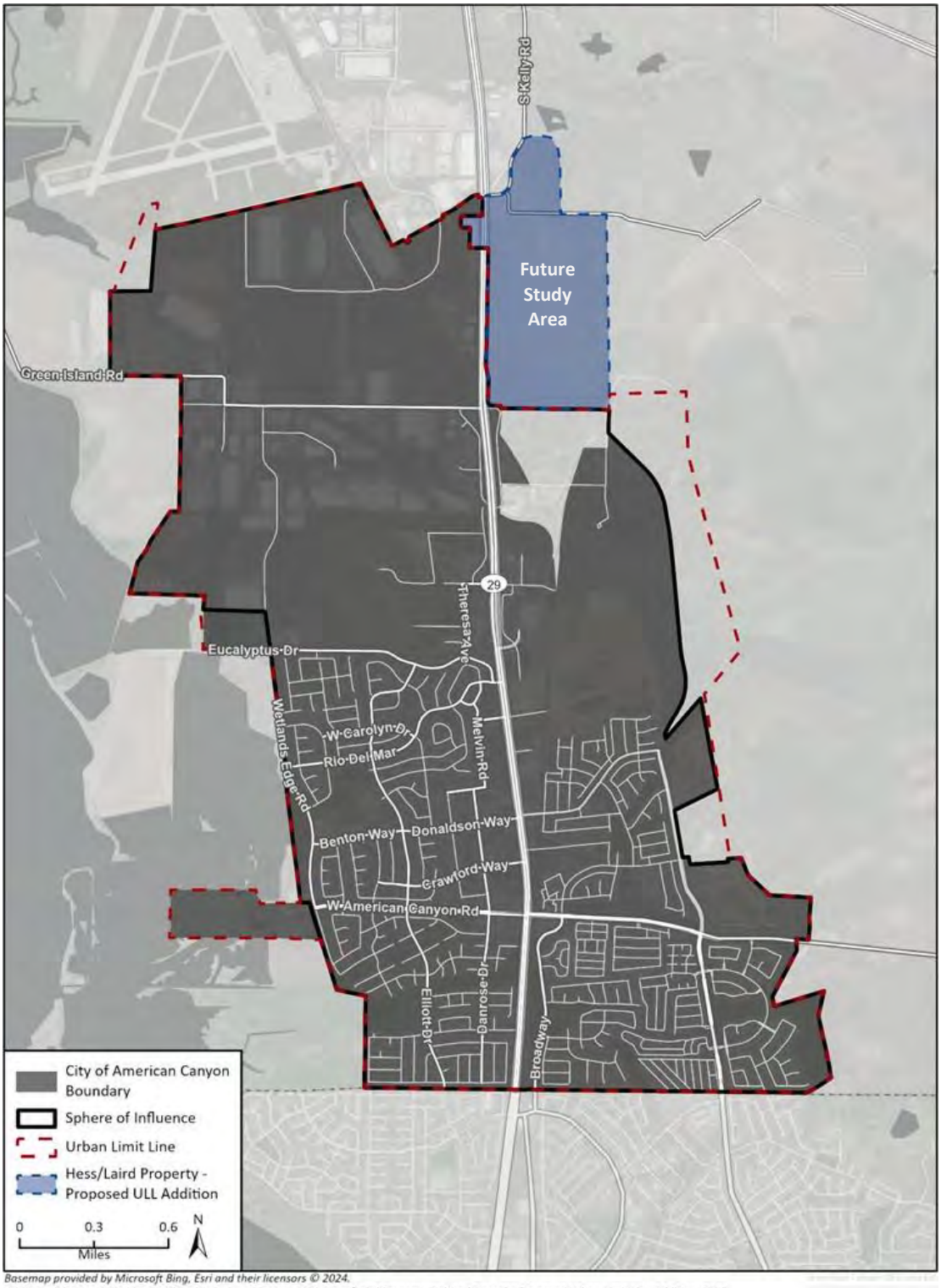
- Density: Dependent on the approval of individual Specific Plans.
- Intensity: Dependent on the approval of individual Specific Plans.

Future Study Area

As part of the General Plan Update the City identified a future study area (Figure LU-3) that has the potential for additional growth. This future study area encompasses the Hess/Laird property which is currently located within the jurisdiction of Napa County and **was recently general planned and rezoned for industrial uses. As a Future Study Area, the general plan does not identify specific uses for the Hess/Laird property under CEQA at this time. Thus, it would be speculative to evaluate any such uses at this time. When the City evaluates this Study Area for inclusion in the City's Urban Limit Line, the process will evaluate future uses as part of a subsequent CEQA**

analysis. ~~is not within the Urban Limit Line (ULL) for American Canyon. At this time the General Plan does not anticipate growth for this future study area within the horizon year of this Plan but is highlighting it for future potential if and when the City decides to expand.~~ ***Justification:*** The new language further explains the reason for not identifying a land use in the Hess/Laird Future Study Area.

LU-Figure 3: Future Study Area



Basemap provided by Microsoft Bing, Esri and their licensors © 2024.
Additional data provided by the City of American Canyon, 2021; Hess/Laird Property digitized from the Proposed Urban Limit Line Addition, 2022.

Goals and Policies

Growth Management and Phasing

The City of American Canyon was incorporated on January 1, 1992. Since then, the City has grown to a population of more than 21,000. American Canyon is home to three elementary schools, one middle school and one high school and dozens of businesses. Positioned along Highway 29 in Southern Napa County, the City is the SF Bay Area's entry point to the Napa and Sonoma Valley wineries.

The City's focus is on strengthening the local economy and increasing job opportunities in American Canyon to enable more residents to work closer to home and sustain and enhance the long-term economic viability of the City. The City is also focused on capitalizing on tourism and preserving the unique environmental resources and character of the area. Revitalization of vacant and underutilized properties and quality new development are key to the city's future. Policies in this section give American Canyon the tools to grow and change through 2040. They provide structure and guidance, while allowing flexibility to adapt to economic, environmental, and social change.

Goal LU-1:

Establish American Canyon as a "complete city" with a diversity of distinct land uses that serve the needs of residents, businesses, and visitors. *(Source: Existing Goals 1.1A and 1.1C, modified)*

Policies

LU-1.1: **Balance of Land Uses.** Establish a diversity of land use designations that provide for housing, commercial, employment, educational, cultural, entertainment, and recreation needs of residents; capture visitor and tourist activity; provide employment opportunities for residents of the greater subregion; and provide open space and aesthetic relief from developed urban/suburban areas. *(Source: Existing Policy 1.1.1.1 and Objective 1.1.1, modified)*

LU-1.2: **Pattern of Development.** Support a pattern of development that establishes distinct neighborhoods, districts, places of community activity and culture and open spaces that are

interlinked and promote a cohesive image; locates jobs, commerce, recreation, and other places of community activity within close proximity to housing, minimizing the need for vehicular use; achieves a balance of uses to serve both sides of Highway 29; and establishes an overall compact urban form surrounded by open space. *(Source: Existing Objective 1.1.4, modified)*

LU-1.3: **Open Space.** Provide adequate open space and recreational facilities to ensure a high-quality environment for American Canyon's residents. *(Source: Existing Policy 1.1.1.5)*

LU-1.4: **Compact Development Pattern**. Maintain a compact development pattern that fosters a walkable and bikeable urban form. *(Source: New Policy)*

LU-1.5: **Infrastructure Coordination.** Ensure new development consistent with the Land Use Plan is coordinated with adequate public infrastructure (e.g., transportation facilities, capital improvements, wastewater collection and treatment, water supply, electrical, natural gas, telecommunications, solid waste disposal, and storm drainage) and public services (e.g., governmental administrative, police, fire, recreation). *(Source: Existing Objective 1.1.3 and Policy 1.1.3.1, modified)*

Residential

Residential neighborhoods provide the heart of daily life and social interactions with friends, family, and neighbors. The General Plan encourages residential neighborhoods with connectivity, pedestrian safety, neighborhood character, and housing choice.

Goal LU-2:

New and expanded residential neighborhoods include a range of housing opportunities to meet the physical, economic, and social needs of the population, are designed to exhibit a high quality and character, contain appropriate supporting services, and reflect their environmental setting. (Source: Existing Goal1.1E, modified)

LU-2.1: **Housing Inclusiveness**. Within each neighborhood support development of diverse housing types and lot sizes to

accommodate a range of affordability levels and socio-economic diversity. *(Source: New Policy)*

LU-2.2: **Provide Public Facilities and Parks**. Establish and maintain public facility and park standards for new residential and commercial development. *(Source: New Policy)*

LU-2.3: **Objective Design Standards.** Establish objective design standards that convey a high level of quality and character in new residential development. *(Source: Existing Policies 1.1.7.4 and 1.1.8.4, modified)*

LU-2.4: **Nonresidential Structures in Residential Neighborhoods.** Require nonresidential structures in new development (e.g., recreation facilities, community meeting rooms and auditoriums, neighborhood commercial, services, and religious facilities) be designed to be compatible with and convey the visual and physical scale and character of residential structures.

LU-2.5: **Active Transportation**. Increase walking and bicycling opportunities by implementing pedestrian and bicycle plans and link recreation and commercial services to residential areas with safe and protected pedestrian walkways and bicycle paths *(Source: Existing Policy 1.1.1.1.6, modified)*

Commercial

Commercial uses provide needed retail goods and services for residents, employees, and visitors. They are places for commerce, employment, entertainment, culture, and, in some case, living in proximity to these uses. Pedestrian-oriented activities are encouraged that welcome customers with plazas and informal gathering places. Commercial uses accommodate development of property exclusively for commercial and employment uses (without housing) and/or mixed-use projects that integrate housing with retail, office, community facilities, and other uses within the same structure or on the same site. They can also integrate community-serving uses, such as public meeting rooms and daycare facilities in key activity areas. Commercial uses should be designed to operate in harmony with adjacent neighborhoods and uses through the siting of buildings, transitions in scale, and land use mix

Goal LU-3:

Attractive and vibrant neighborhoods, community, and regional commercial centers with convenient shopping, services, entertainment, and social interaction. (Source: New Goal)

LU-3.1: **Diversity of Commercial Uses.** Provide for a diversity of retail and service commercial uses that support multiple neighborhoods and the greater community, reduce the need for trips to adjacent jurisdictions for goods and services, and provide shopping and service opportunities for commuters, visitors, and tourists. *(Source: Existing Objectives 1.1.1.4 and 1.1.1.5 modified)*

LU-3.2: **Unique Viewsheds.** Accommodate commercial uses on Oat Hill that capitalize on the unique views of the Napa River, San Francisco Bay, and Napa Valley, site topography, and other natural characteristics. *(Source: Existing Objective 1.1.1.7.1, modified)*

LU-3.3: **Unwanted Glare.** Prevent glare with commercial lighting designed to illuminate within the property line in accordance with safety standards. *(Source: Existing Policy 1.1.1.8.3, modified)*

LU-3.4: **High Activity Areas.** Require entertainment, drinking establishments, and other uses provide adequate physical, safety, and operational measures. *(Source: Existing Policy 1.1.1.8.4 modified)*

LU-3.5: **Napa River Public Access.** Encourage development of a kayak launching facility on the Napa River. *(Source: Existing Policy 1.1.2.1.2, modified)*

Goal LU-4:

Improve the appearance and functionality of the Highway 29 corridor and establish a Town Center to provide for economically sound local- serving commercial development. (Source: Existing Goal 3.3.B, modified)

LU-4.1: **Retail and Office Development.** Designate enough land to attract new retail and office development to meet the needs

of the current and projected residents, as well as to retain potential sales tax revenue in the City. *(Source: Existing Objective 3.3.6 and Policy 3.3.6.1, modified)*

LU-4.2: **Tourism.** Provide and promote opportunities for uses which capitalize on the City's proximity to the wine country and the airport, as well as take advantage of the City' s natural resources, including tourist- supported commercial activities, such as a wine train depot, winery outlets, hotel, and golf course. *(Source: Existing Policy 3.3.6.2)*

LU-4.3: **Diversification.** Diversify by attracting, promoting, and retaining small businesses, establishing the City's niche as a provider of specialty stores and a broad range of services. *(Source: Existing Policy 3.3.6.4)*

LU-4.4: **Business Retention.** Establish an outreach program to encourage existing businesses that are in conformance with the General Plan to remain in or at their current locations. *(Source: Existing Policy 3.3.6.5, modified)*

LU-4.5: **High Sales Tax Generating Uses.** Modify existing zoning regulations as necessary to encourage long-term retention of high sales tax generating uses, such as lumber yards. *(Source: Existing Policy 3.3.6.6)*

LU-4.6: **Commercial Uses in Industrial Zones.** Increase the flexibility of industrial zoning regulations to allow for certain types of specialty retail uses that are compatible with industrial uses. *(Source: Existing Policy 3.3.6.7)*

LU-4.7: **Highway 29 Improvements.** Enhance the City' s existing tax base through the improvement and maintenance of the Highway 29 commercial corridor, *(Source: Existing Objective 3.3.7)*

LU-4.8: **Small Scale Commercial Development.** Provide for small scale commercial development that would serve residents as well as take advantage of tourism or commuter traffic. *(Source: Existing Policy 3.3.7.2)*

LU-4.9: **Commercial Clustering.** Encourage the clustering of commercial activities along Highway 29 to provide more

attractive and cohesive facilities while minimizing potential circulation conflicts. *(Source: Existing Policy 3.3.7.3)*

LU-4.10: **Create Town Center. I**mprove and strengthen the City' s identity though the creation of a Town Center as the principal government and commercial center and designate enough land to accommodate future demand for neighborhood and community- serving retail and commercial development. *(Source: Existing Objective 3.3.8 and Policy 3.3.8.1, modified)*

LU-4.11: **Small Community Atmosphere.** Encourage the development of small specialty stores in the Town Center to promote a small community atmosphere. *(Source: Existing Policy 3.3.8.3, modified)*

LU-4.12: **Marketing Program.** Periodically assess market conditions, including population growth in the City and neighboring Vallejo and when appropriate, establish an aggressive marketing program to effectively compete with neighboring cities to attract desired commercial uses. *(Source: Existing Policy 3.3.8.4)*

Industrial

Industrial centers provide manufacturing, research and development, flex space, industry incubators, and similar uses that range from business parks, warehouses, and distribution facilities to manufacturing. This designation supports “clean” industries and agricultural and wine-related industries that take advantage of the education and skills of the local and regional population. Industrial designations promote improvements in site planning to create places with attractive architecture and landscaping, and make employment areas accessible to pedestrians, bicyclists, and transit. They also support the integration of limited additional employment support uses such as retail and services.

Goal LU-5:

Industrial uses that provide employment for residents of American Canyon and the surrounding region and contribute significant revenue for the City. (Source: Existing Goal 1.1.I)

LU-5.1: **Industrial Development Compatibility with Existing Uses.** Require new industrial development be designed to achieve a high level of quality and compatibility with existing uses including architectural treatment of all building elevations; use of extensive landscape along the primary street frontages and parking lots; and enclosure of storage areas visible from principal highways (including Highway 29) and peripheral residential and commercial districts with decorative screening or other elements. *(Source: Existing Policy 1.1.2.2.4, modified)*

LU-5.2: **Industrial Development Unified Character.** Require new industrial development be designed to convey a unified character by inclusion of pedestrian walkways, arcades, an/or other visual elements to interconnect individual buildings; differentiation of building facades by materials, color, architectural details, and modulation of building volumes; use of consistent and well-designed public and informational signage; and installation of elements that define the key entries to the industrial district. *(Source: Existing Policy 1.1.2.2.5, modified)*

LU-5.3: **Truck Access.** Require truck access be controlled so it is safe and efficient and minimizes exposure to adjacent residential neighborhoods. *(Source: Existing Policy 1.1.2.2.7)*

LU-5.4: **Industrial Operations.** Require, where industrial uses are located adjacent to residential neighborhoods, that their operations be controlled to prevent adverse impacts on adjacent property (e.g., noise, light and glare, and odors) and appropriate measures implemented to buffer these uses (e.g., setbacks, landscaping, and earthen berms). *(Source: Existing Policy 1.1.2.2.8, modified)*

LU-5.5: **Prevent Adverse Impacts.** Control, through the permit process, the development of industrial uses that use, store, produce, or transport hazardous materials in threshold planning quantities, generate unacceptable levels of noise or air emissions, or result in other impacts that adversely impact American Canyon. *(Source: Existing Policy 1.1.2.2.9, modified)*

Goal LU-6:

a diversified industrial base that provides employment opportunities for residents and generates fiscal revenues for the City. (Source: Existing Goal 3.3.A modified)

LU-6.1: **New Compatible Industries.** Increase the number of firms within the industries now represented in the City and capture new, clean, nonpolluting industries that are stable and compatible with City needs in terms of traffic, air quality, and employment. *(Source: Existing Objective 3.3.4.1)*

LU-6.2: **Industrial Development Standards.** Establish design and FAR standards for industrial buildings which will create and maintain an attractive image for American Canyon's industrial areas without imposing overly restrictive regulations. (*Source: Existing Policy 3.3.4.2)*

LU-6.3: **State grants.** Pursue available state grants that would assist the City and private property owners in enhancing infrastructure in the industrial areas. *(Source: Existing Policy 3.3.4.4)*

LU-6.4: **Accommodate Projected Industrial Growth.** Designate enough land to accommodate projected demand for industrial space by 2040. *(Source: Existing Policy 3.3.5.1, modified)*

LU-6.5: **ULL Amendment.** Expand the Urban Limit Line to include the "Hess and Laird" Properties north side of the Paoli Property and maintain the existing Urban Limit Line when the Urban Limit Line Initiative expires in 2030. *(Source: New Policy)*

LU-6.6: **SOI Amendment.** Work with Napa County and LAFCO to amend the City's Sphere of Influence to include the "Hess and Laird" Properties. *(Source: Existing Policy 3.3.5.2 modified)*

Public and Institutional

American Canyon has many public and private institutional uses, that provide government services, education, recreation, and medical services. This goal and its supporting policies are designed to ensure that public and institutional land uses enhance the quality of life of residents and meet the service needs

of the community. Policies encourage public and quasi-public uses to be designed and operated in a manner that is compatible with surrounding properties.

Goal LU-7:

Sufficient public and institutional uses that meet the needs of the residents of American Canyon. Source: Existing Goal 1.1.J modified)

LU-7.1: **Adequate Public Facilities.** Provide governmental administrative, recreation, public safety, human service, cultural and educational, infrastructure, utility infrastructure, and other public land uses and facilities to support the existing and future population and development of the City. *(Source: Existing Objective 1.1.2.3, modified)*

LU-7.2: **Electric Transmission Corridors.** Limit the development of uses within electrical transmission corridors to ensure adequate public health and safety. *(Source: Existing Policy 1.1.2.3.2, modified)*

LU-7.3: **Utility Modernization**. Coordinate new development with policies in the Utility Element to improve American Canyon's resilience to increasing utility demands and system hardening to climate change and natural disasters. *(New Policy)*

LU-7.4: **Public Facility design.** Establish standards for the City and coordinate with other public agencies to ensure that public buildings and sites are designed to be compatible in scale, mass, character, and architecture with the existing buildings and pertinent design characteristics prescribed by this General Plan for the district or neighborhood in which they are located. *(Source: Existing Policy 1.1.2.3.7)*

LU-7.5: **PG&E Facility Landscaping.** Work with Pacific Gas and Electric Company to facilitate landscaping of their site and facilities at the intersection of Highway 29 and American Canyon Road. *(Source: Existing Policy 1.1.2.3.9)*

Neighborhoods, Boulevards, and Districts

American Canyon features safe and friendly residential neighborhoods, a few notable rural residential areas, an increasing balance of needed multi-family

communities; a commercial core centered along Broadway, a vibrant, growing industrial park to the north, and open space that envelopes the City to the east and west.

The goal and policies in this section are intended to support the continued development of unique neighborhoods, boulevards, and districts.

Goal LU-8:

Harmonize new neighborhoods and districts into the existing community fabric. (Source: Existing Goal 1.1.M Modified)

LU-8.1: **Distinct Neighborhoods, Boulevards, and Districts.** Assure that new development supports the differentiation of the neighborhoods, boulevards, and districts of the City by their functional role, uses, form, scale, and character of development. *(Source: Existing Objective 1.1.2.6, modified)*

LU-8.2: **Objective design and Development Standards.** Require new development to comply with the City's objective design and development standards to maintain long- term, high-quality development. *(Source: Existing Objective 1.1.3.3, modified)*

LU-8.3: **Placemaking.** Encourage development of an "American Canyon Vernacular" architectural style by encouraging new development to reflect the architectural styles of newer development located nearby. *(Source: New Policy)*

LU-8.4: **Public Gathering Spaces**. *Encourage new retail development to include formal and informal public gathering spaces through a variety of means, such as pedestrian-oriented street design; sidewalk furniture and pedestrian-oriented development; well-designed, multi-use public spaces of different sizes including pocket parks, plazas, and monuments; and community events. (Source: New Policy)*

LU-8.5: **Public Art**. *Encourage new development to include public artwork and accommodate public art at key gateways, parks, open spaces, trails, and public gathering places. (Source: New Policy)*

Airport Compatibility

~~Napa County Airport abuts the City Urban Limit Line. This represents both an opportunity and a constraint. The airport provides an economic stimulus for the development of industries and commercial businesses in American Canyon. Airport operations result in noise and the potential risk of accidents that impact nearby land uses. The goals and policies in this section are intended to mitigate any potential hazards and assure compatibility of new development with the airport~~.

The Napa County Airport Land Use Compatibility Plan (NALUCP) was adopted by the Napa County Airport Land Use Commission (ALUC) on December 4, 2024. The NALUCP is incorporated into the General Plan as a standalone document identified as Appendix 3 Napa County Airport Land Use Compatibility Plan. (Source: NALUCP Section 1.4.2, bullet option #3)

Goal LU-9:

Ensure ~~the compatibility of~~ development within American Canyon is consistent with the Napa County Airport Land Use Plan. (Source: Existing Goal 1.N)

LU-9.1: **Airport ~~Constraints~~ Compatibility.** ~~Ensure new development does not adversely constrain the Napa County Airport. *(Source: Existing Objective 1.1.2.7, modified)*~~

Within the time limits specified by Government Code 65302.3(a), the City shall amend, as applicable, the zoning ordinance and specific plan(s). (Source: NALUCP Section 1.4.2, bullet option #3)

~~**LU-9.2:** **Land Use Compatibility**~~ **Nonconforming Uses.** The City shall amend the Zoning Ordinance to incorporate policies that address changes to existing nonconforming uses consistent with the NALUCP. (Source: NALUCP Policy 3.7.3 and 3.7.4) ~~Require new development or expansion of existing uses evaluate the Napa County Airport Land Use Compatibility Plan and Airport Compatibility Zones "A" through "E". *(Source: Existing Policies 1.1.2.7.1 and 1.1.2.7.2, modified)*~~

LU-9.3: **Airport Authority Coordination.** Consistent with Public Utilities Code Section 21676(b), prior to approving Actions

indicated in Paragraphs (a) and (b), the City shall refer the Action to the ALUC for determination of consistency with this ALUCP.

(a) Land Use Actions always requiring ALUC review include:

(1) Local Agency adoption or approval of any new general plan, specific plan, or facility master plan, or any amendment thereto, that affects lands within an Airport Influence Area. This includes actions that are applicable throughout a land use jurisdiction as well as for development proposals for an individual site.

(2) Local Agency adoption or approval of a zoning ordinance or building regulation, including any proposed change or variance to any such ordinance or regulation, that (1) affects land within an Airport Influence Area and (2) involves the types of airport impact concerns listed in Policy 2.3.1(a).

(3) Land Use Actions for which a Special Conditions Exception is being sought under Policy 3.2.4.

~~Work with the Napa County Airport Authority to ensure that ground activities and operations, operation expansion, and vehicle access at the Airport do not adversely impact (e.g., noise, vibration, air emissions, or other pollution) the city of American Canyon. *(Source: Existing Policies 1.1.2.7.3, 1.1.2.7.4, and 1.1.2.7.5, modified)*~~

LU-9.4: ~~**Emergency Preparedness**~~. **Projects Exempt from the NALUCP.** The NALUCP does not apply to Existing Land Uses as described in California Public Utilities Code 21670(a) and 21674 (a).

~~Work with the Napa County Airport Authority and other appropriate agencies to ensure that emergency preparedness plans are maintained and regularly updated to protect American Canyon residents and property. *(Source: Existing Policy 1.1.2.7.6, modified)*~~

LU-9.5: ~~**Airport Benefits**~~. **Projects Subject to City Review** Except for projects that require Napa County Airport Land Use Commission Review or are Exempt, all new development

within the City that is subject to the NALUCP shall be evaluated consistent with the procedures in NALUCP Section 5.1. ~~Recognize the importance of the Napa County Airport to city residents, including the economic, transportation and recreational benefits, and ensure that land use decisions do not negatively impact Airport operations. *(Source: Existing Policy 1.1.2.7.7, modified)*~~

Quality of the Built Environment

American Canyon has a unique identity that the General Plan seeks to enhance by providing a policy framework for the preservation of resource lands and the design of new development. Tasteful development projects, beautiful landscaping, and a lack of visual clutter create an appealing community for residents and visitors. American Canyon has many areas with excellent community design characteristics, and others that need attention. The policies in this section seek to ensure neighborhoods are developed and maintained as high-quality living environments that support American Canyon's community character.

Goal LU-10:

Foster a community image that promotes and enhances American Canyon as a desirable place to live and do business. (Sources: New Goal)

LU-10.1: **City Gateway.** Seek to improve the scenic character of SR 29 as an important gateway into the City, through undergrounding utilities, increased landscaping, street tree planting, and appropriate architectural character. *(Source: New Policy)*

LU-10.2: **City Identity.** Promote public art, historical structures, and landmarks to reinforce American Canyon's identity. *(Source: New Policy)*

LU-10.3: **City Livability.** Promote a diversity of compatible land uses throughout the City to enable people to live close to job locations, have adequate and convenient commercial services, and enjoy public amenities and services such as transit, parks, trails, and schools. *(Source: New Policy)*

LU-10.4: **City Livability.** Support an active and comfortable public realm by incorporating street trees, shade opportunities, benches, trash receptacles, public restrooms, and other features that contribute to an attractive and enjoyable space in city parks, trails, and streetscapes. *(Source: New Policy)*

LU-10.5: **Economic Adaptation.** Support flexibility in land uses designations to respond to changing and evolving economic needs. *(Source: New Policy)*

LU-10.6: **Landscaping Plans.** Require that new development subject to discretionary review submit and implement a landscaping plan consistent with City standards and requirements. *(Source: Existing Policy 1.1.3.2.2, modified)*

LU-10.7: **Property Maintenance.** Require properties be properly maintained consistent with the neighborhood preservation ordinance (Municipal Code Chapter 9.04) and discretionary development conditions of approval. *(Source: Existing Policy 1.1.3.2.3, modified)*

LU-10.8: **Preserve Existing Trees and Vegetation.** Require new development to preserve and incorporate existing mature and specimen trees and other significant vegetation into project design. *(Source: Existing Policy 1.1.3.2.4, modified)*

LU-10.9: **Zero Water Footprint.** Require new development offset the amount of increased potable water that will be consumed by their project on a one-to-one basis, including using water efficient fixtures, consuming recycled water for non-potable uses when available, dual plumbing buildings, installing water wise landscaping and irrigation, and other appropriate measures. *(Source: Zero Water Footprint Policy)*

LU-10.10: **Code Enforcement.** Actively enforce City codes to eliminate abandoned, wrecked, or inoperative vehicles in the front yards; overgrown weeds or unsafe or unsanitary living conditions; accumulated trash and debris; and address other property maintenance issues to assure high-quality neighborhoods, commercial districts, and industrial areas. *(Source: Existing Policy 1.1.3.3.5, modified)*

LU-10.11: **Property Maintenance Programs.** Promote programs and work with local service organizations and educational institutions to inform residential, commercial, and industrial property owners and tenants regarding methods for the maintenance and upkeep of their property. *(Source: Existing Policy 1.1.3.3.6)*

LU-10.12: **Community-based Maintenance Efforts.** Require community- and neighborhood-based efforts for the maintenance, upkeep, and renovation of structures and sites. *(Source: Existing Policy 1.1.3.3.7)*

LU-10.13: **Climate Change Adaptation.** Support efforts to construct needed infrastructure that helps the City adapt to Climate Change. *(Source: New Policy)*

LU-10.14: **Safe Pedestrian and Bicycle Mobility.** Improve bicycle and pedestrian safety throughout the City, consistent with the Mobility Element and implementing programs, such as Local Roadway Safety Plan. *(Source: New Policy)*

LU-10.15: **Housing Inclusion.** Incorporate a variety of housing types into future development that is available to a range of incomes. *(Source: New Policy)*

Urban Limit Line

Goal LU-11:

Maintain an Urban Limit Line for the City of American Canyon which describes its future geographic boundary until January 1, 2040. (Source: Existing Goal 1.1.T)

LU-11.1: **Lands Outside the Urban Limit Line.** **Coordinate with Napa County to ensure** ~~Ensure~~ that lands outside of the City Urban Limit Line**, as it may be amended during the term of the General Plan**, shall not be developed until January 1, 2040, or later, except as provided by Policy LU-11.2 below. *(Source: Existing Policy 1.1.3.5.3)* ***Justification:*** The city cannot ensure development does not occur outside of the city limits.

LU-11.2: **Public Uses Outside the Urban Limit Line.** Acquire lands for public uses and construct and operate public facilities outside of the City Urban Limit Line, if necessary and appropriate, provided that those facilities are designed to serve development within the City Urban Limit Line. *(Source: Existing Policy 1.1.3.5.4)*

LU-11.3: **Preserve Agriculture and Open Space.** Define the limits of urban development of the City, preserving agricultural and open space outside of the City Urban Limit Line **as it may be amended during the term of this General Plan** on a long-term basis. *(Source: Existing Objective 1.1.3.6)*

LU-11.4: **Orderly, Sequential Annexation.** Annex urbanized and vacant areas in the City's Sphere of Influence and Urban Limit Line in an orderly progressive sequence. *(Source: Existing Program 3.13.2 modified)*

Economic Development

The City recognizes that it can facilitate private-sector investment and the creation of jobs by creating a business-friendly climate. The type and supply of the employment land uses in the city also provide important indicators of the ability of the City to meet the needs of the changing economy. Policies in this section seek to protect the industrial and commercial lands that provide jobs to many American Canyon. The policies also stress the importance of fair and predictable permit procedures, the removal of unnecessary regulatory barriers, and economic development programs as ways to attract private-sector investment to American Canyon.

Goal LU-12:

Improve economic conditions in American Canyon by capitalizing on the City's industrial land and promoting a mix of land uses which create quality jobs and foster fiscal stability. (Source: Existing Goal 3.3, modified)

LU-12.1: **Maximize Economic Development.** Support new industrial and business park and community-serving commercial development to maximize the City's market and economic development potential. *(Source: Existing Objective 3.3.1, modified)*

LU-12.2: **Expand the Economic Base.** Seek to expand the City's economic base and development opportunities through planned annexation program that is linked to the General Plan. (I 3.2) *(Source: Existing Policy 3.3.1.3, modified)*

LU-12.3: **Home-Based Businesses.** Continue to facilitate home occupation uses to enable residents to work from home while maintaining the quality and character of existing residential neighborhoods. *(Source: New Policy)*

LU-12.4: **Workforce Innovation.** Consider specific needs for innovative businesses, including small businesses, incubator uses, live-work spaces, artist studios, and small home-based businesses to foster entrepreneurship, workforce development, and increased workforce participation. *(Source: New Policy)*

LU-12.5: **Best Practice Codes.** Update zoning, building and property codes to conform with recent best practices. *(Source: New Policy)*

LU-12.6: **Climate Adapted Utility Grid.** Support efforts to develop a more resilient power grid by encouraging backup generators, home microgrids, and solar energy systems with battery backups. (*Source: New Policy)*

LU-12.7: **Internet of Things.** Facilitate implementation of innovative electronic capabilities (IOT) with improved wireless infrastructure technology throughout the city. (*Source: New Policy)*

LU-12.8: **Positive Fiscal Impacts.** Promote growth that generates net positive fiscal impacts to the City to ensure that municipal services keep up with growing demand. *(Source: Existing Objective 3.3.2)*

LU-12.9: **Fiscal Impact Analysis.** Require a fiscal impact analysis of new development to determine what costs of the new development to the City, if any, may be subject to mitigation. *(Source: Existing Policy 3.3.2.1, modified)*

LU-12.10: **Fiscal Impact Monitoring.** Monitor the fiscal impact of new development activity to determine the optimal development phasing of new development to ensure that the costs of City

services are balanced with revenues generated on a recurring basis. *(Source: Existing Policy 3.3.2.2, modified)*

LU-12.11: **Rates, Taxes, and Fees Assessment.** Periodically assess the structure of utility rates, business license taxes, and user fees to ensure that such rates and fees cover the true cost to the City. *(Source: Existing Policy 3.3.2.3)*

LU-12.12: **Streamlined One-stop Application Process.** Expedite the growth of job-generating, quality businesses, and other high priority development by developing a streamlined, one-stop City application procedures. *(Source: Existing Objective 3.3.3 and Policy 3.3.3.4, modified)*

LU-12.13: **New Use Performance Standards.** Establish a standard performance base for new uses. If a proposed use conforms to established standards, eliminate, or reduce the level of discretionary review process. *(Source: Existing Policy 3.3.3.1)*

LU-12.14: **Industrial Performance Standards.** Continue implementation of zoning standards that ensure industrial development is designed and operated to minimize—to the extent feasible—noise, heat, glare, dust, unscreened storage yards, air emissions, hazardous materials generation, and other negative effects. *(Source: New Policy).*

LU-12.15: **Employment Retention.** Support retention of industrial uses that provide high-paying local jobs within the City when possible. *(Source: New Policy).*

LU-12.16: **Employee Services.** Encourage development of supporting commercial services such as dining, recreation, and childcare in the City's industrial areas to provide convenient access to services for industrial workers. *(Source: New Policy).*

LU-12.17: **Occupancy Permit Requirements.** Maintain occupancy permit requirements for new and existing buildings to monitor zoning compliance and business activity within the City. *(Source: Existing Policy 3.3.3.3)*

LU-12.18: **Development Review Process information.** Prepare informational brochures that clearly describe the development review process to the public. *(Source: Existing Policy 3.3.3.5, modified)*

Goal LU-13:

Capitalize on the City's physical resources to generate private commercial recreational opportunities. (Source: Existing Goal 3.3.C, modified)

LU-13.1: **Commercial Recreation Opportunities.** Explore opportunities to encourage private development related to commercial recreation. *(Source: Existing Objective 3.3.9 modified)*

LU-13.2: **Private Partnerships.** Seek opportunities to partner with private for-profit and nonprofit organizations to facilitate new recreational opportunities. *(Source: New Policy)*

LU-13.3: **Land Use Strategies.** Evaluate potential locations for commercial recreation opportunities that capitalize on the City's physical resources and foster a healthier community. *(Source: Existing Policy 3.3.9.1 modified)*

General Plan Use and Maintenance

The American Canyon 2040 General Plan is designed to be a living document that reflects the City's needs and desires, which will evolve over time. The effectiveness of the General Plan ultimately depends on how the City implements and maintains the General Plan over its lifetime. This section is designed to ensure that the City reviews and updates this General Plan to respond to current community needs and aspirations, and changes in State law.

Goal LU-14:

An effective and implemented General Plan Land Use Map. (Source: Existing Goal 1.1.O, modified)

LU-14.1: **Land Use Map.** Maintain and implement a Land Use Map describing the types of allowed land uses by geographic location and the density of allowed uses within each **specifically identified** designation **(i.e., other than within the special study area)**. *(Source: Existing Program 3.13.1, modified)*

LU-14.2: **Zoning Designations.** Amend zoning designations and maps to ensure they remain consistent with the General Plan Land Use Map (Figure LU-1). *(Source: New Policy)*

LU-14.3: **Land Use Element Compliance.** Implement the Nonconforming Uses, Structures, and Lots zoning standards to existing structures and uses which do not conform with the Land Use Element requirements and standards. *(Source: Existing Objective 1.1.2.8, modified)*

Goal LU-15:

A General Plan consistent with State law that provides a clear framework for ongoing administration, maintenance, with rigorous and efficient implementation. (Source: New Goal)

LU-15.1: **Five-year General Plan Review.** Conduct a technical review of the General Plan every five years and revise and update as necessary to assure compliance with State law and responsiveness to current City needs, including a jobs/housing balance and adequate municipal revenues to maintain adequate level of public services. *(Source: New Policy)*

LU-15.2: **Implementation Program Monitoring.** Maintain and annually review the General Plan Implementation Programs. As part of this process, the City shall update the prioritization of programs based on applicability, relevance, timing of initiation, and availability of funding. *(Source: New Policy)*

LU-15.3: **Housing Element Update.** Update and implement a Housing Element every eight years that provides policy and programs to encourage the provision of safe, well-designed, accessible, sanitary, and affordable residential areas where people of all ages can live, work, and play. This includes an equitable distribution of parks and public facilities to all residential areas consistent with legal requirements. *(Source: New Policy)*

LU-15.4: **General Plan/Zoning Consistency.** Review the Zoning Ordinance standards and amend as necessary to ensure consistency with the General Plan. *(Source: New Policy)*

LU-15.5: **Zoning Standards Update.** Periodically review the Zoning Ordinance to ensure that the appropriate zoning districts have appropriate allowed uses and development standards to accommodate the building and site needs associated with new and emerging industries. *(Source: New Policy)*

LU-15.6: **Programmatic Environmental Review.** Take advantage of streamline development review by conducting Programmatic Environmental Review of General Plan Policies and Development Review. *(Source: New Policy)*

LU-15.7: **Community Outreach.** Continually focus on improving methods to inform the public about land use policy development and ongoing development decision making. *(Source: New Policy)*

LU-15.8: **Development Review Processes.** Continually review development review processes to make them more informative and easier to access through technological capacity. *(Source: New Policy)*

LU-15.9: **Implementation Partnerships.** Maintain and expand upon General Plan implementation of highly technical service delivery through partnerships with other governmental agencies and nonprofit organizations, such as the City of Napa's implementation of affordable housing policy, Fair Housing Napa Valley, Napa Sonoma ADU center and others. *(Source: New Policy)*

Implementation Programs

	Programs	~~Implements~~ Which Policy(ies)	Responsible Supporting Department(s)	2020 – 2025	2026 – 2030	2031 – 2040	Annual	Ongoing
A	**Objecitve Design Standards** Prepare objecitve residential design standards that reflect existing community character and design as well as recent development projects that are widely accepted as successful, well-design projects. The objective design standards will enable to City to approved more residential projects "by-right." *(Source: New Program)*	LU-2.4 LU-10.5	Community Development	■				
B	**Industrial Marketing Program.** Support the Chamber of Commerce with its efforts to market the City to new businesses. *(Source: : Existing Program 1.11.19, modified)*	LU-6.2	City Manager Chamber of Commerce		■			
C	**Permit Processing and Streamlining.** Continually seek methods to streamline permit processing that assures proactive review of priority development applications in desired areas. Assign a specific staff member to coordinate the permit process for high priority development applications. Prepare brochures that clearly define the development review process to the public. *(Source: Existing Program 3.13.8, modified)*	LU-11.7	Community Development	■				
D	**Implement the Broadway District Specific Plan** Prepare a fee program or other funding program to pay for needed amenities, such as parks, landscaping, stormwater improvements, bicyle trails, and overhead utility undergrounding. *(Source: New Program)*	LU-4.7 LU-4.8 LU-4.9	Finance Department Public Works Parks and Recreation		■			

	Programs	~~Implements~~ Which Policy(ies)	Responsible Supporting Department(s)	2020 – 2025	2026 – 2030	2031 – 2040	Annual	Ongoing
E	**Fiscal Impact Analysis** Determine a threshold project size for new development, above which a fiscal impact analysis is required. Each fiscal impact analysis shall analyze the potential project-specific fiscal impacts and determine what costs to the City, if any, that may be subject to mitigation. *(Source: Existing Program 3.13.5, modified)*	LU-11.4	City Manager Community Development		■			
F	**Fiscal Impact Monitoring.** Annually monitor the fiscal impact of new development activity to determine the optimal development phasing of new development, according to its net positive or negative fiscal impact. In addition to monitoring the fiscal impact by type of development, the fiscal impact of development in different locations should be monitored. The purpose of such monitoring efforts is to ensure that the costs of services are balanced with revenues generated on a recurring basis. *(Source: Existing Program 3.13.5, modified)*	LU-11.5	City Manager Community Development				■	
G	**Five Year General Plan Review**. Conduct a technical review of the General Plan every five years and revise and update as necessary to assure compliance with State law and responsiveness to current City needs, including a jobs/housing balance and adequate municipal revenues to maintain adequate level of public services. *(Source: New Program)*	LU-15.1	Community Development		■	■		

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4 Mobility

The Mobility Element provides a framework for decisions concerning the City's multimodal transportation network. Correlated with the Land Use Element, the Mobility Element guides a safe and efficient transportation system that includes roadway, transit, bicycle, pedestrian, rail transport, and aviation. Recognizing the contribution of transportation to greenhouse gas emissions, the Mobility Element integrates with Climate Change and Sustainability policies.

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Mobility Vision

The City of American Canyon is a community that embraces mobility through all transportation modes. The core value of the Mobility Element is to provide safe and easy travel for pedestrians, bicyclists, transit riders and motor vehicles correlated with the Land Use Element.

This community mobility value is based on enhancing the City's " sense of place" with a strong emphasis on all forms of mobility safety and environmental protection. An efficient multi-modal plan will improve our sense of place, provide greater mobility choice for all residents, and help the environment.

Introduction

The Mobility Element provides a vision and guiding principles for the transportation system, and detailed goals and policies which implement a compete streets approach to mobility in the future.

Local transportation planning is a coordinated effort involving local and regional agencies. The goals and policies set forth in this document are intended to promote local planning, but also foster cooperation between jurisdictional partners such as the Napa Valley Transportation Authority (NVTA), the Metropolitan Transportation Commission (MTC) and the California Department of Transportation (Caltrans).

The transportation planning and policy in the Mobility Element includes a critical component of the City's responsibility towards supporting regional efforts to meet greenhouse gas reduction targets, through coordinating planning for land use, transportation, and housing. The Regional Transportation Plan and Sustainable Community Strategy (RTP/SCS) for the San Francisco Bay Area, Plan Bay Area 2050, was jointly produced and adopted by the Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG) on October 21, 2021. Plan Bay Area 2050 is the strategic update to Plan

Bay Area 2040, and it connects the elements of housing, the economy, transportation, and the environment through 35 strategies that will make the Bay Area more equitable for all residents and more resilient in the face of unexpected challenges. It is a roadmap to help Bay Area cities and counties preserve the character of our diverse communities while adapting to the challenges of future population growth.

A portion of the Planning Area - the Broadway District (SR 29) corridor - has been designated by MTC and ABAG as a Priority Development Area (PDA), meaning that it is recognized as an area with substantial opportunity for infill development near transit. PDAs play a critical role in accommodating future growth in the regional agencies' SCS plans.

California Planning Requirements

Required General Plan Element. California law mandates a "Mobility Element" or "Circulation Element" that contains the "general location and extent of existing and proposed major thoroughfares, transportation routes, and other local public utilities and facilities, all correlated with the land use element" of the General Plan per Government Code Section 65302 (b).

Complete Streets Act. The term "complete streets" refers to a balanced, multimodal transportation network that meets the needs of all users of streets -- including bicyclists, children, persons with disabilities, motorists, movers of commercial goods, pedestrians, public transportation, and seniors. A complete street is one that provides safe and convenient travel in a manner that is suitable to the local context. In 2012, the City adopted a Complete Streets Policy (Resolution 2012-72).

The Mobility Element is consistent with the California Complete Streets Act (AB 1358), which requires cities and counties incorporate "Complete Street" policies when updating their General Plan Mobility Element. Complete streets make travel safe for all users, including bicyclists, pedestrians, motorists, transit vehicles, and people of all ages and abilities. While every street does not need to provide dedicated space to all users, the street network must accommodate the needs of all users.

Economically, complete streets help lower transportation costs by enabling people to use transit, walking, or bicycling rather than driving to reach their destinations. Caltrans is actively engaged in implementing its complete streets policy in all planning, programming, design, construction, operations, and maintenance activities for the State Highway System.

Provision of safe mobility for all users contributes to the Caltrans's vision: "improving mobility across California." The successful long-term implementation of this vision will provide more options for people to travel from one place to another, less traffic congestion, fewer greenhouse gas emissions, more walkable communities (with healthier, more active people), and fewer barriers for older adults, children, and people with disabilities.

Local Roadway Safety Plan. American Canyon is currently preparing a Local Roadway Safety Plan (LRSP). Required for an agency to apply for federal Highway Safety Improvement Program (HSIP) funding, the LRSP will proactively correct high collision or problem locations and prevent local road fatalities and injuries. The final plan will recommend proven countermeasures, provide a structure and realistic set of responses that implement changes over time, will integrate the "4 E's" approach (Education, Enforcement, Emergency Service, and Engineering) in its proposed solution strategies, and identify road safety partners that could sustain a long-term effort.

Traffic Calming Program. The American Canyon "We ♥ Safe Streets" Traffic Calming Program provides a framework for the community to submit concerns of problem areas to our Traffic Calming Team for evaluation. The Program includes criteria to assess the magnitude of the need to modify a street or roadway, and probable effectiveness of a potential traffic calming measure installation.

Capital Improvement Programs. California Government Code Section 65401 specifies public works projects must conform to the General Plan. In practice, this requires the Five-Year Capital Improvement Program (CIP) adoption include findings that the proposed City of American Canyon Five-Year CIP conforms with the General Plan, which includes the Mobility Element.

Vehicle Miles Traveled. The Mobility Element is consistent with Senate Bill (SB) 743 directing changes to the California Environmental Quality Act (CEQA) guidelines that established Vehicle Miles Traveled (VMT) as the transportation metric analyzed under CEQA, effective July 1, 2020. Using VMT as the transpor-

tation CEQA metric is intended to emphasize statewide goals related to infill development, transit investments, promotion of public health through active transportation, and reduction of GHG emissions over local needs to manage traffic congestion on local road networks.

Transportation impact analysis under CEQA is no longer based on level of service (LOS), which focused on motor vehicle delay. The new CEQA standards require transportation impacts associated with development be assessed primarily on the effects of VMT.

While LOS is no longer related to CEQA, LOS-based performance goals remain relevant for non-CEQA planning purposes and as a tool for the City to ensure its roadway system meets the expectations of the community on critically-important roadways.

Transportation Setting

The city of American Canyon is located in southern Napa County, about 35 miles northeast of San Francisco. Adjacent and south of the city limits is the city of Vallejo in Solano County. North of the city limits, the cities of Napa, , St. Helena, Calistoga, and the Town of Yountville are located along State Route 29 (SR 29) which is a main route to wine country destinations. As with American Canyon, these jurisdictions are bisected by SR 29.

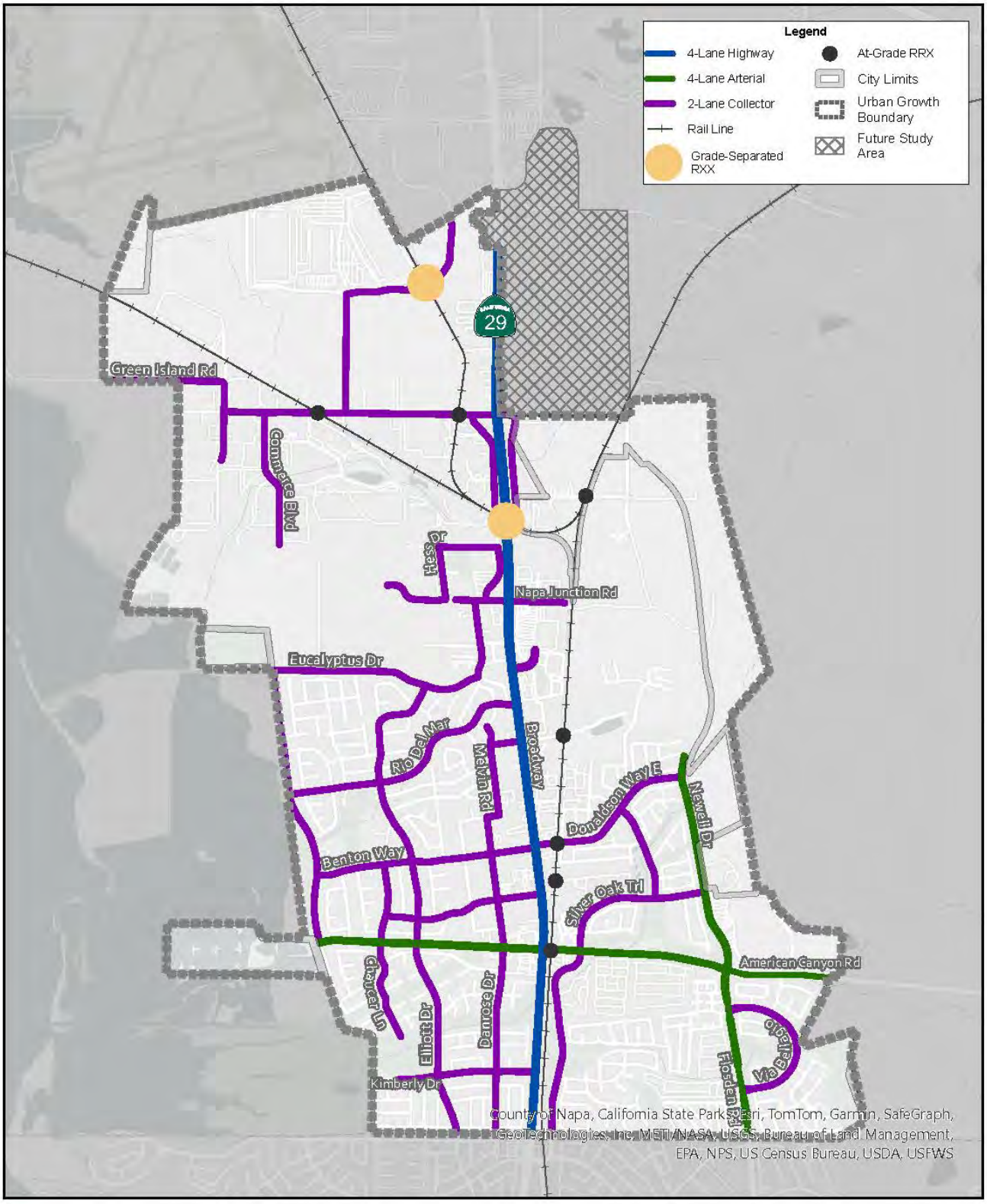
American Canyon had an estimated population of 21,800 in 2020, an increase from 19,454 in 2010 and 9,774 in 2000. It is the second most populated city in the County after the city of Napa. With its recreational options, local wineries, and proximity to Napa Valley, Sonoma County, the East Bay, San Francisco, and easy access to Sacramento, American Canyon sees many different types of roadway users each day.

State Route 29 runs through the city mostly at-grade and serves as a main thoroughfare for local and pass-through traffic. In addition, American Canyon roadways serve a variety of users including pedestrians, bicyclists, transit riders, passenger cars, and heavy trucks for freight, with a mix of local, recreational, and regional trips.

MOB-Figure 1 shows the existing mobility system map. Traffic to and from the I-80 corridor is served by American Canyon Road and Jameson Canyon Road (SR 12). Access to and from Vallejo and the East Bay, including the Counties of Contra Costa and Alameda, is provided via Flosden Road and SR 29. To and from the north, access is provided via SR 29 and SR 12, which also collects traffic from the rest of Napa County. Marin and Sonoma counties to the west and northwest may also access the city using SR 29 via SR 37.

Rail transportation in the City is currently limited to freight service only. No commuter rail service exists in the city or county. The main rail line in the city is owned by Union Pacific Railroad Company and enters the city parallel to and on the east side of SR 29 at the Solano County line.

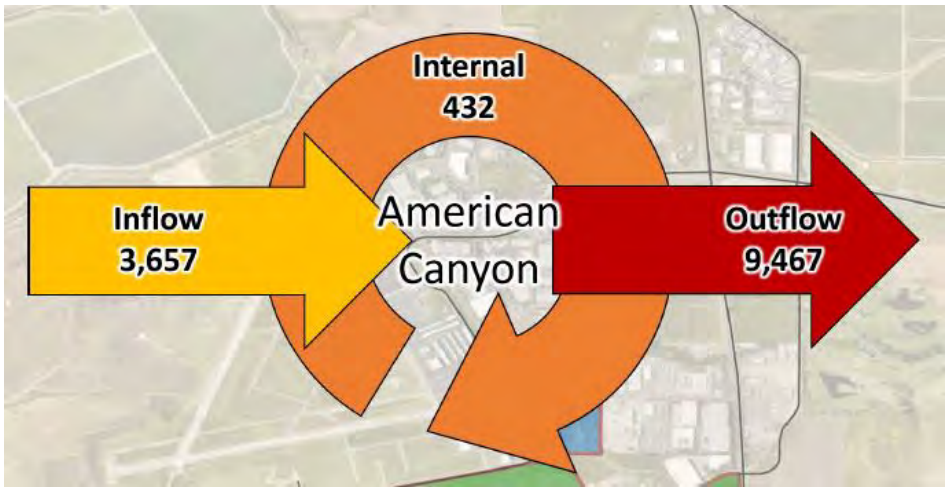
MOB-Figure 1: Existing Mobility System Map



Local Travel Trends

The U.S. Census Bureau provides data on the "journey to work" in its decennial census and American Community Survey databases. MOB-Figure 2 shows commuting patterns in and out of American Canyon. Of the 4,089 people employed in the American Canyon, 432 live in the city and 3,657 commute in from other areas. More than 9,000 American Canyon residents commute out of the city for work.

MOB-Figure 2: Employment Inflow-Outflow Travel Patterns (2017)



American Canyon residents overwhelmingly commute to and from work by automobile, with nearly 79 percent driving to work alone and 14 percent carpooling in recent years as shown on CIR-Table 1. Only approximately 3 percent of residents commute to work by multimodal means, with 2.4 percent commuting by public transit, and less than 1 percent walking or bicycling to work.

MOB-Table 1: Means of Transportation to Work (Residents)

	1990	2000	2010	2018
Single-Occupancy Vehicle	73.9%	73.3%	78.2%	78.5%
Carpool	21.4%	20.6%	13.7%	14.1%
Work from Home/Other	1.5%	3.3%	3.8%	2.9%
Public Transit	0.8%	1.5%	2.0%	2.4%
Motorcycle or Other	73.9%	0.2%	0.7%	1.3%

Source: US Census Bureau, 1990 and 2000 Summary files, and American Community Survey (ACS) 5-Year Estimates for 2006- 2010 and 2014-2018.

As shown on CIR-Table 2: while the majority of American Canyon residents commute less than 25 miles to work, nearly 1,500 residents (15-percent) must travel more than 50 miles for work each day. American Canyon employed residents have heavy commute patterns south and north of the city, and the majority of these residents travel north to the city of Napa.

MOB-Table 2: Travel Time to Work (Residents)

Travel	Number	Percent
Less than 10 miles	2,977	30.1%
10 to 24 miles	3,514	35.5%
25 to 50 miles	1,920	19.4%
Greater than 50 miles	1,488	15.0%
Total	**9,899**	**100.00%**

Source: US Census Bureau, Center for Economic Studies, LEHD On the Map.

During the five-year period between 2017 and 2021, there were two fatal and five severe injury collisions recorded for the roadways under the City of American Canyon's jurisdiction. There were two fatal and 10 severe injury collisions on SR 29. MOB Figure -3 shows the locations of fatal and severe injuries.

Active Transportation

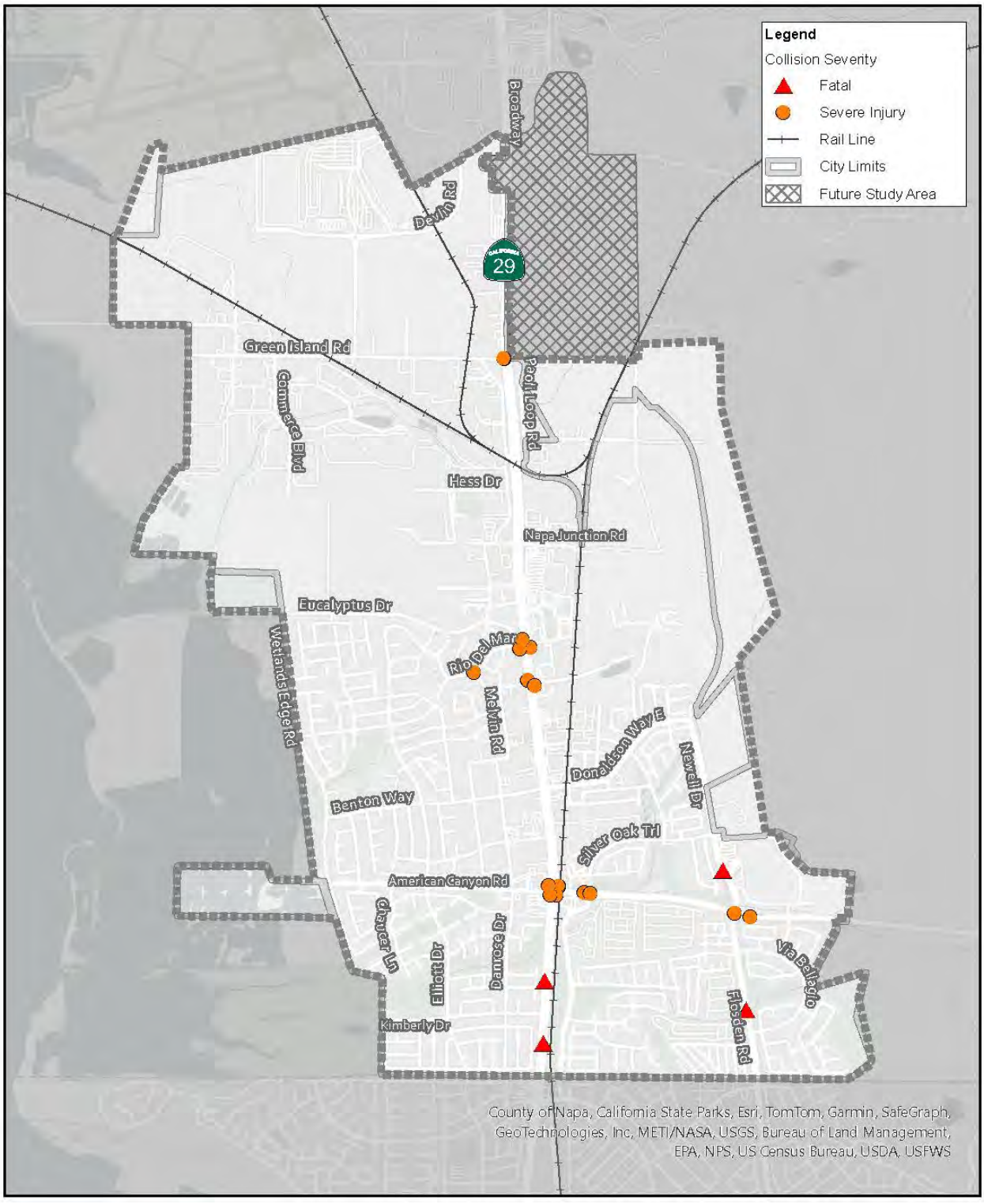
There are currently over 13 miles of bicycle network within American Canyon, including over 8 miles of Class I multiuse paths, 2.8 miles of Class II bike lanes, and over 2 miles of Class III designated bicycle routes on public roadways. While most of the city has sidewalks, given the rural character of many older neighborhoods and the lack of a centralized downtown area, several areas of the city have limited or lacking pedestrian infrastructure. There is minimal sidewalk coverage along SR 29, which serves as the main commercial corridor through the center of American Canyon. MOB-Figure 4 shows the locations of collisions involving bicyclists from 2017-21, which are concentrated on American Canyon Boulevard. MOB-Figure 5 shows the locations of collisions involving pedestrians from 2017-21 which primarily occurred on SR 29 and American Canyon Boulevard.

Public Transit Service

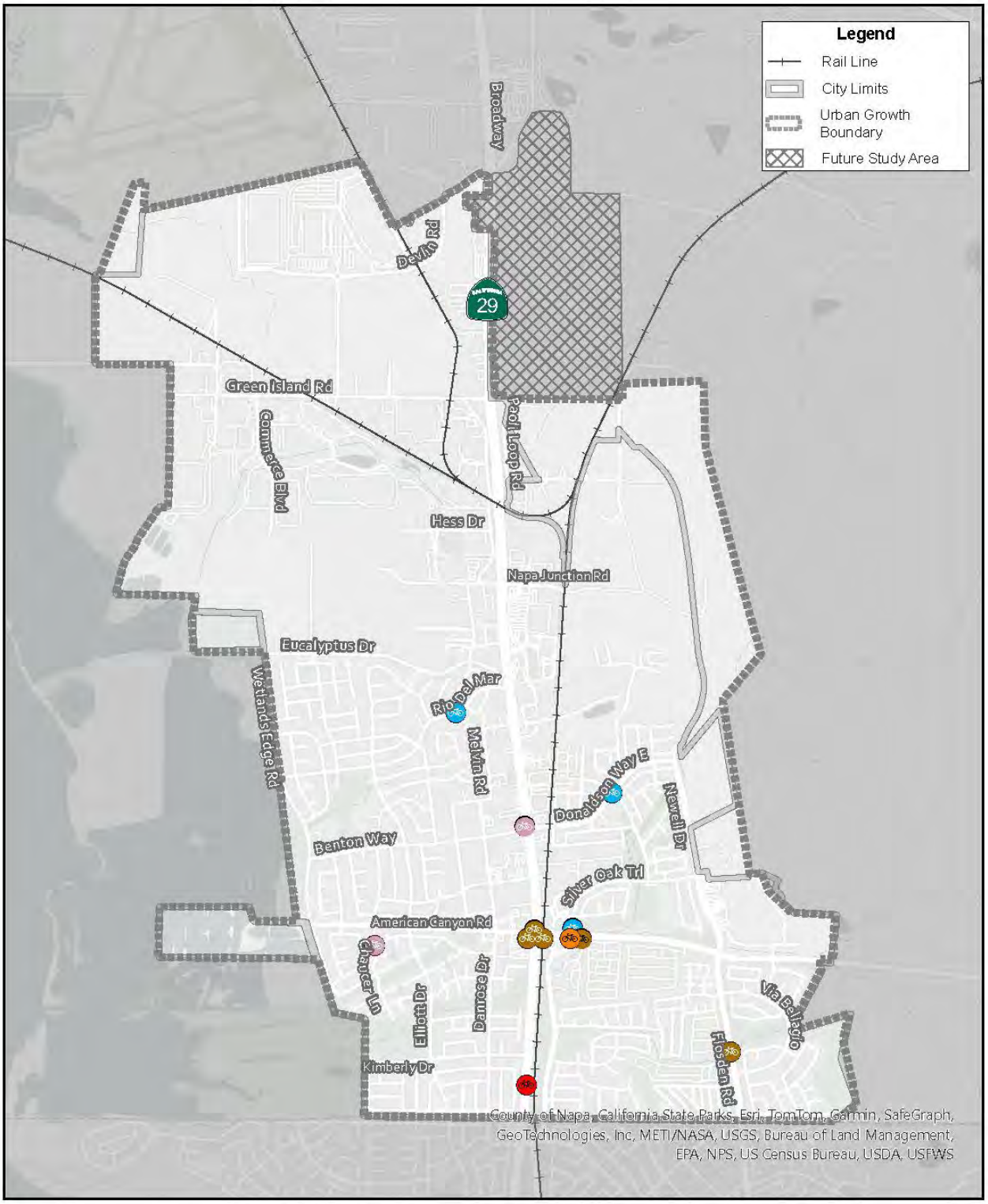
Public transportation within the city is provided by American Canyon Transit, which is a part of the Napa Valley Transportation Authority (NVTA) Vine Transit system. American Canyon Transit is a fixed route and on-demand, door-to-door, transit service within specific areas of the city. Vine's Route 29 (Napa-BART) Express connects the BART Station in El Cerrito to the Redwood Park-n-Ride in

the city of Napa and stops in American Canyon at the Post Office on Crawford Way.

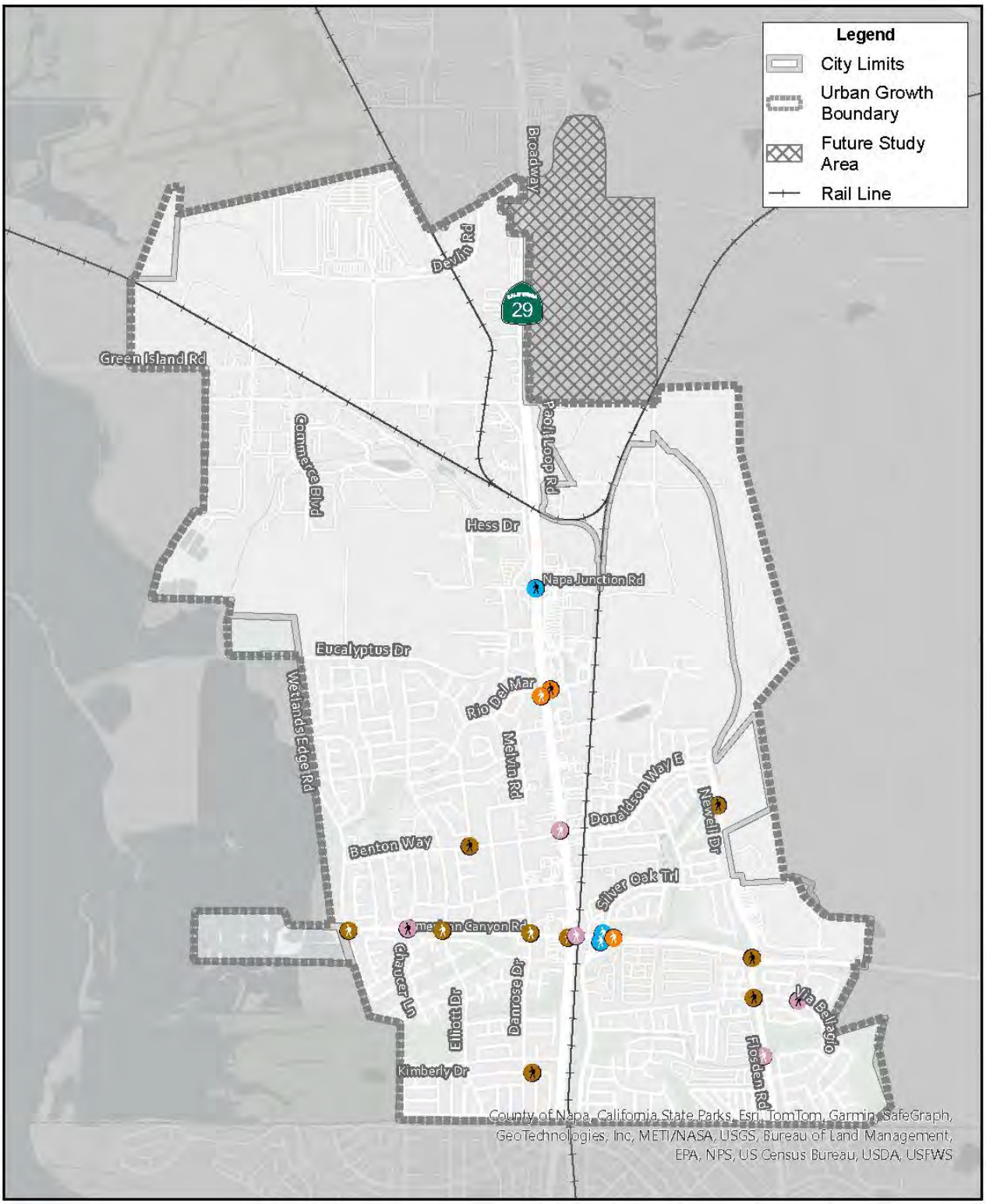
MOB-Figure 3: Fatal and Severe Injury Collision Locations 2017-21



MOB-Figure 4: Bicycle Collision Locations 2017-21



MOB-Figure 5: Pedestrian Collision Locations 2017-21



Airport

The Napa County Airport is just northwest of the city limits in unincorporated territory. ~~It is a General Aviation airport with charter flights available, but no scheduled commercial flights. The airport can accommodate most private aircraft including jets, up to 120,000 pounds.~~ The airport was built by the United States Army Air Force in 1942 and was deeded to Napa County after World War II for civilian use. The nearest general passenger airports are in Oakland, San Francisco, and Sacramento.

Land use planning in the airport area is subject to the Napa Airport Land Use Compatibility Plan which was adopted by the Napa County Airport Land Use Commission in December 2024. ~~In 2010, the Napa County Airport Land Use Commission deemed the American Canyon General Plan in conformance with the Napa Airport Land Use Compatibility Plan (#P109-0002-ALUC).~~

Justification: Updates the status of the Napa County Airport Land Use Plan and the evolving capacity to accommodate aircraft.

Street System Plan

The planned street network will provide an efficient transportation system that includes a citywide network of complete streets. A commitment to providing complete streets is a key to effective transportation planning and will maximize the effectiveness of the existing street network.

Street Classifications

American Canyon consists of a network of complete streets. These streets play an integral role in connecting the city to other destinations in Napa County, the adjacent city of Vallejo, Solano County, and the San Francisco Bay Area. MOB-Figure 6 shows the planned buildout street network based on the following classifications:

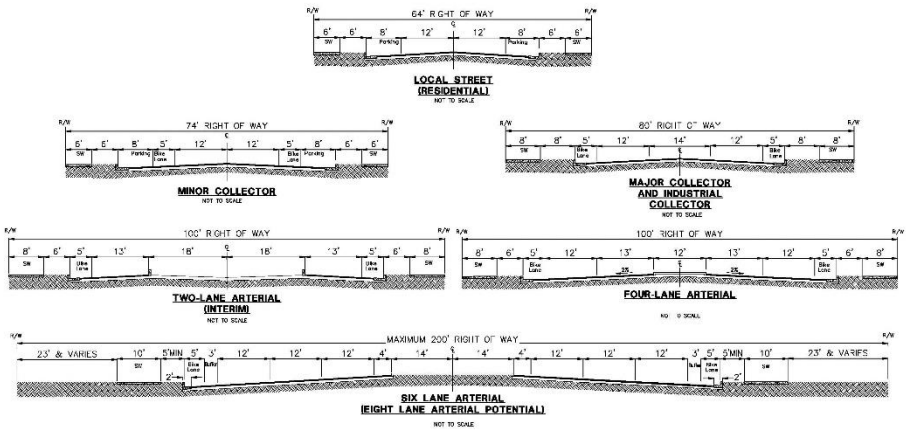
- **Arterial Streets.** Arterial facilities serve all travel modes and connect areas of major activity within the urban area. Arterials also distribute motor vehicle traffic from freeways/highways to collector streets. Within the city, arterial streets provide four motor vehicle lanes with bicycle lanes and sidewalks, and maximum operating speeds currently ranging from 30 to 45 mph, including American Canyon Road, Flosden

Road, and Newell Drive. State Route (SR) 29 is a Regional Arterial that bisects the city and provides interregional access to the city of Vallejo in the south, and the rest of Napa County to the north. SR 29 serves a dual purpose of providing local cross-town circulation for all travel modes, as well as serving significant regional travel primarily by motor vehicle, including public transportation. The regional travel contains two components - regional "through" traffic that does not originate or terminate in the city, and regional-local "commute" traffic that originates in the city but terminates outside, or vice-versa.

- **Collectors.** Collector streets serve all travel modes and function as connector routes between local and arterial streets and provide access to residential, commercial, and industrial property. Collector streets within the city typically provide two motor vehicle lanes (one per direction) with current maximum operating speeds of 30 mph and include Broadway Street, Eucalyptus Drive, Green Island Road, Rio Del Mar, and Donaldson Way, Commerce Boulevard, among others.

- **Local Streets.** Local streets provide direct access for all travel modes to abutting properties and allow for localized movement of traffic. Local streets are characterized by low daily traffic volumes and current operating speeds of 25 to 30 mph.

MOB-Figure 6: Standard Roadway Cross Sections



SR 29 Corridor Planning

Broadway (SR 29) is a four-lane highway through American Canyon. Between Napa Junction Road and American Canyon Road, Broadway defines the City's character to our residents, business community, and thousands of drivers that pass through our City each day. Local planning efforts have resulted in the development of preliminary concepts for SR 29 that have been presented to the public through workshops for input and comment.

Planning for the State Route 29 (SR 29) corridor is an issue of significant importance not only for the city, but for the entire region. Both Solano County to the south and Napa County to the north rely on SR 29 for mobility-for work, school, shopping, and recreation.

As a State facility, Caltrans plays an important part in approving and funding improvements to SR 29. State funding for improvements is provided through Caltrans, and planning efforts require approval from Caltrans prior to implementation.

Currently, the Napa Valley Transportation Authority (NVTA) in partnership with the City, is preparing the American Canyon Multimodal Improvement Project. This effort is considering two Options for improving Broadway between Napa Junction Road and American Canyon Road. Both Options contemplate landscape and pedestrian improvements, and multimodal features. Option 2 would maintain the existing 4-lane roadway configuration with roundabouts at major intersections.

MOB-Figure 7: American Canyon Multimodal Improvement Project Option 2

Newell Drive Extension

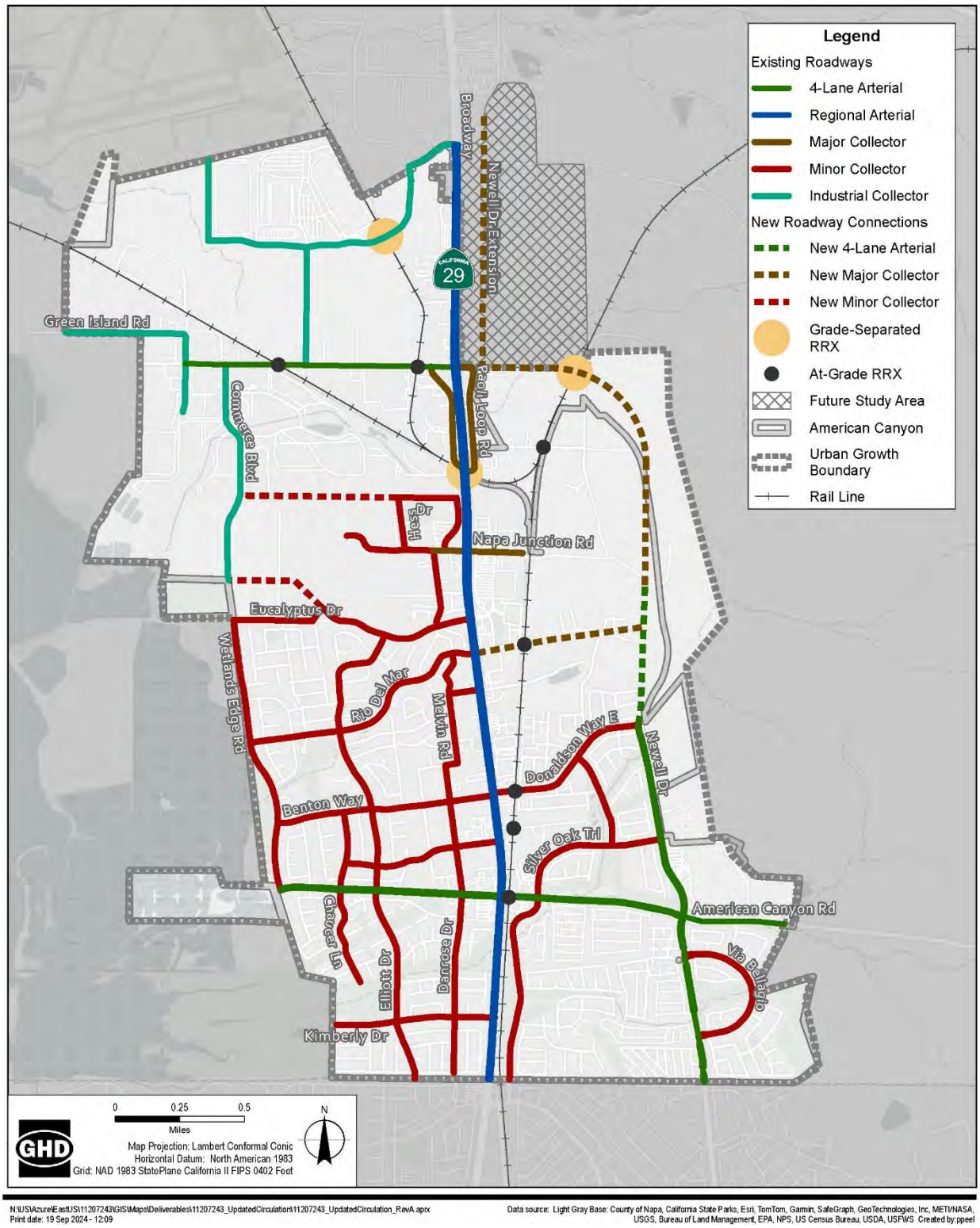
The Mobility Element street network includes extension of Newell Drive north from its current terminus concurrent with future development. MOB-Figure 8 shows the ~~planned~~ **conceptual** future alignment of Newell Drive. **The precise alignment will be determined through future planning processes**. As envisioned, Newell Drive would eventually connect American Canyon Boulevard in the south with SR 29 at Green Island Road and would also connect with North Kelly Road to the north of American Canyon. The future extension would be a 2-lane collector with one motor vehicle lane in each direction, bicycle lanes and sidewalks.

Justification: The modified language clarifies that the future Newell Drive alignment will be known when precise engineering occurs.

Vision Zero

The Mobility Element includes Vision Zero goals and policies. Vision Zero aims to eliminate all traffic fatalities and severe injuries, while increasing safe, healthy, and equitable mobility for all. Traffic deaths and injuries can be reduced over time by prioritizing traffic safety as a public health issue. The City of American Canyon Local Roadway Safety Plan (LRSP) identifies safety countermeasures to improve safety.

MOB-Figure 8: General Plan Mobility System Map



Bikeway Network Plan

American Canyon is ideally situated for bicycle and pedestrian mobility, with a generally flat topography, scenic landscapes in the Newell Open Space and Napa River Wetlands a short distance to the east, west, and north. Combined with the Napa Valley Vine Trail, the goal is to interconnect American Canyon as well as the surrounding communities in the County with a seamless bicycle network for recreational and commuter use. The plan includes proposed bicycle and pedestrian trails, as well as on-street bicycle facilities to complete the partial network already in place in the city and county.

Types of Bikeways

Four classes of bikeways are defined by Caltrans:

- **Class I Multi Use Path.** Typically known as bike paths, Class I facilities are multi-use facilities that provide a completely separated right-of-way for the exclusive use of bicycles and pedestrians with cross flows of motorized traffic minimized.
- **Class II Bike Lane.** Known as bike lanes, Class II facilities provide a striped and signed lane for one-way bicycle travel on each side of a street or highway. The minimum width for bike lanes ranges between four and five feet depending upon the edge of roadway conditions (curbs). Bike lanes are demarcated by a six-inch white stripe, signage and pavement legends.

- **Class Ill Bike Route.** Known as bike routes, Class Ill facilities provide signs for shared use with motor vehicles within the same travel lane on a street or highway. Bike routes may be enhanced with warning or guide signs and shared lane marking pavement stencils. While Class Ill routes do not provide measures of separation, they have an important function in providing continuity to the bikeway network.

- **Class IV Separated Bikeway.** A Class IV Bikeway is for the exclusive use of bicycles and includes a separation between the bikeway and adjacent vehicle traffic. The physical separation may include flexible posts, grade separation, inflexible physical barriers or on-street parking. Separated bikeways generally operate in the same direction as vehicle traffic on the same side of the roadway. However, two-way separation bikeways can also be used, usually in lower speed environments (35 miles per hour or less).

Example of a Class IV Separated Bikeway

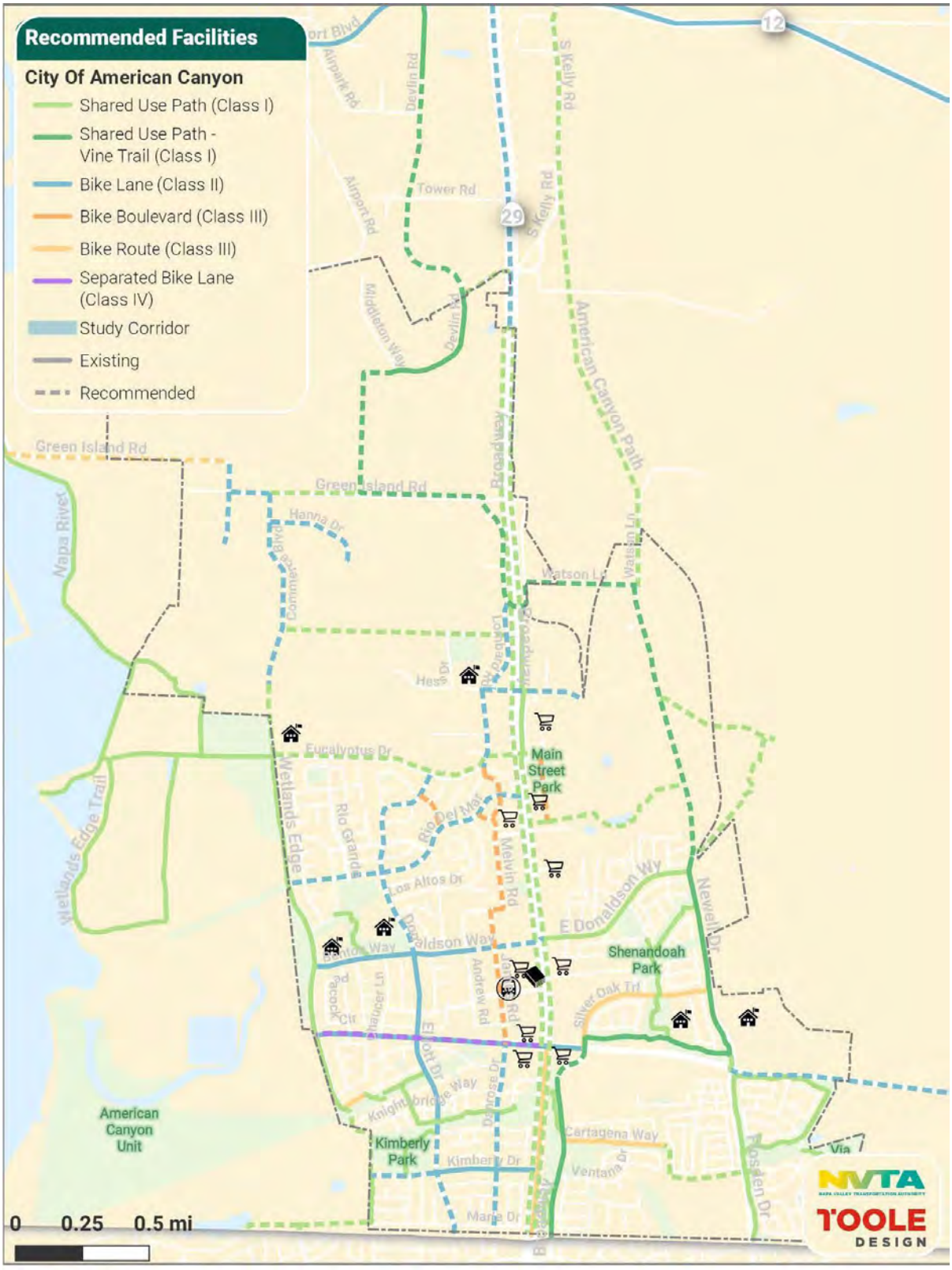
Currently, bikeway facilities separated from vehicular traffic in American Canyon include a network of recreational pathways located throughout the community in City parks and on the American Canyon Creek corridor, a north-south Class I Multi-use Path along Flosden Road and Newell Drive, and a Bay Trail pathway on Wetlands Edge Road. Class II bike lanes are provided on Elliot Drive, Broadway Street, Benton Way, Donaldson Way, American Canyon Road, and Kimberly Drive. Connecting gaps in the planned trail network is a high priority for the City.

Bicycle Plan

The City adopted a Bicycle Plan in 2020 (Resolution 2020-11) which is incorporated into the General Plan as Appendix 4-1. The Bicycle Plan was prepared by the NVTA in accordance with the California Bicycle Transportation Act as part of the Napa Countywide Bicycle Plan. The plan was coordinated with

extensive public outreach and existing City and Regional Plans at the time of its adoption. The Bicycle Plan adoption was one of several City actions implementing SB 375, the Sustainable Communities Strategy Act. MOB-Figure 9 shows the Bikeway Plan map.

MOB-Figure 9: Bikeway Plan Map



Pedestrian Plan

The City adopted a Pedestrian Master Plan into the General Plan in 2017 (Resolution 2017-42) which is incorporated into the General Plan as Appendix 4-2. The Pedestiran Plan was prepared by the NVTA in accordance with the Caltrans Active Transportation Program (ATP) Guidelines, which outline statewide requirements for what should be included in active transportation plans. Together with the Bicycle Plan, the Pedestrian Plan creates an Active Transportation Plan that will position American Canyon to effectively compete for project funding. MOB-Figure 10 shows the Pedestrian Plan Priority Improvements map.

MOB-Figure 10:Pedestrian Plan Priority Improvements Map

Planned Street Network Improvements

To provide complete streets and correlate existing and planned land uses within the city, mobility improvements will be needed. Major street improvement locations are summarized on CIRC-Table 3.

MOB-Table 3: Major Circulation Improvements

Street	From (South or East)	To (North or West)	Classification
State Route 29	Southern City Limits	Northern City Limits	See NVTA PID Report
Newell Drive	Rio Del Mar	SR 29/Green Island Road	2-Lane Major Collector
Newell Drive	Paoli Loop	S. Kelly Road	2-Lane Major Collector
Newell Drive	Donaldson Way	Rio Del Mar	4-Lane Arterial
Green Island Road	Western Terminus	Easter Terminus	3-Lane Arterial
West Side Connector	Commerce Boulevard	Hess Drive	2-Lane Major Collector
Eucalyptus Drive	Theresa Avenue	SR 29	2-Lane Major Collector
Rio Del Mar or South Napa Junction Road (includes new at-grade railroad crossing)	SR 29	Newell Drive	2-Lane Major Collector
Napa Junction Road	Western Terminus	Theresa Avenue	2-Lane Minor Collector
Newell Drive Railroad Overcrossing	South of Railroad	North of Railroad	2-Lane Arterial Bridge Structure
American Canyon Road Pedestrian Crossing	East of SR 29	West of SR 29	Pedestrian Grade Separated Crossing
Donaldson Way Pedestrian Crossing	East of SR 29	West of SR 29	Pedestrian Grade

			Separated Crossing
Napa Junction Road Pedestrian Crossing	East of SR 29	West of SR 29	Pedestrian Grade Separated Crossing

Source: City of American Canyon

Goals and Policies

Goal MOB-1:

Provide safe and convenient access throughout the community with a citywide network of complete streets that meet the needs of all users and reduce vehicle miles traveled (VMT). (Source: New Goal)

Policies

MOB-1.1: **Complete Streets.** Maintain and update street standards that that serves not just automobile operations, but also multi-modal movement and adjacent land uses, including pedestrians, motorists, bicyclists, and transit riders of all ages and abilities, in a form that is compatible with and complementary to adjacent land uses, and promotes connectivity between uses and areas. *(Source: Existing Policies 1.7 and 1.19, modified)*

MOB-1.2: **Complete Street Standards**. Review current arterial, collector, and local street standards and update as necessary to conform to best practice classification standards and NACTO complete streets guidelines. *(Source: New Policy)*

MOB-1.3: **Street Design Standard Exceptions**. Consider exceptions to adopted street standards by the City Engineer subject to substantial evidence included in an Engineering Design Standard Exception application. *(Source: Existing Policies 1.19 and 1.21, modified)*

MOB-1.4: **Development Review**. Evaluate new development to ensure that the safety, comfort, and convenience of pedestrians, bicyclists and transit users are given an equal or greater level of

consideration to motor vehicle operators. *(Source: Existing Policy 1.19, modified)*

Justification: Fostering greater mobility with pedestrians, bicyclists and transit users will further VMT and other health objectives in the General Plan.

MOB-1.5: **Sidewalks.** Require sidewalks on all arterial and collector streets. Where feasible, separate sidewalks from streets on arterials and collectors with landscaping including a tree canopy to create shade. *(Source: Existing Policy 1.19, modified)*

MOB-1.6: **Transportation Facility Construction and Modification.** When constructing or modifying transportation facilities, strive to provide for the movement of vehicles, commercial trucks, alternative and low energy vehicles, transit, bicyclists, and pedestrians appropriate for the road classification and adjacent land use. *(Source: Existing Policy 1.19, modified)*

MOB-1.7: **Promote Walking and Bicycling.** Promote walking and bicycling for transportation, recreation, and improvement of public health and the environment. *(Source: Existing Policy 2.1, modified)*

Justification: The language change reflects environmental benefits from reducing reliance on automobiles.

MOB-1.8: **Discourage SR 29 Traffic on City Streets.** Design the city circulation system to discourage regional traffic from bypassing SR 29 and impacting City streets. *(Source: Existing Policy 1.3, modified)*

MOB-1.9: **SR 29 Mobility.** Work with regional partners, including Caltrans, NVTA, and other agencies to explore a complete streets approach that will expand the travel capacity of SR 29 and establish a low-stress method for crossing for students walking and biking to school and other active transportation users *(Source: Existing Policy 1.3, modified)*

Justification: The language change reflects that a low-stress walking environment will further Complete Streets.

MOB-1.10: **Circulation System Design.** Provide and maintain a City circulation system that is correlated with planned land uses in

the city and surrounding areas in the. *(Source: Existing Policy 1.4)*

MOB-1.11: **Reduce the Need to Drive.** Implement land use policies designed to create a pattern of activity that makes it easy to shop, play, visit friends, and conduct personal business without driving. *(Source: Existing Policy 2.4)*

MOB-1.12: **Neighborhood Context.** Support safe, complete, and well-connected neighborhood street, bicycle, and pedestrian access and connections that balance circulation needs with the neighborhood context. *(Source: Existing Policy 1.5)*

MOB-1.13: **Multimodal Level of Service.** Strive to achieve and maintain a Multimodal LOS D or better during peak hours recognizing that LOS D may not be achievable or cannot be maintained upon full buildout of the General Plan, due to traffic generated from sources beyond the control of the City. The following locations that may not achieve or maintain LOS D are as follows and therefore will be exempt from the LOS D policy: (1) Green Island Road; (2) Devlin Road; (3) American Canyon Road (4) Newell Drive; and (5) Flosden Road south of American Canyon Road. *(Source: Existing Policy 1.6, modified)*

MOB-1.14: **Street Improvement Design.** The street facility classifications indicated on the General Plan Circulation Map shall be the standard to which roads needing improvements are built to support the traffic generated by General Plan Land Use Element buildout, and therefore represent the buildout standards to which a street segment or intersection shall be improved. *(Source: Existing Policy 1.8, modified)*

MOB-1.15: **Existing Facility Use.** Make efficient use of existing transportation facilities and improve these facilities as necessary in accordance with the Circulation Map and NVTA Active Transportation Plan as it may be updated over time. *(Source: Existing Policy 1.9)*

Justification: The NVTA prepares plans that are adopted into the General Plan as standalone documents. The additional language acknowledges the contribution these documents make to improve transportation efficiency.

MOB-1.16: **Agency Coordination.** Coordinate with State, Regional, County, and neighboring agencies to ensure highway improvements (i.e.: SR-12, SR-29, and SR-37) appropriately consider impacts to American Canyon. *(Source: Existing Policy 1.10, modified)*

MOB-1.17: **Reduce Vehicle Miles Traveled.** Through layout of land uses, improve alternate travel modes, provide more direct routes for all modes of travel, and strive to reduce total vehicle miles traveled by city and non-residents traveling to American Canyon to work or shop. *(Source: Existing Policy 1.11, modified)*

Justification: Revised language focuses on priority to accommodate all modes of travel.

MOB-1.18: **Circulation System Enhancements.** Achieve, maintain, and improve mobility in the city in accordance with the Circulation Map, support multimodal travel of all users and goods, explore creative circulation system enhancements that increase system capacity, and consider, where feasible, improvements in addition to those identified on the Circulation Map, where feasible and appropriate. *(Source: Existing Policy 1.12, modified)*

MOB-1.19: **Financing Program.** Maintain a transportation financing program that will fund to the greatest extent feasible planned transportation network consistent with the General Plan, including Transportation Impact Fee (TIF) program funding consistent with AB 1600. *(Source: Modified Existing Policy 1.13)*

MOB-1.20: **Bicycle Plan Funding.** Include funding for the City's Bicycle Plan updates and bikeway improvements consistent with the Bicycle Plan in the City's transportation financing program and TIF, recognizing the multi-modal travel needs of the City. *(Source: Existing Policy 2.11)*

MOB-1.21: **Address Mobility Needs.** Recognize and meet the mobility needs of persons using wheelchairs and those with other mobility limitations. *(Source: Existing Policy 2.2)*

MOB-1.22: **Non-motorized Circulation System.** Provide safe, low stress, and direct pedestrian routes and bikeways between places. *(Source: Existing Policy 2.3)*

Justification: Revised language to highlight that low-stress networks are more enjoyable, and will be used more frequently.

MOB-1.23: **Pedestrian Connections to Employment Destinations**. Encourage the development of a network of continuous walkways within new commercial, town center, public, and industrial uses to improve workers' ability to walk safely around, to, and from their workplaces. Where possible, route pedestrians to grade separated crossings over State Route 29. *(Source: Existing Policy 2.18)*

MOB-1.24: **Bicycle Facilities.** Bicycle facilities shall be provided to complete a continuous low stress bikeway system, consistent with ~~state~~ adopted bikeway standards, as shown on the current Bikeway Plan Map. ~~In cases where existing right-of-way constraints limit development of Class II or Class IV facilities, Class III signage and demarcation may be permitted at the discretion of the City Engineer.~~ Deviations from ~~these~~ adopted bikeway standards shall be permitted with the approval of the City Engineer. ~~and~~ Deviations from the routing shown on the adopted bikeway diagram shall be permitted with the approval of the City ~~Engineer~~ Council. *(Source: Existing Policy 2.5, modified)*

Justification: The revised language addresses a greater range of possibilities in the future and better clarifies responsibility for technical approvals by the City Engineer and policy approvals by the City Council.

MOB-1.25: **Street Trees.** Ensure that street tree plans consider shade and comfort for pedestrians and bicyclists and traffic calming benefits. *(Source: Existing Policy 2.6, modified)*

MOB-1.26: **Universal Design.** Provide pedestrian facilities that are accessible to persons with disabilities and ensure that roadway improvement projects address accessibility by using universal design concepts such as bus pullouts and shelters, street lighting, and curbside management features such as pickup/drop-off locations for shared ride/ transit network companies and spaces for delivery vehicles to park safely for short durations. *(Source: Modified Existing Policy 2.7)*

MOB-1.27: **Sustainable Roadway Expansion.** Monitor the effects of roadway expansion on air, noise, seismic and archeological resources, and nesting habitat. *(Source: New Policy).*

MOB-1.28: **Coordination with Adjacent Jurisdictions**. Coordinate with adjacent jurisdictions to ensure connected and consistent non-vehicular facilities, including bridges, grade-separate crossings, as appropriate. *(Source: New Policy).*

Goal MOB-2:

A safe transportation system that eliminates traffic-related fatalities and reduces non-fatal injury collisions. (Source: New Goal)

Policies

MOB-2.1: **Vision Zero.** Strive for the elimination of all traffic fatalities and severe injuries while increasing safe, healthy, and equitable mobility for all. *(Source: New Policy)*

MOB-2.2: **Context Sensitive Design.** Apply a context sensitive design lens to improve multimodal transportation safety by expanding the City's non-motorized transportation infrastructure ~~using context sensitive design.~~ *(Source: New Policy)*

Justification: Improves focus on context sensitive design by moving the phrase to the beginning of the policy.

MOB-2.3: **Bicycle ~~Safety~~ Facilities Maintenance.** Increase the safety of ~~those traveling by~~ bicycle travel by sweeping debris ~~from~~ and repairing bicycle paths and lanes and repairing and restriping worn or damaged surface facilities. *(Source: Existing Policy 2.14)*

Justification: Emphasizes bicycle safety through facilities maintenance more holistically.

MOB-2.4: **Improved Bikeway Visibility.** Consistent with evolving best practices, upgrade existing bikeways using all means available, such as conflict markings, buffers, rumble strips, and delineators. Use visual cues, such as brightly colored paint on bike lanes or a one-foot painted buffer strip, along bicycle routes to provide a visual signal to drivers to watch out for bicyclists. ~~and~~ Nurture a "share the lane" ethic, prioritizing bikeways with recent automobile-bicycle collisions and those that are routes to school. *(Source: Existing Policy 2.16, modified)*

Justification: Further elaborates on the need to stay current with best practices to improve bicycle safety and visibility.

MOB-2.5: **Speeds on Residential, Collector, and Arterial Streets**. ~~Explore innovative ways~~ Implement the current Traffic Calming Program to

reduce vehicular speeds through residential neighborhoods with evidence-based best practices ~~to posted speed limits~~, such as ~~implementing traffic calming strategies such as~~: enhanced crosswalks, lighted crosswalks, speed cushions, reduced lane widths, and others. *(Source: New Policy)*

Justification: The revised wording emphasizes the need to consider best practice traffic calming measures.

MOB-2.6: **Site Designs and Safety**. Ensure, through the development review process, that development projects follow best design practices to reduce conflicts between multiple travel modes. *(Source: New Policy)*

MOB-2.7: **Stakeholder Partners.** Partner with public, nonprofit, and community stakeholders to secure dedicated funding for the education and infrastructure needs of the Countywide Safe Routes To School Partnership to provide safe and equitable access for students going by active transportation to local schools.

Justification: This new policy recognizes that stakeholder partners can elevate the City's ability to achieve many goals by furthering active transportation.

MOB-2.8: **Bicycle Friendly Community.** Obtain resources to assist with improving bicycle facilities and education for people of all ages and abilities by securing and maintaining status as a Bicycle Friendly Community awarded by the National League of American Bicyclists.

Justification: Tapping into the national League of American Bicyclists will provide resources and funding to further our bicycle system and local bicycle education and awareness.

Goal MOB-3:

Support safe evacuation routes in the event of an emergency. (Source: New Goal)

Policies

MOB-3.1: **Parallel North-South Roadway**. Prioritize construction of roadways that provide alternate vehicle access parallel to

Highway 29 through American Canyon and coordinate continuation of parallel routes outside the City with Regional Agencies. *(Source: New Policy)*

MOB-3.2: **Evacuation Routes.** Identify important roadways that would serve as evacuation routes in the event of an emergency. *(Source: New Policy)*

MOB-3.3: **Natural Hazard Awareness Week.** Coordinate with the American Canyon Fire Protection District to conduct outreach to the community on emergency evacuation routes in our community. *(Source: New Policy)*

MOB-3.4: **Evacuation Route Obstacles.** Evaluate potential physical conditions that could impede an evaluation route. Examples include overhead utility poles, dead/ dying trees, aging infrastructure. *(Source: New Policy)*

Goal MOB-4:

Support mobility programs that reduce reliance on fossil fuel. (Source: New Goal)

Policies

MOB-4.1: **Transit Electrification.** Support NVTA in its efforts to electrify the transit fleet. *(Source: New Policy)*

MOB-4.2: **Municipal Fleet**. Prepare a plan to systematically replace the City's vehicle fleet to electric. *(Source: New Policy)*

MOB-4.3: **Effects of New Technologies**. Monitor and evaluate the development of convenient new electric mobility technologies (e.g., scootershare and bikeshare). *(Source: New Policy).*

MOB-4.4: **Expand Electric Charging Stations**. Evaluate regulatory and incentivized processes and funding mechanisms to streamline new electric vehicle charging stations at the lowest possible cost. *(Source: New Policy).*

Public Transportation

American Canyon has a variety of public transportation options including fixed route systems and demand-responsive systems as well as local systems and regional systems.

American Canyon Transit

American Canyon Transit (ACT) is a part of the Napa County Transit (VINE) family of services operated by the NVTA. ACT is a bus service that provides a 90-minute round trip route through the city on weekdays between 7:30 AM and 6:00 PM. ACT provides one main route served by two buses, ACT-1 and ACT-2, as well as a Peak Service route during the morning. The ACT buses will deviate from routes and provide on-demand service as time permits for disabled and senior citizens.

Route ACT-1 Southbound starts at 6 am weekdays from the ACT bus stop on Main Street next to Wal-Mart. ACT-1 travels southbound via Rio Del Mar to Donaldson Way and continues (blue route on Figure 5) Route ACT-2 Northbound starts at 10 am weekdays from the ACT bus stop on James Street at Crawford Way. ACT-2 travels easterly via Donaldson Way to southbound Shenandoah and continues (blue route on Figure 6).

The AM Peak Service makes two loops in the AM. The first loop is from the Wal-Mart bus stop at 7:25 am, and the second loop is from the Rio Del Mar/Eucalyptus intersection (7-Eleven) bus stop (green route on Figure 6). This route is designated as the "American Canyon High School" route, as depicted on the bus front signs.

VINE

VINE provides services outside the ACT routes between several cities in Napa County. Within the City, Route 10, and VINE 29 offer bus stops within the city limits. Route 10 (purple route on Figure 6) runs from Napa Valley College in the city of Napa to the city of Vallejo and stops at SR 29/Rio Del Mar and at the American Canyon Senior Center on Elliot Drive between Knightsbridge Way and Kimberly Drive.

VINE 29 (yellow route on Figure 6) is a commuter express route from Calistoga to El Cerrito Del Norte BART and the Ferry Terminal in Vallejo. Vine 29 stops at the American Canyon Post Office at SR 29/Crawford Way. Both of these routes are available throughout the week. VINE Go is also an available door-to-door dedicated service for qualifying disabled and senior citizens.

Goals and Policies

Goal MOB-5:

Support increased public transit to improve mobility, improve air quality, and support efforts to reduce vehicle miles traveled (VMT. (Source: New Goal)

Policies

MOB-5.1: **VMT Thresholds**. Maintain and periodically reevaluate established vehicle miles traveled (VMT) thresholds and Transportation Demand Management (TDM) mitigation requirements for the purposes of environmental review under the California Environmental Quality Act (CEQA). Continue to maintain LOS standards for the purposes of planning and designing street improvements on Green Island Road, Devlin Road, and American Canyon Road. *(Source: New Policy)*

MOB-5.2: **Existing Transportation Demand Management Efforts**. Continue to support the implementation of existing local and regional efforts to manage traffic demand, such as the Napa Logistics Park trip monitoring program, and employer TDM provisions of the Bay Area Air Quality Management District (BAAAQMD). *(Source: New Policy)*

MOB-5.3: **Support Transit Operation Improvements.** Work with NVTA to expand both ACT and VINE fixed route services, improve operations, and support dedicated bus lanes and/or queue-jump lanes on SR 29 to enhance bus operations by reducing travel time for transit vehicles. *(Source: Existing Policies 3.2 and 3.3, modified)*

MOB-5.4: **Demand-Responsive Transit.** Support NVTA's demand responsive transit system. *(Source: Existing Policy 3.4)*

MOB-5.5: **Transit Stops.** Work with NVTA to situate transit stops at locations that are convenient for transit users and promote increased transit ridership through the provision of shelters, benches, bike racks on buses, and other amenities. *(Source: Existing Policy 3.8)*

MOB-5.6: **Transit Service Funding.** Encourage NVTA to continue to pursue Federal and State funds to subsidize capital and operating costs associated with transit operation in the city. *(Source: Existing Policy 3.6, modified)*

MOB-5.7: **Future Transit Links.** Consider orienting transit system expansion to link with other potential future commuter bus and/or rail services. *(Source: Existing Policy 3.13, modified)*

MOB-5.8: **Transit Services Marketing**. Support NVTA efforts to encourage ridership on public transit systems through marketing and promotional efforts. Provide information to residents and employees on transit services available for local and regional trips. *(Source: Existing Policy 3.9)*

MOB-5.9: **Support VINE Services.** Continue to support the VINE service provided by NVTA. *(Source: Existing Policy 3.14)*

MOB-5.10: **Transit Supportive Development**. Ensure that new development is designed to make transit a viable transportation choice for residents, including neighborhood centers or focal points with sheltered bus stops; locating medium and high-density development on or near streets served by transit wherever feasible; and link neighborhoods to bus stops by continuous sidewalks or pedestrian paths. *(Source: Existing Policy 3.11)*

MOB-5.11: **Transit for Seniors**. Require new community care facilities and senior housing projects with over 25 beds to provide accessible transportation services for the convenience of residents. *(Source: Existing Policy 3.10)*

MOB-5.12: **SB 375 Implementation**. Coordinate with other agencies to implement regional transit solutions as part of the SB 375 Sustainable Communities Strategy. *(Source: Existing Policy 3.12)*

MOB-5.13: **Park and Ride Facilities**. Continue to encourage additional regional public transportation services and support facilities, such as park and ride lots near Broadway (SR-29). *(Source: New Policy)*

MOB-5.14: **Effects of New Technologies on Transit Use**. Monitor and evaluate the development of new mobility technologies (such as rideshare, microtransit, and potentially commuter rail

transit) and the potential effects on transit demand and the way users access public transit. *(Source: New Policy)*

Goods Movement

Truck Routes

Truck routes are intended to carry heavyweight commercial, industrial, and agricultural vehicles through and around the community with minimum disruption to local auto traffic and minimum annoyance to residential areas. Due to the high level of existing and expected future light industrial activity in the northwest quadrant of the City, truck routes should be clearly designated so that intrusion of heavy vehicle traffic into residential areas can be avoided.

Green Island Road, and SR 29 are the City's designated truck routes. Currently, SR 29 carries significant truck traffic and is designated as a Surface Transportation Assistance Act (STAA) terminal access route. The 1982 Surface Transportation Assistance Act set standards for large trucks, known as STAA trucks, and set minimum truck sizes that states allow on the National Network including the Interstate System and other defined routes, such as SR 29.

Rail Transport

Rail transportation in the American Canyon is limited to freight service only. The main rail line is owned by Union Pacific Railroad Company and enters the city from the City of Vallejo parallel to and on the east side of SR 29.

The rail line continues on this trajectory diverting from the SR 29 alignment north of American Canyon Road. North of Napa Junction Road, the railroad line splits into three segments:

- One segment heads northeast parallel to Jameson Canyon Road towards the city of Fairfield.
- Another segment heads northwest under SR 29 and across Green Island Road toward the city of Sonoma.
- The third leg heads north past Napa County Airport, terminating just north of Kennedy Park in the city of Napa. This leg connects to the Napa Valley Wine Train.

The Napa Valley Railroad operates a tourist-oriented passenger train service between the City of Napa and St. Helena. The Wine Train makes multiple round trips per day between the two cities.

In 2003, the NVTA studied potential passenger rail service from the Vallejo Ferry Terminal north to St. Helena or Calistoga. The Napa/Solano Passenger/Freight Rail Study concluded that passenger rail service could be feasible. However, the service would require a significant subsidy with no current funding source.

In 2019, Sonoma-Marin Area Rail Transit (SMART) completed a Passenger Rail Service Feasibility Study for a 41-mile Novato to Suisun City corridor. This study determined that this corridor is feasible for passenger rail including a potential rail station in American Canyon.

Goals and Policies

Goal MOB-6:

Efficient and safe transport of goods by truck and rail. (Source: New Goal)

Policies

MOB-6.1: **Promote Safe and Efficient Goods Movement.** Promote the safe and efficient movement of goods via truck and rail with minimum disruptions to residential areas. *(Source: Existing Policy 4.1)*

MOB-6.2: **Promote Railroad Safety.** Maintain safe railroad crossings by coordinating road improvements at rail crossings with the California Public Utilities Commission. *(Source: Modified Existing Policy 4.2)*

MOB-6.3: **Passenger Rail Service**. Encourage regional transit agencies to evaluate passenger rail service with a station in American Canyon. *(Source: New Policy)*

MOB-6.4: **Location of Industrial Development.** Continue industrial expansion in the north industrial area to minimize the neighborhood impacts of truck movements. *(Source: Existing Policy 4.6)*

MOB-6.5: **Secure Truck Parking.** Encourage high-security off-street parking for tractor-trailer rigs in industrial designated areas. *(Source: Existing Policy 4.7)*

MOB-6.6: **Goods Movement Along City Arterials**. Continue to restrict truck traffic through the City to its arterial roadways in order to facilitate goods movement to regional facilities; continue to prohibit truck traffic on residential streets. *(Source: Modified Policy 4.4)*

MOB-6.7: **Truck Route Signage**. Ensure that clear signage is provided from regional gateways to truck routes in the City. *(Source: Existing Policy 4.3, modified)*

MOB-6.8: **Truck Route Design**. Incorporate provisions for trucks in the design of Industrial Collector streets and other designated truck routes. Ensure that truck routes are designed according to California and where appropriate STAA standards for intersections and turning movements. *(Source: Existing Policy 4.5)*

MOB-6.9: **Effects of New Technologies on Goods Movement**. Monitor and evaluate the development of new technologies and trends (such as e-commerce) and the potential effects on the goods movement network (including increased curbside loading demand). *(Source: New Policy)*

Goal MOB-7:

Improve the mobility system with fiscally-sound financing methods. (Source: New Goal)

Policies

MOB-7.1: **Funding Sources.** Leverage existing available funding methods and sources to fund the transportation system in American Canyon while also researching innovative funding sources at the federal, state, regional, and county levels. *(Source: New Policy)*

MOB-7.2: **New Development.** Ensure new development projects contribute their fair share to transportation network

improvements and that existing funding commitments are met. *(Source: New Policy)*

MOB-7.3: **Monitor Funding.** Monitor fee programs and regular funding mechanisms to ensure adequate funding for programmed transportation improvements**.** *(Source: New Policy)*

MOB-7.4: **Regional Funding.** Maintain standards to qualify for regional transportation revenues and engage regional agencies to provide adequate transportation funding to local jurisdictions. *(Source: New Policy)*

Implementation Programs

	Programs	Implements Which Policy(ies)	Responsible Supporting Department(s)	2023 – 2025	2026 – 2030	2031 – 2040	Annual	Ongoing
A	**Capital Improvement Program** Update the Capital Improvement Program annually to incorporate necessary circulation system improvements. *(Source: Existing Policy 1.19)*	MOB-1.1 MOB -1.2 MOB -1.7 MOB -1.8 MOB -1.9 MOB -1.13 MOB -1.18 MOB -1.19	Public Works City Manager				■	
B	**Update Street Standards**. Update the City's street standards based on the complete streets guidelines published by the National Association of City Transportation Officials (NACTO). *(Source: New Program)*	MOB -1.1 MOB -1.2	Public Works	■				
C	**Active Transportation Plan.** Prepare and update every five years an Active Transportation Plan to replace the Bicyle Master Plan and include pedestrian faclities. The Plan should include a full range of facilities for bicycle travel, including Class I bike/multiuse paths, Class II bike lanes, Class Ill bike routes, and Class IV separated bikeway to provide a continuous system of bikeways trhoughout the city. *(Source: New Program that includes Existing Policy 2.5, modified)*	MOB -1.6 MOB -1.19 MOB -1.22 MOB -1.23	Public Works	■	■	■		
D	**Update Transportation Impact Analysis (TIA) Guidelines.** Update and adopt Transportation Impact Analysis (TIA) guidelines to include VMT and a Multimodal LOS assessment methodology for the evaluation of potential transportation impacts resulting from new development. *(Source: Existing Policy 1.26)*	MOB -1.2 MOB -1.3	Pbulic Works	■				
E	**Transportation Impact Fee.** Maintain and update the transportation impact fee (TIF) program consistent with AB 1600. *(Source: Existing Policy 1.13, modified)*	MOB -1.18	Public Works					■
F	**Active Transportation Funding.** Annually allocate TIF funds for the Active Transportation Plan updates and bikeway design and improvements consistent with the Active Transportation Plan implementation program. *(Source: Existing Policies 2.8 and 2.11, modified)*	MOB -1.18 MOB -1.19	Public Works					■

	Programs	~~Implements~~ Which Policy(ies)	Responsible Supporting Department(s)	2023 – 2025	2026 – 2030	2031 – 2040	Annual	Ongoing
G	**Bicycle use by City employees.** Establish a program to encourage bicycle use among City employees. *(Source: Existing Policy 2.11)*	MOB -1.6	Public Works		■			
H	**Bicyle Facility Development and Maintenance.** Prepare and update every five years a bike facility development and maintenance program that includes the following provisions: • signage consistent with according to Caltrans or City standards • lighting where needed; • bicycle paths and lanes on bridges and overpasses; • bicycle-safe drainage grates; • bikeways free of hazards such as uneven pavement or gravel; • merging or crossing signage where bike routes and paths make transitions into or across roadways; • promoting classes on bicycle safety in the schools in coordination with the Napa Valley Unified School District; and • sweeping debris from and repairing bicycle paths and lanes. *(Source: Existing Policy 2.14, modified)*	MOB -1.12 MOB -1.17 MOB -1.19 MOB -2.3 MOB -2.4	Public Works					■
I	~~**Parking and Congestion Pricing.** Prepare a study to evaluate the feasibility of implementing parking and/or congestion pricing, working with Caltrans as appropriate when considering congestion pricing strategies for SR 29. *(Source: Existing Policy 5.1, modified)*~~ ***Justification:*** This measure is not tied to a policy.	N/A	Public Works		■			

	Programs	~~Implements~~ Which Policy(ies)	Responsible Supporting Department(s)	2023 – 2025	2026 – 2030	2031 – 2040	Annual	Ongoing
J	**Pedestrian Crosswalk Installation.** Install clearly marked crosswalks at intersections near all commercial uses, as well as clearly marked pedestrian paths within parking areas. While mid-block crossings are discouraged, if conditions warrant and are approved by City Engineer, crosswalks and signage indicating pedestrian activity should be installed at mid-block entrances where existing commercial uses are adjacent to other high-intensity uses, such as parks and schools where necessary for safety. Where possible, pedestrians should be roiuted to grade separated crossings over State Route 29. *(Source: Existing Policy 2.17, modified)*	MOB -1.6 MOB -1.22	Public Works					■
K	**Pedestrian Connections to Schools.** Continue developing the existing network of walkways between schools and residential uses, and encourage the development of new continuous walkways between schools and residential uses. Where possible, route pedestrians to grade separated crossings over State Route 29. *(Source: Existing Policy 2.19)*	MOB -1.6 MOB -1.21	Public Works					■
L	**Vision Zero.** Prepare and update every five years a Vision Zero program and install safety countermeasures consistent with the results and recommendations of the Local Roadway Safeway Plan (LRSP). *(Source: New Program)*	MOB -2.1 MOB -2.2 MOB -2.2 MOB -2.4	Public Works		■			
M	**Truck Facilities Financing.** Prepare an analysis of possible funding sources, including user fees, to help finance truck routes and truck parking areas. *(Source: Existing Policy 4.8, modified)*	MOB -4-1 MOB -4.2 MOB -4-3 MOB -4.4	Public Works		■			
N	**Railroad Crossing Safety Program.** Continue the ongoing comprehensive program to improve the condition and safety of existing railroad crossings by upgrading surface conditions and installing signs and signals where warranted. Participate in railroad safety education, such as Operation Lifesaver activities when offered. *(Source: Existing Policy 4.9)*	MOB -4-1 MOB -4.2	Public Works					■

	Programs	~~Implements~~ Which Policy(ies)	Responsible Supporting Department(s)	2023 – 2025	2026 – 2030	2031 – 2040	Annual	Ongoing
O	**New Railroad Crossings.** Provide new crossings across the railroad (UPRR) in conjunction with the planned roadway improvements shown on the Circulation System map to ensure at least one cross-town route is maintained in case rail activity interrupts local and regional traffic flow and/or emergency access. New crossings will be at Newell Drive (grade separated); and Rio Del Mar or South Napa Junction Road (initially at-grade, may be grade separated in the future). *(Source: Existing Policy 4.10, modified)*	MOB -4-1 MOB -4.2	Public Works		■			

5 Utilities

The quality, capacities, and capabilities of the public facilities, utilities, and infrastructure enhances community livability and economic potential. This Element focuses on policies to improve and maintain public facilities, utilities, and infrastructure that sustain households, businesses, and future population and employment growth.

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Water Infrastructure and Supply

A reliable source of water sustains our population, economy, and ensures long term growth. This section focuses on American Canyon's existing potable water system, including water sources, treatment capabilities, and conservation practices.

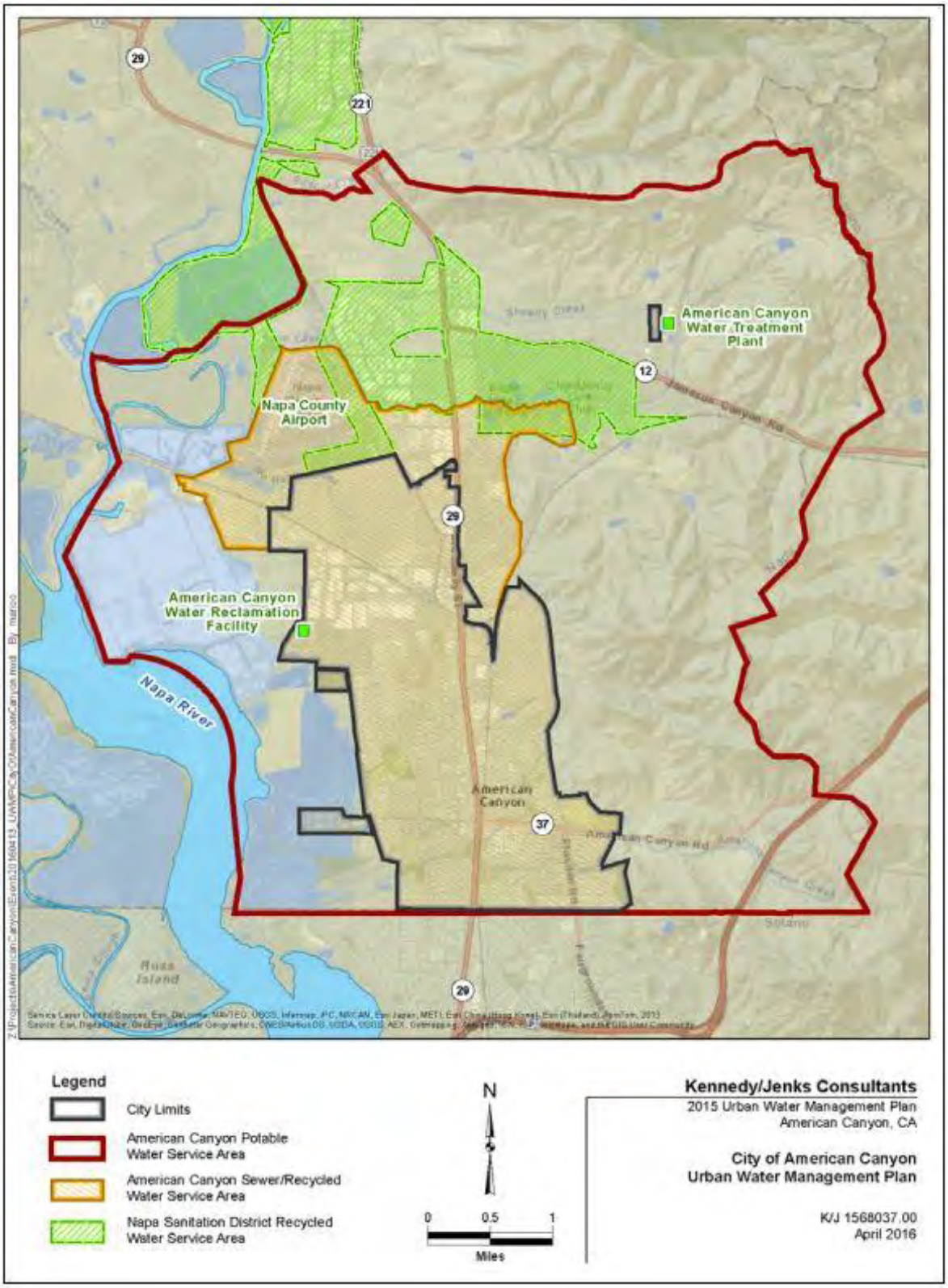
Water/Wastewater Service Area

At the time of City incorporation in 1992, the City acquired the water and wastewater services provided by the American Canyon County Water District. As a subsidiary agency, the water system is owned and operated by the City and governed by a five-member City Council.

- The City's water service area is approximately 30 square miles (see Figure 3-1) and comprises of the following areas:
- The City itself, which is approximately 6 square miles and includes residential, commercial, industrial and agricultural users;
- The commercial/industrial areas in and around the Napa County Airport located north of the City (unincorporated Napa County), which covers approximately 5 square miles; and
- The largely open space/agricultural areas to the west, east and north of the City limits (unincorporated Napa County), which include agricultural users and a small number of single-family residential customers who represent "legacy" accounts that were originally connected and served by the American Canyon County Water District.

A graphic depicting the historical water service area is shown on the figure below.

U-Figure 1: American Canyon Water Service Area



Water Supply

The City's water supply primarily comes from the State Water Project. The State Water Project is designed, constructed, operated, and maintained by the California department of Water Resources and supplies water for 25 million Californians.

Lake Oroville is the largest State Water Project reservoir, one of 21 reservoirs that collects water for distribution. The water travels to American Canyon through several miles of the North Bay Aqueduct (NBA) and is delivered to tanks near the Jameson Canyon Road water treatment plant.

The City also receives supplemental water purchased from the Cities of Napa and Vallejo.

In 2017, the City became a partner in the Sites Reservoir Project, an environmentally beneficial, off-river reservoir that will capture excess water from major storms and save it for drier periods. This Project will help California's farms, businesses, and cities continue to supply reliable water when other sources are low.

The City also produces and delivers recycled water to meet demand to private customers for agriculture, industrial, toilet flushing in apartment and commercial uses, and landscape irrigation.

According to the draft 2020 Urban Water Management Plan, the City anticipates it can meet water demands through the planning horizon year of 2045.

Potable Water Treatment

Raw water received through the North Bay Aqueduct system must be treated before potable use. American Canyon owns and operates a water treatment plant located at 250 Kirkland Ranch Road. The plant uses two processes to treat water, a conventional sedimentation and filtration process and a membrane filtration process. In total, the plant produces up to 5.5 million gallons of potable water each day within the water service area across 5,621 connections. The plant consistently meets the highest quality standards set forth by State and Federal regulations.

Water Conservation

Climate change is causing higher average temperatures, a decrease in precipitation, and longer and more frequent heat waves and droughts. These climatic conditions overall increase water demand. A key component to water reliability and adaptation to climate change is conservation. The City's Zero Water Footprint directs that conservation offset new potable water demand. These and other measures will be implemented to ensure adequate water supply and responsible water usage. The following are some of the water conservation programs the City is implementing to further conservation efforts.

Water Conservation Ordinances

American Canyon has adopted three ordinances to help further its conservation efforts. The first aims to reduce the amount of wasted water and the second and third require new developments to use water efficient landscaping techniques.

Water Metering

All potable and recycled water customers are metered and billed on a monthly basis. City staff reads meters on a monthly basis, utilizing meter reading to both document demand reductions from conservation and high-water use.

Conservation Pricing

American Canyon uses a tiered rate structure method to encourage water conservation. The tiered rate structure incentivizes conservation by reducing rates for low water users, while progressively increasing the cost per gallon for high water users. Since 2007, American Canyon has applied tiered water rates to all single-family residential users.

Public Education and Outreach

American Canyon is actively involved in water conservation through public outreach and education. City programs include distributing free water saving devices (i.e., shower heads, faucet aerators, shower timers), rebates for high efficiency toilets and clothes washing machines, public outreach through the City website, and the "Cash for Grass" program, which pays homeowners to replace turf with water efficient landscaping.

Goals and Policies

Goal U-1: Water Reliability

Establish and maintain a secure water supply and treatment, distribution, and storage system to serve the land uses proposed under the general plan. (Source: Existing General Plan, Goal 5, modified)

Policies

U-1.1: **Supplemental Surface Water.** Support efforts to increase water supply from a variety of sources, such as participation in the Sites Reservoir programs with other NBA users to obtain supplemental surface water through a water transfer from another area, investment in the Sites Reservoir, local rainwater capture, and other feasible sources. *(Source: General Plan, Policy 5.2.2 modified)*

U-1.2: **Facility Upgrades.** Require construction of upgraded and expanded, distribution, storage, and treatment facilities to support existing and new development. *(Source: Existing General Plan, Policy 5.7.1, modified)*

U-1.3: **Upgrade Responsibilities.** Ensure that improvements to the existing water supply, distribution, storage, and treatment facilities are borne by project proponent in proportion to benefit; either through the payment of fees, or by the actual construction of the improvements. *(Source: Existing General Plan, Objective 5.8, Policy 5.8.1, modified)*

U-1.4: **Urban Water Management Plan.** Prepare a framework for long-term water planning consistent with the State Urban Water Management Planning Act (UWMP Act), by preparing and adopting an Urban Water Management Plan (UWMP) once every five years. *(Source: New Policy)*

U-1.5: **Adequate Supply Prior to Occupancy.** Implement a Will Serve Process to ensure adequate water supply, distribution, storage, and treatment facilities is available to serve a project prior to the issuance of certificates of occupancy. *(Source: Existing General Plan, Policy 5.7.1 modified)*

U-1.6: **Water Service Priority**. Consistent with State Law, in times of constrained water service expansion capacity, prioritize affordable housing developments as defined in California Government Code 65589.7 or any successor statute. The second priority is provided to water connections and services to residences and businesses located within the city corporate boundaries. *(Source: New Policy, ACMC Section 13.10.020)*

U-1.7: **Extraterritorial Water Service Customers.** Ensure existing water service customers located outside the City limits pay appropriate water rates consistent with Hansen v. City of San Buenaventura (1986) 42 Cal.3d 1172 or latest legal precedent. *(Source: New Policy)*

Goal U-2: Water Conservation

Establish policies that make the most efficient use of our water resources ~~to~~ for a variety of public benefits, such as: improve water reliability, reduce greenhouse gas emissions, and minimize environmental impacts from drawing water from the environment. (Source New Goal)

Policies

U-2.1: **Zero Water Footprint.** Ensure new development offsets potable water demand by funding or constructing potable water conservation efforts elsewhere in the water delivery system. *(Source: New Policy)*

U-2.2: **City Facilities Retrofits.** Improve water use efficiency at City facilities through retrofits, recycled water usage, and employee education. *(Source: New Policy)*

U-2.3: **Retrofits Existing Buildings.** Promote existing buildings upgrades to support water conservation by encouraging owners of residential, commercial, and industrial properties to replace inefficient plumbing fixtures, install drought-tolerant and water-wise landscaping, and harvest rainwater for landscaping and other household uses. *(Source: New Policy)*

U-2.4: **Conservation Applications.** Promote the use of water-saving plumbing fixtures and water-saving landscaping in existing

development throughout the water service district. *(Source: Existing General Plan, Policy 5.4.1)*

U-2.5: **Recycled Water Use.** Subject to State regulations and organizational capacity, consider new ways that recycled water can replace potable water. *(Source: New Policy)*

U-2.6: **Recycled Water Distribution System.** Conserve potable water by expanding the availability of recycled water (i.e., purple pipes) throughout the city. *(Source: New Policy)*

Wastewater

Wastewater collection and treatment is essential. American Canyon ensures wastewater is properly handled and reused for beneficial purposes. This section provides an overview of the City's wastewater collection and treatment systems.

Infrastructure and Collection

Wastewater collection and treatment services are provided by the City's Maintenance and Utilities Department. The Sewer Collection responds to reports of sewer spills and back-ups and monitors environmental compliance and water quality regulations. The City's sewer infrastructure consists of 53 miles of gravity pipelines, five pump stations, five miles of sewer force mains, and the American Canyon Water Reclamation Facility (WRF). This infrastructure collects and treats wastewater from both domestic and industrial customers. The City has plans to further develop this infrastructure to address population growth.

Treatment

The American Canyon Water Reclamation Facility (WRF) treats domestic and industrial wastewater flows from the city. The treatment plant discharges treated wastewater it to the Napa River, via wetlands ponds, or to the City's recycled water distribution system. The WRF was designed to treat an average flow of 2.5 million gallon per day (mgd) and has a wet weather capacity of 5.0 mgd. Average treatments flows in 2018 ranged from 1.54 to 1.62 mgd, which is well below the facility treatment capacity.

Recycled Water

American Canyon supplements its water supply with recycled water. *(Source: American Canyon StoryMaps)* The City adopted a Recycled Water Implementation Plan in 2005, and has been working to expand its recycled water system in order to further reduce the City's reliance on imported water supply.

The City's Water Reclamation Facility (WRF) has the ability to produce recycled water that meets the Title 22 standards for disinfected tertiary water, which is suitable for a wide range of uses such as landscape irrigation in residential and commercial areas, school yards, parks and playgrounds. Title 22 (California Code of Regulations, Division 4, Chapter 3, §60301 et seq.) is the regulation that establishes the level of treatment, water quality standards and the types of uses for recycled water for the purpose of protecting public health.

Napa Sanitation District (NSD) also provides wastewater collection/treatment and recycled water services for northern portions of the City's potable water service area. In addition, some users in the northern part of the City's water service area receive recycled water from Napa Sanitation District (NSD).

This is an example of recycled water and purple piper infrastructure.

NSD provides wastewater collection/treatment and recycled water services for the City of Napa and portions of unincorporated Napa County. In 2015, NSD provided approximately 210 acre-feet of recycled water for landscape and agricultural irrigation to customers located within the City of American Canyon's potable water service area. NSD is also planning to expand its recycled water distribution, including to agricultural and commercial landscape irrigation users within the City's potable water service area.

American Canyon operates a Residential Recycled Water Fill Station open to residents on a drop-in basis. The station is located at the City's Corporation Yard, 205 Wetlands Edge Road. After a brief training on the applicable uses for the water, residents are provided up to 300 gallons free of charge. Recycled water taps are purple to easily distinguish them from standard potable water pipes.

Goals and Policies

Goal U-3: Wastewater Treatment Capacity

Establish and maintain adequate planning, construction, maintenance, and funding for wastewater collection and treatment facilities to support land uses; upgrading existing deficient systems, and expanding, where necessary, in the City's service area. (Source: Existing General Plan, Goal 5E, modified)

Policies

U-3.1: **Demand Requirements for Facilities.** Through the Capital Improvement Plan process, ensure wastewater collection and treatment facilities are installed, maintained, and upgraded in a timely manner to meet usage requirements and maximize cost efficiency. *(Source: Existing General Plan, Objective 5.15, Policy 5.14.2, and Policy 5.14.3 modified)*

U-3.2: **Capacity Demand.** Require all new development to evaluate sewer capacity demand during the discretionary review process. *(Source: Existing General Plan, Policy 5.14.5 modified)*

U-3.3: **Fiscal Obligations.** Ensure wastewater infrastructure impact fees reflect the proportional increase in demand from new development. *(Source: Existing General Plan, Objective 5.16, Policy 5.16.1, modified)*

U-3.4: **Alternatives Sustainable Approaches.** Consistent with best practices, evaluate environmentally and economically efficient wastewater treatment systems, such as the artificial marshland wastewater treatment system. *(Source: Existing General Plan, Policy 5.14.8, modified)*

U-3.5: **Wastewater Service Priority**. Consistent with State Law, in times of constrained wastewater service expansion capacity, prioritize affordable housing developments as defined in California Government Code 65589.7 or any successor statute. The second priority is provided to sewer connections and services to residences and businesses located within the city corporate boundaries. *(Source: New Policy ACMC Section 13.10.020)*

Flood Control and Storm Drainage

Stormwater is rainwater that does not quickly soak into the ground. Stormwater flows from rooftops, over impervious paved areas, and through lawns and fields. As it flows, runoff collects into streams and rivers that transport soil, pesticides, fertilizer, oil and grease, leaves, litter, and other potential pollutants into local waterbodies. Due to its geographical location near sensitive watersheds, American Canyon plays a vital role in collecting stormwater runoff and preventing pollution that could be distributed in the surrounding sensitive environments.

Stormwater Infrastructure

The City of American Canyon Maintenance and Utilities Department oversees municipal storm drainage facilities within the city limits. The City's storm drainage system collects stormwater runoff and discharges the water to the Napa River through a system of on-street storm drain inlets, ditches, detention basins, ponds, and bio-swales designed to increase groundwater infiltration and reduce sediment and pollutants.

Flooding and Flood Control

Seasonal flooding along the Napa River Watershed is a regular occurrence. In fact, there have been at least 22 serious floods on the river since 1865. During heavy rain, low-lying areas of American Canyon are subject to flooding along natural creeks and low-lying areas around the city.

According to the San Francisco Bay Conservation & Development Commission (BCDC), sea level rise from global warming has risen water levels in San Francisco Bay nearly eight inches over the past century, and the rate of sea level rise is accelerating. Since 2008, the BCDC has served as the State agency responsible for leading the Bay Area's preparedness for, and resilience to, rising sea level, tides, and storm surge due to climate change.

Rising sea levels (SLR) will have widespread impacts on the Bay Area. Adapting to this hazard will cost billions of dollars over the next several decades.

Goals and Policies

Goal U-4: Flood Control

Establish and maintain adequate planning, construction, maintenance, and funding for storm drain and flood control facilities to support permitted land uses and preserve public safety. (Source: Existing General Plan, Goal 5C, modified)

Policies

U-4.1: **Storm Drainage Maintenance.** Maintain existing public storm drains and flood control facilities and construct upgraded and expanded storm drain and flood control facilities, where necessary, to protect existing and accommodate new permitted development. *(Source: Existing General Plan, Policy 5.10.1 modified)*

U-4.2: **Maximize Pervious Surfaces.** Consistent with engineering standards, minimize storm water runoff from new development with pervious surface materials (grass, ground cover, and other). *(Source: Existing General Plan, Policy 5.10.18 modified)*

U-4.3: **Financial Obligations.** Ensure new storm drain and flood control facility costs are borne by the project proponent in proportion to benefit; either through the payment of fees, or by constructing new improvements. *(Source: Existing General Plan, Objective 5.11, Policy 5.11.1, modified)*

U-4.4: **National Flood Insurance Program.** Continue to participate in the National Flood Insurance Program. To this end, the City shall ensure that local regulations are in full compliance with standards adopted by the Federal Emergency Management Agency (FEMA). *(Source: Existing General Plan, Policy 5.10.8)*

U-4.5: **Agency Coordination.** Coordinate with the Napa County Flood Control and Water Conservation District and other regional agencies and non-profit groups to maintain and improve levees and drainage channels. *(Source: Existing General Plan, Policy 5.10.14, modified)*

U-4.6: **Flood Control Channel Maintenance.** Ensure clearance of flood control channels routinely of vegetation and debris which could impede stormwater flows, while protecting significant riparian vegetation. *(Source: Existing General Plan, Policy 5.10.13)*

U-4.7: **Integrity of Levees.** Discourage uses that promote the erosion or structural deterioration of levees. *(Source: Existing General Plan, Policy 5.10.16)*

U-4.8: **Low Impact Development.** Require new developments to install green infrastructure consistent with the best management practices of the State and the San Francisco Bay Regional Water Quality Control Board, including but not limited to pervious pavement, infiltration basins, raingardens, green roofs, rainwater harvesting systems, and other types of low impact development (LID). *(Source: New Policy)*

U-4.9: **Floodwater Diversions.** Implement engineering standards that prevent new development from increasing historical stormwater flows onto neighboring properties. *(Source: Existing General Plan, Policy 5.10.12 modified)*

U-4.10: **Development in Floodplains.** Ensure the City's Floodplain Ordinance is maintained with current standards and new development is designed consistent the Floodplain Ordinance. *(Source: Existing General Plan, Policy 5.10.9 and 5.10.10 modified)*

This is an example passive treatment system.

Goal U-5: Stormwater Quality

Maintain the quality of surface and subsurface water resources within the City of American Canyon and its Planning Area. (Source: Existing General Plan, Goal 5D, modified)

U-5.1: **Passive Treatment Systems.** Consistent with engineering standards and water quality regulations, reduce pollutant loading through passive treatment systems such as vegetated filter strips, grass swales, and infiltration/sedimentation areas in suitable open space areas and incorporated into landscaping adjacent to parking lots and streets. *(Source: Existing General Plan, Policy 5.12.1, modified)*

U-5.2: **Water Detention Facilities.** Consistent with engineering standards and water quality regulations, require new and existing development to include drainage detention facilities that enhance the quality of water discharges from the facility. *(Source: Existing General Plan, Policy 5.13.2 modified)*

U-5.3: **Impervious Area Water Treatment.** Implement engineering standards in new development that require stormwater treatment from impervious areas. *(Source: Existing General Plan, Objective 5.13, modified)*

U-5.4: **Storm Water Permitting.** Require industrial operations to obtain coverage under the State Storm Water Permit For Industrial Activities, and comply with provisions of the Permit, through notification and educational activities. *(Source: Existing General Plan, Policy 5.13.2 modified)*

Goal U-6: Climate Change Adaptation

Anticipate existing and future stormwater impacts of sea level rise and climate-change induced storm events. (Source: New Goal)

U-6.1: **Climate Change Vulnerability Assessment.** Use the best available science to forecast areas in the City that are vulnerable to climate change-induced flooding. *(Source: New Policy)* **Critical Infrastructure Adaptation.** Plan for and construct sea level rise protection for American Canyon Critical Infrastructure such as Public Works Yard, Wastewater Treatment Plant, and Pump Station. *(Source: New Policy – NCHMP Mitigation AC-04.2020)*

U-6.2: **Floodplain Management.** Evaluate the cumulative increase in offsite flooding potential impacts caused by new development projects that remove property from the 100-year floodplain. *(Source: New Policy)*

Solid Waste Disposal and Recycling

Waste collection and management is important to protect the environment and health of the population. Proper collection and disposal of waste is a large task that involves logistical planning and scientific understanding to balance environmental impacts and cost effectiveness. This section describes American Canyons current sold waste collection and disposal efforts.

Collection

Solid Waste collection is provided by Recology American Canyon under the Napa-Vallejo Waste Management Authority (NVWMA). NVWMA contracts collection, hauling, and disposal of solid waste from the cities of Napa, Vallejo, and unincorporated areas in southern Napa County. Recology provides residents with regular garbage, recycling, and green waste/compost pickup. Waste collected from American Canyon is sorted at the Devlin Road Recycling and Transfer Facility, located at 889 Devlin Road in American Canyon before it is sent to nearby landfills.

The Potrero Hills Landfill located in Solano County.

Disposal

Solid waste from American Canyon is directed to the Solano County Potrero Hills Landfill, located at 3675 Potrero Hills Lane, Suisun City. The Potrero Hills Landfill is a Class III landfill that accepts a variety of waste types, including mixed municipal, construction/demolition waste, agricultural, sludge (biosolids), industrial, and other designated wastes.

As of 2014, Potrero Hills Landfill accepted 97 percent of the City's total solid waste (i.e.: 12,896 tons). The Potrero Hills Landfill is expected to be in operation until 2048 with a remaining capacity of approximately 13 million cubic yards with up to 4,330 tons of waste per day.

On November 16, 2021, City Council adopted Ordinance No. 2021-08 modifying Title 8 (Health and Safety) of the American Canyon Municipal Code to add "Chapter 8.20 Mandatory Municipal Solid Waste, Recycling and Compost Material Disposal Reduction." A requirement of State Senate Bill 1383 (SB 1383), the Ordinance will:

- Divert 50 percent of organic waste from landfills below 2014 levels by 2020 and 75 percent by 2025;

- Set a goal to recover a minimum of 20 percent of currently disposed edible food for human consumption by 2025; and
- Require organics recycling education and outreach to all residents, businesses, haulers, and food recovery organizations

Goals and Policies

Goal U-7: Solid Waste Collection

Maximize source reduction, recycling, and composting in the solid waste disposal programs. (Source: Existing General Plan, Goal 5F)

Policies

U-7.1: **Waste Management Services.** Continue waste management service contracts to provide quality and cost-effective solid waste removal throughout the city and require all residents and businesses to comply with solid waste collection and recycling service requirements. *(Source: New Policy)*

U-7.2: **Levels of Service.** Conduct monitoring solid waste collection contractor operations to ensure franchise agreement service levels are maintained. *(Source: Existing General Plan, Policy 5.19.2)*

U-7.3: **Landfill Coordination.** Coordinate with the Napa-Vallejo Waste Management Authority (NVWMA) concerning the City's continuing use of the Potrero Hills Landfill. *(Source: Existing General Plan, Policy 5.19.3, modified)*

Goal U-8: Solid Waste Source Reduction

Achieve maximum public participation in source reduction, recycling, and composting activities through outreach programs. (Source: Existing General Plan, Goal 5G, modified)

U-8.1: **Recycling Education and Information.** Coordinate with Napa-Vallejo Waste Management Authority (NVWMA) and Recology to expand public information and education programs to

complement source reduction, recycling, and composting efforts. *(Source: Existing General Plan, Policy 5.20.1, modified)*

U-8.2: **Expansion of Recycling Programs.** Expand recycling programs through the local waste hauler. *(Source: New Policy)*

U-8.3: **Promotion of Recycling.** Promote the recycling of solid waste including but not limited to paper, metals, aluminum cans, green waste, cardboard, plastic and glass. *(Source: Existing General Plan, Implementation Program 15.61, modified)*

U-8.4: **Outreach to Schools.** Coordinate efforts at the local elementary and intermediate school level to provide youth education programs. *(Source: Existing General Plan, Implementation Program 15.62, modified)*

U-8.5: **Recycling Receptacles and Biodegradable/Recycled-Materials Products.** Require the availability of recycling and composting receptacles and use biodegradable or recycled-material products instead of single-use plastic products at all City facilities and City-sponsored events. *(Source: New Policy)*

U-8.6: **Zero Waste Community.** Support American Canyon in implementing policies and programs to become a Zero Waste Community. *(Source: New Policy)*

U-8.7: **Food Waste Collection.** Ensure food waste collection is available and convenient to residents and businesses. *(Source: New Policy)*

U-8.8: **Green Business Program.** Encourage local businesses to participate in the Napa County Green Business Program to minimize waste generation and create recycling and composting programs to reduce waste. *(Source: New Policy)*

U-8.9: **Demolition and Construction Waste.** Require all new development to comply with the current CALGreen requirements for construction and demolition waste diversion. *(Source: New Policy)*

Energy Utilities

Energy in many forms is an essential public service. As energy demand increases it may strain existing energy systems and resources. A shift toward alternative energy resources can supplement future demands sustainably.

Shift to Renewable Energy

Since 2016, the City has been enrolled in the Light Green program, Marin Clean Energy (MCE)'s default energy plan that offers 60% renewable energy. In 2021, American Canyon City Council voted to supply the City's facilities with MCE Deep Green 100% renewable energy. The change to Deep Green will remove approximately 247,000 pounds of carbon dioxide from American Canyon's carbon footprint per year. *(Source: Media Release - American Canyon Opts Into 100% Renewable Energy for Its City Facilities, 2021)*

The City's switch to Deep Green adds to a growing list of American Canyon's clean energy initiatives, including the Citywide Energy Efficiency and Resiliency Project (CEERP). The City joined MCE in 2016 and has since been enrolled in the electricity provider's 60% renewable energy option. Before switching to MCE, the City was enrolled in Pacific Gas and Electric's (PG&E) 29% renewable option. MCE is an alternative to PG&E for energy generation; all residents and local businesses were automatically enrolled in Light Green also have the option to opt up to Deep Green. Customers pay higher rates for Deep Green but do not have to pay any upfront fees to upgrade. *(Source: Media Release - American Canyon Opts Into 100% Renewable Energy for Its City Facilities, 2021)*

In addition to the City's association with a greener electric source from MCE, residents have installed solar energy at their homes with rooftop photovoltaic panels (PVEs). The Residential PVE permit activity trends show increasing on-site, carbon free energy generation. Changes in building codes that call for greater energy efficiency in all new construction will increase this trend for the foreseeable future.

Goals and Policies

Goal U-9: Energy Resilience and Conservation

Improve energy system resilience with energy conservation and access to renewable energy sources. (Source: New Goal)

Policies

U-9.1: **Reach Building Code.** Reduce energy use in new development by considering a local amendment that requires a 15% energy efficient standard improvement over the California Building Code. *(New Policy)*

U-9.2: **Electric Energy Systems.** Coordinate with Pacific Gas and Electric Company (PG&E) to ensure that electrical energy systems do not adversely impact land uses and population in the City of American Canyon. *(Source: Existing General Plan, Policy 1.1.2.3.8)*

U-9.3: **Resilient Grid.** Cooperate with PG&E to obtain applicable City permit approvals that improve electric grid resilience to natural hazards (seismic events, flooding, wildfires, extreme wind events). *(Source: New Policy)*

U-9.4: **Overhead Utility Undergrounding**. Develop a comprehensive strategy to underground existing overhead utilities. *(Source: New Policy)*

U-9.5: **Passive Solar Heating and Cooling.** Consistent with the California Subdivision Map Act, require new subdivisions to examine the feasibility of incorporating site layouts that allow passive solar heating and cooling. *(Source: New Policy)*

U-9.6: **Residential Energy Efficiency.** Seek grant funds that help low and moderate-income residents obtain low or no-cost loans to increase energy efficiency of their homes through weatherization, insulation, solar energy generation and energy battery backup storage; and assist utility providers with outreach on home energy efficiency rebates and programs for all residents, regardless of income. *(Source: New Policy)*

Implementation Programs

	Programs	Implements Which Policy(ies)	Responsible / Supporting Department(s)	2023 – 2025	2026 – 2030	2031 – 2040	Annual	Ongoing
A	**Public Education** Educate the community on effective water conservation methods through a variety of outreach methods. Maintain updated water conservation resources on the City's website. *(Source: New Implementation Program)*	U-1.4	Maintenance and Utilities Public Works	■				
B	**Rate Structure** Develop a rate schedule structured to promote water conservation. *(Source: Existing General Plan, Policy 5.4.2)*	U-1.4	Maintenance and Utilities Public Works		■			
C	**Demand Monitoring** Annually monitor the demands on the water system and, as necessary, manage development to mitigate impacts and/or facilitate improvements. *(Source: Existing General Plan, Policy 5.7.5)*	U-1.7	Maintenance and Utilities				■	
D	**Operational Criteria** Develop a set of operational criteria and compare with performance of current water distribution, storage, and treatment facilities. *(Source: Existing General Plan, Policy 5.7.10, modified)*	U-1.7	Public Works		■			
E	**Water Audits** Collaborate with efforts by local water providers to promote water audit programs that offer free water audits to single-family, multi-family, large landscape accounts, and commercial customers. *(Source: New Implementation Program)*	U-1.9 U-1.10	Public Works	■				
F	**Capital Improvement Program Update** Review and update every five years a new five-year Capital Improvement program for adoption and prioritization by the City Council. *(Source: Existing General Plan, Implementation Program 15.26)*	U-3.1	Public Works City Manager Maintenance and Utilities		■	■		■

	Programs	Implements Which Policy(ies)	Responsible / Supporting Department(s)	2023 – 2025	2026 – 2030	2031 – 2040	Annual	Ongoing
G	**Impact Fees** Review and amend as necessary and appropriate, drainage impact fees and service charges collected from new development for the construction of new facilities necessitated by the new development. *(Source: Existing General Plan, Implementation Programs 15.30 and 15.31)*	U-3.1 U-3.3	Public Works					■
H	**Storm Drainage and Flood Control Standards** Review and update every five years the storm drainage and flood control improvement standards to set forth minimum requirements for the planning, design, construction and maintenance of storm drainage and flood control improvements. *(Source: Existing General Plan, Implementation Program 15.25)*	U-3.1 U-3.3 U-3.4 U-3.7 U-3.8 U-3.10 U-3.11 U-3.12	Public Works		■	■		■
I	**Low Impact Guidelines** Establish Low-Impact Development (LID) guidelines to limit the amount of impervious surface in new development and to increase the retention, treatment, and infiltration of urban stormwater runoff. LID measures should also apply to major remodeling projects and to public and recreation projects where possible. *(Source: New Implementation Program)*	U-3.8	Maintenance and Utilities Public Works		■			
J	**Sewer Improvement Standards** Prepare sewer system improvement standards and review every five years to minimum requirements are in place for the planning, design, construction, and maintenance of wastewater improvements. *(Source: Existing General Plan, Implementation Program 15.46)*	U-4.1	Maintenance and Utilities		■	■		■
K	**Review of Sewer Rates** Review and update sewer rates annually for operation and maintenance of the wastewater system. *(Source: Existing General Plan, Implementation Program 15.49)*	U-4.1	Maintenance and Utilities City Manager					■

	Programs	~~Implements~~ Which Policy(ies)	Responsible Supporting Department(s)	2023 – 2025	2026 – 2030	2031 – 2040	Annual	Ongoing
L	**Wastewater Master Plan** Update the City's Wastewater Master Plan as necessary to accurately determine which collection and treatment facilities will be needed to serve present and future growth in the city. *(Source: Existing General Plan, Policy 5.15.3)*	U-4.1	Maintenance and Utilities					■
M	**Capital Improvement Program on Wastewater** Implement a five-year capital improvement program to upgrade and maintain the City's wastewater collection system. *(Source: Existing General Plan, Policy 5.15.4)*	U-4.1	Maintenance and Utilities City Manager		■	■		■
N	**Water Master Plan** Update the Wastewater Master Plan every five years to define existing conditions and reflect significant changes in the planned land use within the City. Capital improvement plans and prioritization schedules shall also be prepared. The utility systems shall be updated accordingly. City maintenance and replacement actions shall be identified. *(Source: Existing General Plan, Implementation Program 15.45)*	U-4.1 U-4.2 U-4.5	Maintenance and Utilities		■	■		■
O	**Capacity Recording** Establish and maintain a record of the capacity and utilization of wastewater collection and treatment facilities serving the City of American Canyon, monitoring impacts and demands of new development, and, as necessary, managing development to mitigate impacts and/or facilitate improvements. *(Source: Existing General Plan, Policy 5.14.6)*	U-4.4	Maintenance and Utilities			■		
P	**Fee Review** Review sewer connection fees, capacity fees, and monthly service charges, as necessary, to ensure that adequate amounts of fees and charges are collected to fund the operation/maintenance of existing facilities and to construct new facilities. *(Source: Existing General Plan, Policy 5.16.2)*	U-4.5	Maintenance and Utilities City Manager					■

	Programs	Implements Which Policy(ies)	Responsible Supporting Department(s)	2023 – 2025	2026 – 2030	2031 – 2040	Annual	Ongoing
Q	**Updating Standards and Guidelines** Regularly update design standards and/or guidelines to reflect best practices for: • open space /landscaping, filter strips, grass swales, • infiltration/sedimentation areas to be used in minimizing impervious area which is directly connected to piped or channelized drainage systems, and • detention facilities which will provide a dual purpose (water quality enhancement and detention) function. (Source: Existing General Plan, Implementation Programs 15.39 and 15.40, modified)	U-4.7	Maintenance and Utilities Community Development Public Works	■				■
R	**Municipal Facilities Recycled Water** Implement recycled water for new municipal facilities and landscaping by connecting new facilities to the recycled water pipeline network. (Source: New Implementation Program)	U-4.9	Public Works		■			
S	**Residential Recycled Water Program** Promote the Residential Recycled Water Program on social media and posting information on the City's online utility billing portal for residents. (Source: New Implementation Program)	U-4.9	Public Works		■			
T	**Levels of Service** Develop and implement a plan that provides a level of service that will comply with all applicable solid waste regulations and rules while remaining cost efficient, while seeking federal fund to offset any associated fiscal impacts. (Source: Existing General Plan, Objective 5.19 and Implementation Program, 15.63, modified)	U-5.1	Maintenance and Utilities			■		
U	**Annual Reduction Report** Prepare an annual progress report in collaboration with Napa County to report the progress and documentation of solid waste and recycling reduction. (Source: Existing General Plan, Implementation Program 15.64, modified)	U-5.1 U-5.3 U-6.1 U-6.2	Maintenance and Utilities City Manager				■	

	Programs	Implements Which Policy(ies)	Responsible Supporting Department(s)	2023 – 2025	2026 – 2030	2031 – 2040	Annual	Ongoing
V	**Funding for Receptacles** Identify appropriate funding sources for placing and maintaining trash and/or recycling receptacles in the City. (Source: Existing General Plan, Implementation Program 15.60)	U-6.5	Maintenance and Utilities Public Works	■				
W	**Zero Waste Action Plan** Create and adopt a zero-waste action plan to maximize waste diversion. (Source: New Implementation Program)	U-6.6	Maintenance and Utilities Public Works		■			
X	**Food Waste and Recycling Standards.** Update the municipal code to establish standards for food waste and recycling collection for residential, commercial, and industrial development. (Source: New Implementation Program)	U-6.7	Community Development	■				
Y	**Improve Efficiency in Existing Buildings** Study possible measures to improve energy and water efficiency in existing buildings. (Source: New Implementation Program)	U-7.3 U-7.4	Community Development		■			

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7 Environment, Parks & Recreation

American Canyon and its surrounding areas contain natural habitats and cultural and historical resources that significantly benefit the environment, history, and quality of life for the community. Together with Parks and Recreation, the Environmental Element provides a strategy for preserving and enhancing our human and natural environment.

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Introduction

American Canyon's environmental resources are critical features that define our character and quality of life. In our community, environmental resources include:

- Biological Resources
- Water Resources
- Soil Resources
- Cultural and Historic Resources
- Regional and Local Open Space
- Parks and Recreation
- Scenic Resources
- Air Quality and Climate Change

Why Is Protecting the Environment and enhancing Recreation and Open Space Important?

Our natural environment, combined with recreation and open space are central features of our community's quality of life. Preserving the environment retains important ecosystems that life itself depends. For American Canyon residents, our environment defines American Canyon as our home – a place with familiar physical features that endure for generations.

The City's open space system provides places for recreation, activity, and engagement, for peace and enjoyment, and for freedom and relief from the built world. Physical recreation reduces obesity and risk of cardiovascular disease, diabetes, and other health ailments. Public open spaces, whether playgrounds, picnic fields or even just engaging streets, can help build community by giving neighbors a realm in which to get to know each other, and giving children a safe place to play.

Biological Resources

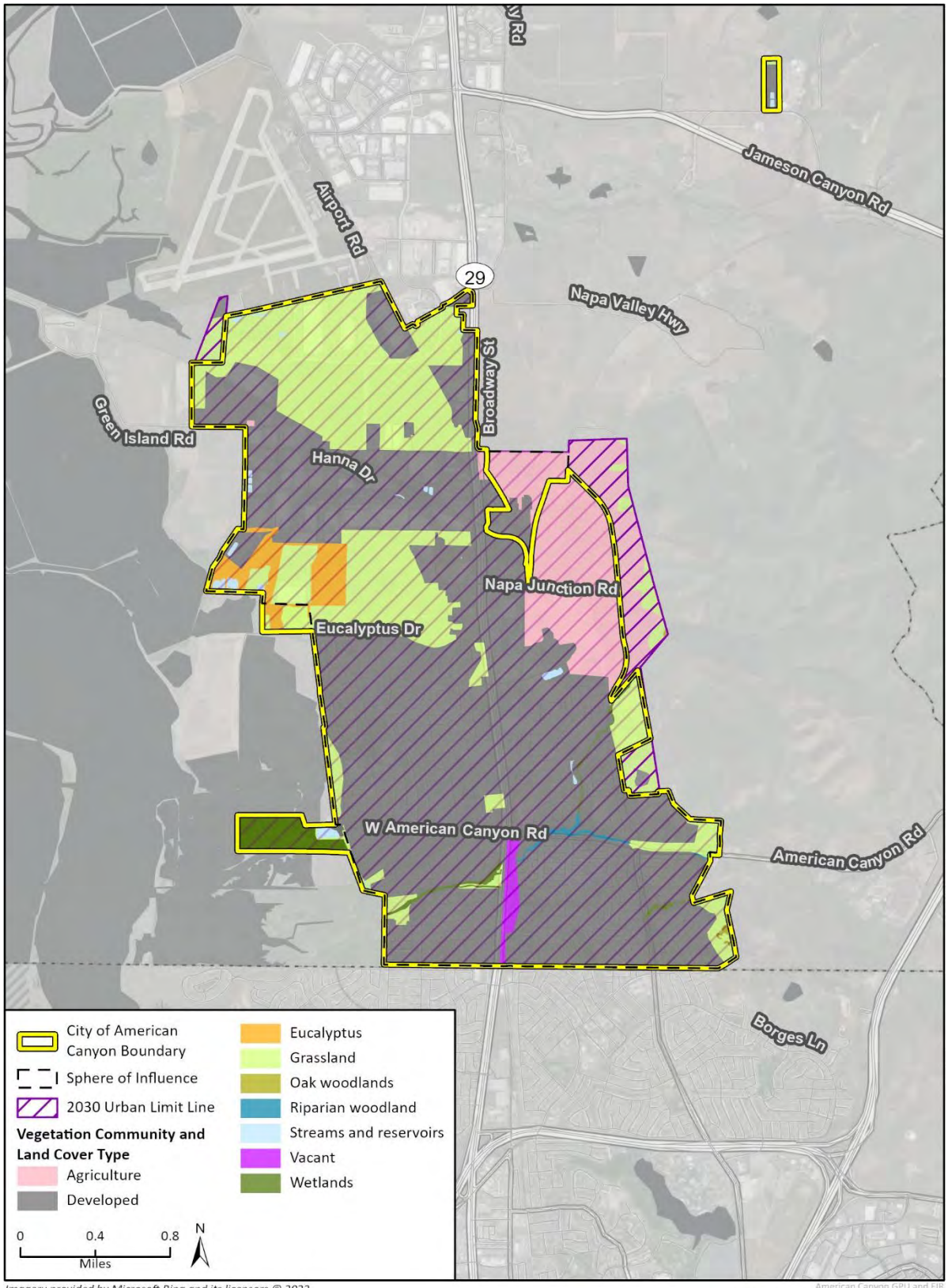
American Canyon has rich habitat areas in and around the community. The Napa River tidal wetland area lies at the western city boundary. Smaller wetlands are located within the city boundaries, including rivers and streams that traverse the city from east to west. These important ecosystems provide habitat for special-status species that rely on wetland or riparian habitats. American Canyon is also located alongside ~~critical~~ habitat for a variety of natural species, including the California red-legged frog (Rana draytonii) to the east of the city, and vernal pool fairy shrimp. (Branchinecta lynchi) to the northwest. (Source: New Text)

Justification: The biological resources of any particular development site would be characterized by qualified biologists during the CEQA review process.

~~What is critical habitat?~~

~~Critical habitat, as defined by the Endangered Species Act, are specific geographic areas that are important for the protection and/or recovery of an endangered or threatened species.~~

ENV-Figure 1: Vegetation Communities in American Canyon



Imagery provided by Microsoft Bing and its licensors © 2023.
Additional data provided by Napa County, 2019.

American Canyon GPU and EIR
Fig X Vegetation Communities in American Canyon

Special-Status Species

A special status species is listed on the federal and/or State Endangered Species Acts as endangered, threatened, a candidate for listing, or of special concern. American Canyon and the surrounding areas are potentially home to numerous special-status species, including 30 plants, 26 birds, 10 fish, five invertebrates, five mammals, two amphibians, and one reptile.

Goals and Policies

Goal ENV-1:

Protect and preserve significant habitats, plants and wildlife within the city and areas of its jurisdiction. (Source: Existing General Plan, Goal 8)

Policies

ENV-1.1: **Areas of Significant Biological Value.** Maintain data and information regarding areas of significant biological value within the Planning Area to facilitate resource conservation and the appropriate management of development. *(Source: Existing General Plan, Objective 8.1)*

ENV-1.2: **Sensitive Habitat Assessment and Impact Mitigation.** Require new development and redevelopment located within sensitive habitats, including coastal saltmarsh, mixed hardwood forest, oak savannah, vernal pools, and riparian habitats to provide a detailed assessment of the potential for impacts on these resources, and include measures to reduce any identifiable impacts. *(Source: Existing General Plan, Policy 8.2.1, modified)*

ENV-1.3: **Habitat Conservation**. Support habitat conservation efforts to set aside and preserve suitable habitats, with priority given to habitats for rare and endangered species in American Canyon in accordance with state and federal resource agency requirements. *(Source: New Policy)*

ENV-1.4: **Native Species**. Encourage the use of native vegetation where possible. *(Source: New Policy)*

ENV-1.5: **Open Space Network.** Establish a network of open spaces along the city's natural drainages and riparian corridors and link significant biological habitats by restricting alteration to these resources and limiting land uses. Any recreational use of these areas shall be designed to avoid damaging sensitive habitat areas. *(Source: Existing General Plan, Policy 8.3.5, modified)*

ENV-1.6: **Urban Forest.** Build upon existing streetscapes and develop an urban forest within the City's streets, parks, and open space to provide avian habitat, sequester carbon monoxide emissions, foster pedestrian activity, and provide shade. *(Source: New Policy)*

ENV-1.7: **Trees for Pollinators.** Support sustainable pollinator species (i.e.: bees, birds, butterflies) in American Canyon by planting low-water use pollinator-supportive trees in streets, parks, open spaces, and private development. *(Source: New Policy)*

ENV-1.8: **Education and Appreciation.** With community partners, support a range of educational programs that cultivate an appreciation of American Canyon's natural environment and biological resources. *(Source: New Policy)*

ENV-1.9: **Natural Drainage Preservation.** Through the development review process, evaluate opportunities to preserve natural on-site drainages and consider opportunities to incorporate pedestrian paths and greenbelts along their lengths. *(Source: Existing General Plan, Policy 8.3.6, modified)*

ENV-1.10: **Natural Resource Integrity.** Consistent with Federal and State Resource Permitting agencies, encourage activities that improve the biological value and integrity of the city's natural resources through vegetation restoration, control of invasive plants and animals, and landscape buffering. *(Source: Existing General Plan, Policy 8.4.3)*

ENV-1.11: **Napa River Studies.** Support state and federal studies of the Napa River wetlands and riverine systems. *(Source: Existing General Plan, Policy 8.1.2)*

Water Resources

There are six primary watercourses within the Planning Area: American Canyon Creek, North Slough Creek, Rio Del Mar Creek, Rio Del Mar Creek, No Name Creek, and Fagan Creek. These watercourses have well-defined channels upstream with sparse vegetation due to the streams being dry most of the year. The downstream reaches of the creeks have significant vegetation along banks because of year-round flows mostly generated from development runoff.

Most of the city's precipitation falls as rain during the months of November through April with the most rainfall in December and January. The mean annual precipitation is between 22 and 23 inches.

Goals and Policies

Goal ENV-2:

Maintain the quality of surface and subsurface water resources within the City of American Canyon and the Urban Limit Line. (Source: Modified Existing General Plan, Goal 8.8A)

Policies

ENV-2.1: **Creek Preservation.** Maintain American Canyon Creek within its natural waterway. *(Source: Existing General Plan, Policy 8.7.1)*

ENV-2.2: **Existing Streams and Creeks.** ~~As required by wetland resource permitting agencies, require~~ **To the extent feasible**, new development to incorporate existing streams and creeks into proposed development plans in their natural state to prevent degradation, erosion, or sedimentation and help impart a unique character to the city. *(Source: Existing General Plan, Policy 8.7.2, modified)* ***Justification:*** Clarifies that the city's priority is to preserve existing streams and creeks, not rely on outside agency permit decisions.

ENV-2.3: **Minimize Soil Erosion.** Implement best management practices from the National Pollution Discharge Elimination System (NPDES) to prevent soil erosion impacts on water resources. *(Source: Existing General Plan, Policy 8.8.1, modified)*

ENV-2.4: **Stormwater Drainage on Development Sites.** Through the development review process, evaluate methods to ensure required stormwater drainage systems are environmentally sensitive safe, and attractive. *(Source: New Policy)*

ENV-2.5: **Public Education.** Protect existing water resources by continuing public education on safe disposal of household hazardous waste and storm drain pollution prevention (i.e.: "only rain down the drain"). *(Source: New Policy)*

Cultural and Historic Resources

The American Canyon area has a rich Native American history and is the traditional territory of the Patwin. Tribes in the area include the Cortina Rancheria – Kletsel Dehe Band of Wintun Indians, the Confederated Villages of Lisjan, and Yocha Dehe Wintun Nation.

Goals and Policies

Goal ENV-3:

Preserve and restore sites, and structures that have architectural, historical, archaeological and/or cultural significance to the City of American Canyon. (Source: Existing General Plan, Goal 8.8.E Modified)

ENV-3.1: **Resource Protection.** Ensure the City's culturally, historically, and archaeologically significant resources are protected in a manner that preserves and/or enhances the inherent resource value. *(Source: Existing General Plan, Objective 8.19, modified)*

ENV-3.2: **Historic Structure Compatibility.** Encourage compatibility between new development and existing adjacent historic

structures in terms of scale, massing, building materials and general architectural treatment. *(Source: Existing General Plan, Policy 8.19.4, modified)*

ENV-3.3: **Historic Resource Reuse.** Encourage appropriate adaptive reuse of historic resources where possible to prevent misuse, disrepair, and demolition. *(Source: Existing General Plan, Policy 8.20.5, modified)*

ENV-3.4: **Historical Building Code.** When historical structures are rehabilitated in accordance with established historic preservation guidelines, consider implementing the State Historical Building Code Part 8, Title 24. *(Source: Existing General Plan, Policy 8.20.3, modified)*

ENV-3.5: **Historic Resource Preservation.** Prohibit demolition of an historic resource as a first-choice alternative for resources that qualify for Federal, State Historic Registration, or Locally Significant Resources. *(Source: Existing General Plan, Policy 8.20.4, modified)*

ENV-3.6: **Flexible Development Standards.** Consider flexibility in development standards, such as a variance of setbacks, heights and parking requirements to help feasibility of new development that contains preserved historic resources. *(Source: Existing General Plan, Policy 8.20.4, modified)*

Goal ENV-4:

Protect cultural and tribal resources. (Source: New Goal)

Policies

ENV-4.1: **Preservation.** **To the extent feasible,** protect areas containing significant historic, archaeological, and paleontological resources, as defined by the California Public Resources Code. *(Source: New Policy)* ***Justification:*** The modified language expresses the city's desire, but cannot guarantee protection.

ENV-4.2: **Development.** Ensure that human remains are treated with sensitivity and dignity and ensure compliance with the provisions of California Health and Safety Code Section 7050.5

and California Public Resources Code Section 5097.98. *(Source: New Policy)*

ENV-4.3: **Yocha Dehe Wintun Nation Treatment Protocol**. In the event any Native American human remains, grave goods, ceremonial items, and items of cultural patrimony are found in conjunction with development, including archaeological studies, excavation, geotechnical investigations, grading, and any ground disturbing activity, the "Yocha Dehe Wintun Nation Treatment Protocol for Handling Human Remains and Cultural Items Affiliated with the Yocha Dehe Wintun Nation" shall be implemented as included as Appendix A to the Housing Element. (Source: New Policy)

Open Space

American Canyon maintains approximately 1,168 acres of open space, including the 642-acre Newell Open Space Preserve, the 24-acre Clarke Ranch open space area, and 513 acres of protected wetlands on the western side of the city (Figure 1). Figure 2 shows land designated as open space in and surrounding the city.

Open Space is managed by several agencies and private individuals within the city and Planning Area. Some of these are listed below:

The City of American Canyon

The City of American Canyon owns and manages several open space resources within the city and Planning Area.

Newell Open Space Preserve

The Newell Open Space Reserve (Newell Open Space) is located east of the city limits. Consisting of 642 acres of steep hills, Newell Open Space is also a working ranch with free-range cattle. The preserve was donated to the City in 1999 by Jack and Bernice Newell. The Land Trust of Napa County holds a conservation easement over the property. The preserve consists primarily of non-native grassland with pockets of oak-bay woodlands and eucalyptus trees and provides habitat for federally listed threatened and endangered plant and animal species including golden eagles, red-legged tree frogs and Tiburon paintbrush. In addition to providing natural habitat and grazing lands, Newell

Open Space is used for recreation by the public and has a system of trails that the City intends to improve and expand.

Clarke Ranch

Acquired by the City in 1999 from the Port of Oakland through CalFed grant funds, Clarke Ranch is a 24-acre parcel of open space adjacent to the Wetlands Viewing Area and Napa River Bay Trail. Today, the property is home to the American Canyon branch of the 4-H Club and a Spirit Horse Riding Center facility. Spirit Horse is an all-inclusive riding program open to riders of all abilities who are facing developmental, emotional, social, and physical challenges. In 2017, the City Council adopted a Master Plan for future improvements at Clarke Ranch.

Napa River Wetlands

The Napa River Wetlands are located on lands outside the city limits, but owned by the City of American Canyon and the State of California. The Wetlands features ten miles of trails jointly managed by the City of American Canyon, the California State Fish and Wildlife Department, and the Napa County Parks and Open Space District, including segments of the San Francisco Bay Trail. The Napa River Bay Trail, which opened the first segment in 2010 provides great views of the wetlands and constructed ponds, as well as public access to the Napa River. You can view a video that describes the wetlands HERE.

Watercourses in American Canyon

Major watercourses in American Canyon have been set aside as open space as part of development approvals. These watercourses and uplands are shown on Figure 1.

Golden State Land Conservancy

Canyon Estates Homes is a residential subdivision situated east of Newell Drive north of the American Canyon High School. The Canyon Estates project set aside 67 acres to Golden State Land Conservancy for wildlife and habitat conservation.

Napa Logistics Park is an industrial park located south of Napa Airport, east of Devlin Road. In 2013, the Napa Logistics Park set aside a 34-acre wetland

easement to Golden State Land Conservancy for wildlife and habitat conservation.

Trail Networks

Napa County and American Canyon enjoys a network of regional trail systems that showcase many of the unique environments and spectacular scenery throughout the valley. From paved riverwalk trails to hikes along the ridge, the combined trail systems listed below provide views, exercise and adventures for everyone.

The City of American Canyon supports trail networks with several regional partners. These include the Napa County Regional Park and Open Space District, the Napa Valley Vine Trail Coalition, the San Francisco Bay Trail, and the Bay Area Ridge Trail Council.

Napa Valley Vine Trail

The Napa Valley Vine Trail is spearheaded by the nonprofit Napa Valley Vine Trail Coalition to construct a 47-mile walking and biking trail system connecting the entire Napa Valley from the Vallejo Ferry terminal to Calistoga. The City of American Canyon adopted the Vine Trail into the General Plan as part of the Bicycle Master Plan in 2012 with minor updates since that time. A total of 47 miles are envisioned when the trail network is complete. As of 2022, 20 miles have been completed within American Canyon.

The Bay Trail

The Bay Trail is spearheaded by the nonprofit San Francisco Bay Trail Coalition to construct over a 500-mile walking and biking trail system to circle the San Francisco Bay. In American Canyon, a Bay Trail segment is located adjacent to Meadow Bay Drive and Wetlands Edge Road. From there, the Bay Trail continues north along the Napa River to the eastern side of the Brazos Railroad Bridge.

Ridge Trail

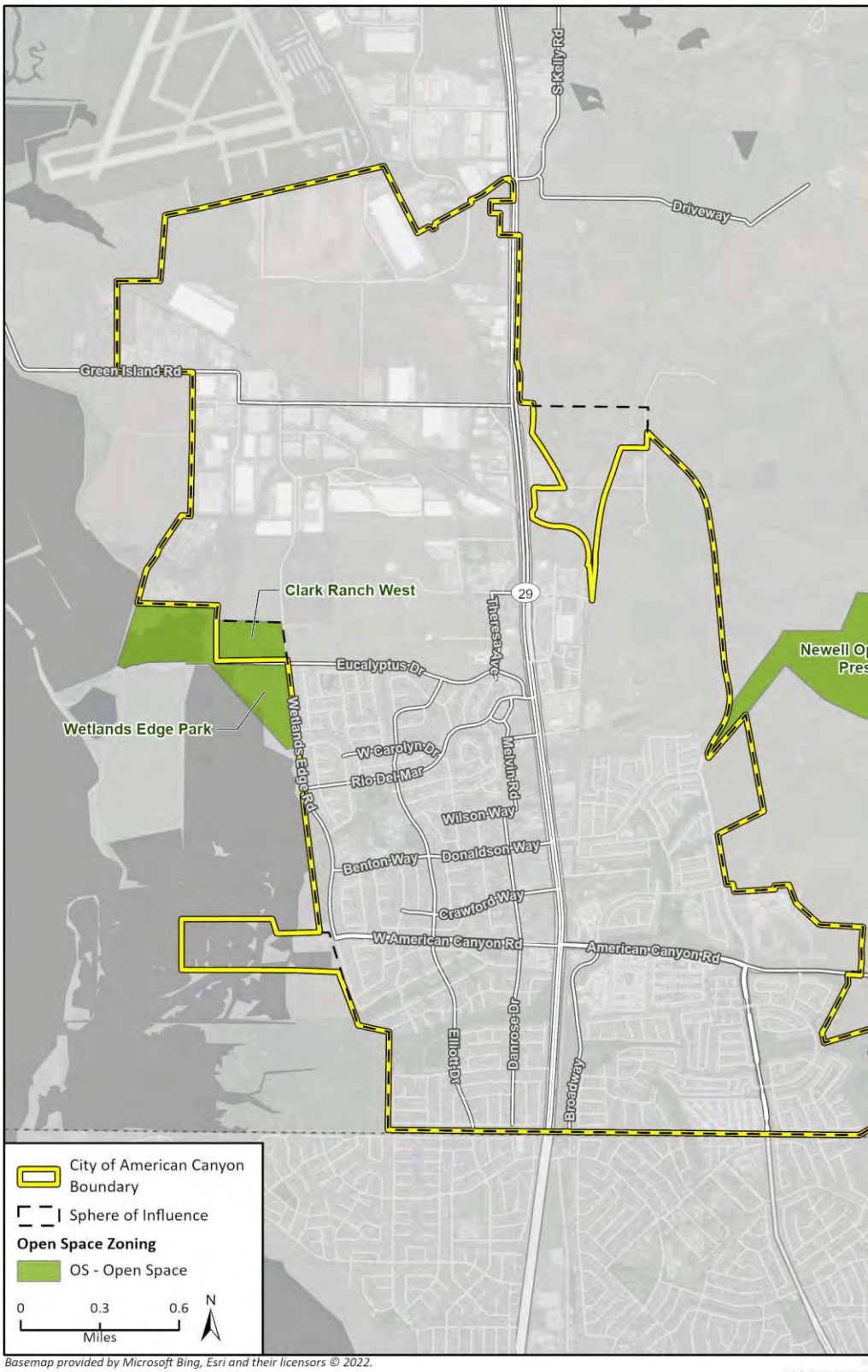
The Bay Area Ridge Trail Council, a nonprofit organization encompassing representatives from public and private organizations, has sponsored planning for a 550-mile Ridge Trail that would traverse the ridgelines surrounding the San Francisco Bay. The closest Ridge Trail to American Canyon traverses Hiddenbrooke in Vallejo, north to Lynch Canyon, then to Skyline Wilderness Park in the City of Napa.

Within American Canyon a planned River to Ridge Trail would connect the Bay Trail next to the Napa River to the Ridge Trail in Lynch Canyon through the Newell Open Space Reserve.

American Canyon Wetlands Trail

The American Canyon Wetlands trails were opened to the public in 2010. This five-mile Class I paved trail network showcases the Napa River, associated marshes, and beautiful views across town east to the Newell Open Space.

ENV-Figure 2: Open Space in American Canyon



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Goals and Policies

Goal ENV-5:

Preserve and expand trails and public and private open space areas for conservation and recreational use. (Source: New Goal)

Policies

ENV-5.1: **Open Space Designation. To the extent feasible,** maintain the following types of land as designated open space:

a. Sensitive habitats or unique resources such as oak woodlands, riparian/creek corridors, significant wetlands and corridors which connect habitats;

b. Those areas which are best suited to non-urban uses due to:

i. Infeasibility of providing proper access or utilities;
ii. Excessive slope or slope instability;
iii. Wildland fire hazard;
iv. Noise exposure; and
v. Flood hazard; *(Source: New Policy)*

Justification: This policy expresses a desire to maintain open space, but cannot guarantee it everywhere at this time.

ENV-5.2: **Open Space Funding.** Encourage partnering with community groups and neighboring jurisdictions to identify grant opportunities to maintain, enhance, and expand open space, and recreational opportunities. *(Source: New Policy)*

ENV-5.3: **Interjurisdictional Open Space Coordination.** Coordinate open space planning, acquisition, and development efforts with those of Napa County and regional and State agencies. *(Source: Policy 7.4.5 modified)*

ENV-5.4: **Open Space Access.** Provide public access to open space resources, with interpretive information, when doing so is consistent with protection of the resources, and with the

security and privacy of affected landowners and occupants. *(Source: New Policy)*

ENV-5.5: **American Canyon Bicycle and Pedestrian Trail Plans.** Continue to refer to the American Canyon Bicycle and Pedestrian Trail plans for guidance on trail locations, construction design, priority development and other relevant policies. See Mobility Element Appendix A and B. *(Source: New Policy)*

ENV-5.6: **Trail System.** Work with property owners, resource conservation agencies, neighboring cities, Napa County, and the State to establish an interconnected system of trails connecting open space resources with surrounding neighborhoods. *(Source: Policy 7.2.1 and 7.2.2 modified)*

ENV-5.7: **River to Ridge Trail.** Implement the planned River to Ridge Trail alignment (West to East). The trail would travel from Eucalyptus Drive to Broadway, south on Broadway to South Napa Junction Road, east across the railroad tracks to Watson Ranch and the Newell Open Space Preserve beyond. *(Source: BDSP Policy 5-9)*

ENV-5.8: **Urban Open Space.** Plan, design and build open spaces of varying size (e.g. public plazas, large and small open spaces, and spaces for social gathering that serve as local focal points) to diversify the open space experience and provide opportunities for a larger range experiences for park users. *(Source: BDSP Policy 5-1)*

ENV-5.9: **Surplus Caltrans Right-of-Way.** Work with Caltrans to use vacant, surplus properties for park and open space purposes. *(Source: BDSP Policy 5-2)*

ENV-5.10: **Urban Trails.** Improve convenience of nonmotorized in-town trips and recreation by linking residential and commercial land uses with pedestrian trails**.** *(Source: Policy 7.2.6 modified)*

ENV-5.11: **Trail Construction.** Require new development to dedicate and improve trails and walkways at least ten feet wide across long blocks or to provide access to schools, parks, open spaces or other public areas, and where such trails or walkways are within the project boundary or frontage and shown on any

map or diagram in the general plan and any of its elements or on any specific plan of the city of American Canyon. *(Source: New Policy based on ACMC 18.40.090)*

ENV-5.12: **Climate Adaptation**. Mitigate the effects of heat reflecting from paved trail surfaces by incorporating shade trees along the south and west sides of trails wherever possible. *(Source: New Policy)*

ENV-5.13: **Trail Connectivity.** Enhance trail functionality by identifying gaps that connect missing links along a trail or between trail networks. *(Source: New Policy)*

Parks and Recreation

The City of American Canyon's natural beauty makes outdoor recreation that much more special. The park system in the Planning Area is comprised of a diverse range of outdoor parks and recreation facilities that serve every segment of our community. The General Plan will guide the City's future parks and recreation decisions, so they improve over the next 20 years for the benefit of everyone.

Policy Framework

American Canyon Subdivision Ordinance

The Subdivision Ordinance is included in the American Canyon Municipal Code under Title 18. The subdivision ordinance requires parkland to be dedicated or in-lieu fees paid in conjunction with approval of residential subdivisions.

Parks and Community Services Master Plan

This plan is intended to guide the vision and direction and natural amenities and services provided by the Parks and Recreation Department in American Canyon.

Parks and Recreation Needs Assessment

The Parks and Recreation needs Assessment was completed in 2015. The assessment used a statistically valid survey to predict trends and patterns of use and how to address unmet needs in American Canyon and recommended Level of Service Standards to develop appropriate actions regarding recreation programs, parks, trails, open space, building and other amenities.

Quimby Act

The Quimby Act (Government Code Section 66477) allows local governments to require developers to dedicate land, donate conservation easements, or pay fees to fund parkland development. The Quimby Act has a standard of 3.5 acres of parkland per 1,000 residents. The American Canyon General Plan and Parks and Community Services Master Plan identify a local standard for American Canyon at 5.0 acres per 1,000 residents.

American Canyon Bicycle Master Plan

This plan was developed as a component of the Napa Valley Transportation Authority's Countywide Bicycle Plan Update. The Bicycle Plan is intended to help make American Canyon more safe, convenient and accessible for bicycles within and traveling through American Canyon. American Canyon adopted the Bicycle Plan into the General Plan in 2012.

American Canyon Pedestrian Master Plan

This plan was developed as a component of the Napa Valley Transportation Authority's Countywide Pedestrian Plan Update. The pedestrian plan is intended to make walking in Napa County more safe, comfortable, convenient and enjoyable for all pedestrians. It strives to improve accessibility for the disabled but does not intend to replace an existing Americans with Disabilities Act (ADA) Transition Plan. American Canyon adopted the Pedestrian Plan into the General Plan in 2017.

Park Classifications:

Mini-Parks are less than one acre in size and not designed for active recreational uses. They do, however, provide passive open space and buffering from adjacent urban development and typically include elements such as walking paths and benches. The City has three Mini-Parks listed below:

ENV-Table 1: Mini Parks

Name	Address/Location	Acreage
Bedford & Kensington	323 Bedford Lane	0.14
Nottingham & Bently	270 Nottingham Lane	0.10
Danrose Sports Court	785 Danrose Drive	1.24

a. Neighborhood Parks are usually two and a half to five acres in size and primarily planned for children five to fourteen years of age.

To maximize the use of the parcel, these parks are ideally located within the center of a neighborhood and sited adjacent to a school whenever possible.

Recreation facilities typically provided in neighborhood parks include children's play areas (ideally equipped with a variety of play equipment for a range of users), picnic tables, and basketball courts. The service area for a neighborhood park is generally one-quarter to a one-half mile radius. The City has 15 Neighborhood Parks listed below:

ENV-Table 2: Neighborhood Parks

Name	Address/Location	Acreage
Banbury Park	100 Banbury Way	8.83
Elliott Park	2234 Elliott Drive	2.83
Gadwall Park	161 Gadwall Street	2.0
Linwood Park	285 Linwood Lane	1.32
Main Street Park	5050 Main Street	3.0
Melvin Park	19 Melvin Road	1.3
Montecarlo Park	54 Montecarlo Way	2.75
Northampton Park	243 Northampton Drive	4.0
Pelleria Park	54 Pelleria Drive	1.0
Quarry Park	N/A	7.1
Shenandoah Park	100 Sonoma Creek Way	6.0
Silver Oak Park	485 Silver Oak Drive	5.0
Via Bellagio Park	100 Via Bellagio	1.0
Watson Ranch Center Park	Marcus Road	3.8
Watson Ranch Newell Park	Newell Drive	7.4

b. Community Parks are designed to serve several neighborhoods. Community parks are planned for youths and adults and provide for a wider range of activities than the neighborhood park or playground. Community parks generally range in size from 10 to 40 acres and provide facilities for both indoor and outdoor recreational activities such as

softball diamonds, basketball courts, tennis courts and community centers. The service area for a community park is typically one-to-one-and-a-half-mile radius. *(Source: Existing Policy 7.3.1)* The City has 5 Community Parks listed below:

ENV-Table 3: Community Parks

Name	Address/Location	Acreage
Community Park I	1400 Rio Grande Drive	8.0
Community Park II	20 Benton Way	6.3
Kimberly Park	600 Kimberly Way	10.0
Little League Complex	280 Napa Junction Road	10.0
Veterans Memorial Park	2801 Broadway	9.0

c. Regional Parks are usually 50 acres or larger and designed to serve the local community in which the park is located and surrounding communities. Community Parks often retain significant natural features and provide outdoor recreational facilities, such as picnicking, camping, hiking, and unique programs that appeal to a broad range of interests and recreational needs. Within the Planning Area, the Napa County Regional Parks and Open Space District is in the process of acquiring the Suscol Ridge Regional Park. The Planning Area has three Regional Parks listed below:

ENV-Table 4: Regional Parks

Name	Address/Location	Acreage
Newell Open Space Preserve	7000 Newell Drive	642
Suscol Ridge Regional Park	Jameson Canyon Road	711
Wetlands Edge	Wetlands Edge	TBA

Goals and Policies

Goal ENV-6:

Enrich the quality of life in American Canyon by providing parks, trails, and recreational services for all of the City's residents. (Source: Existing Goal 7)

Policies

ENV-6.1: **Park Standards.** Provide a variety of mini, neighborhood, community, and regional park facilities to achieve a minimum standard of 5 acres of parkland per 1,000 residents. *(Source: Existing Policy 7.1.1, modified*)

ENV-6.2: **Parks Master Plan.** Create a comprehensive, citywide Parks and Recreation Master Plan that provides specific criteria and guidelines for the siting, design, and programming of parks and recreational facilities. *(Source: Existing Policy 7.1.2, modified*)

ENV-6.3: **Parks System.** Work toward the establishment of a of public parks system interconnected by off-street trails or bicycle lanes. *(Source: Existing Policy 7.1.3, modified*)

ENV-6.4: **Park Balance between Active and Passive.** Ensure that American Canyon provides both active and passive recreational activities in a variety of park and trail settings. *(Source: Existing Policy 7.1.4, modified*)

ENV-6.5: **Corp Yard Re-Use**. Consider re-use of the Wetlands Edge Corp Yard to an Eco Center through a partnership agreement with a nonprofit foundation. *(Source: New Policy)*

ENV-6.6: **Public Input.** Promote a high level of public outreach regarding park and recreation opportunities and facility design in American Canyon. *(Source: New Policy)*

ENV-6.7: **Landfill Re-Use**. Evaluate the potential for further recreational use at the closed landfill. *(Source: New Policy)*

ENV-6.8: **Kayak Launch.** Evaluate feasible locations to accommodate a kayak launch at the Napa River wetlands. *(Source: New Policy)*

ENV-6.9: **Broadway District Specific Plan Parks.** Evaluate feasible locations for public parks to serve residents in the Broadway District Specific Plan area. *(Source: New Policy)*

ENV-6.10: **Watson Ranch Specific Plan.** Incorporate the Watson Ranch Specific Plan recreation program into the General Plan by reference which includes private recreation facilities, public parks, trails, and community center and plaza. *(Source: New Policy)*

ENV-6.11: **Climate Change Adaptation.** Consider impacts and feasible adaptation measures to address potential long-term impacts of sea level rise, extreme weather, and heat on the city's park system. *(Source: New Policy)*

ENV-6.12: **Park Dedications.** Review the Subdivision Ordinance as necessary to ensure park dedication requirements remain consistent with the Subdivision Map Act. *(Source: Existing Policy 7.6.1 modified)*

ENV-6.13: **Park Accessibility.** Require any park construction and any new development on existing park facilities meet accessibility standards defined by the Americans with Disabilities Act (ADA) and playground safety requirements (Senate Bill 2733). *(Source: Existing Policy 7.10.3 modified)*

ENV-6.14: **Park Fee Revenue.** Periodically review the parks and recreation fee structure to ensure it is meeting established cost-recovery objectives without placing an excessive financial burden on residents. *(Source: Existing Policy 7.8.5 modified)*

ENV-6.15: **Park Impact Fee**. The City shall update, as needed and appropriate, the park in-lieu fee assessed to all new development. *(Source: Existing Policy 7.6.4)*

ENV-6.16: **Park Donations**. Provide mechanisms by which the City may accept gifts and dedications of parks, open space and facilities. *(Source: Existing Policy 7.6.5)*

ENV-6.17: **Park Funding.** Consider the use of special taxes, bonds, or assessment districts for park development and maintenance. *(Source: Existing Policy 7.6.6)*

ENV-6.18: **Park Funding**. Seek out and aggressively pursue all forms of federal, state, county, private foundation, and endowment support to assist in the acquisition, development and programming of park and recreation resources in the City of American Canyon. *(Source: Existing Policy 7.6.7)*

ENV-6.19: **Park Service Variety.** Provide a variety of desirable amenities within recreation areas to accommodate persons of varying ages and leisure time interests. *(Source: Existing Policy 7.11.2)*

ENV-6.20: **Private Recreation Services.** Ensure the zoning code accommodates sufficient land within the city to allow establishment of private commercial recreation facilities and services that serve all age groups that could not otherwise be provided by the City. *(Source: Existing Policy 7.6.9 modified)*

ENV-6.21: **Park Operation and Maintenance.** Operate and maintain American Canyon's park and recreation facilities by utilizing programs that are designed for the most effective use and enhancement of park sites at the minimum possible cost. *(Source: Existing Objective 7.8)*

ENV-6.22: **Partnerships.** Encourage partnerships with the American Canyon Community & Parks Foundation, the Napa County Parks and Open Space District, the 4-H Club and many other neighborhood groups, organizations, clubs and businesses to take a greater interest and financial responsibility in the improvement of the park and recreation system in American Canyon through the donation of goods, services and financial support. *(Source: Existing Policy 7.8.3 modified)*

ENV-6.23: **Volunteer Services.** Promote establishment of volunteer services program to assist City Park and recreation staff, thereby stimulating more direct community involvement and reducing future staffing costs. *(Source: Existing Policy 7.8.4)*

ENV-6.24: **Volunteer Recognition**. Recognize, support, and celebrate the efforts of local groups and organizations that provide recreational opportunities for youth and members of all age groups. *(Source: Existing Policy 7.10.6 modified)*

ENV-6.25: **Nighttime Park Use**. Limit nighttime hours in parks located adjacent to residences to ensure noise does not adversely

impact resident quality of life. *(Source: Existing Policy 7.8.7 modified)*

ENV-6.26: **Park Maintenance**. Rehabilitate existing American Canyon parks based on such measures as increased public access, lower maintenance costs and increased service delivery. *(Source: Existing Policy 7.8.8*)

ENV-6.27: **Highlight Natural Features.** Combine Park sites that contain significant natural features with recreational learning opportunities wherever possible. For example, the City could establish a natural resource learning center near the Napa River Wetlands. *(Source: Existing Policy 7.10.4)*

Public Art

A community's sense of place is not static. As a narrative that evolves over time, Public Art provides voice to the many values and historical periods within the community. A further beauty of Public Art is its expressive diversity – there is no limit to art form and subject matter. What can Public Art do?

- Create a sense of place
- Improve pedestrian connections and walkability
- Instill civic pride
- Provide jobs for neighborhood artists
- Celebrate the City's history and culture
- Reduce vandalism and graffiti

Encouraging and celebrating the community's artistic expression will enrich our lives and nurture our community to flourish intellectually, culturally, and economically.

Goals and Policies

Goal ENV-7:

Enhance the community with visual arts that acknowledge our local artistic community, inspire pride, identity, and a sense of place within the community. (Source: New Goal, Public Art Program Protocol)

Policies

ENV-7.1: **Public Art Program.** Establish a program to facilitate artwork on public property. *(Source: New Policy)*

ENV-7.2: **Public Art Generally.** Ensure administrative policies foster an artwork-rich environment by exempting formal artwork selection procedures for minor-age residents and artwork on private property. *(Source: New Policy)*

ENV-7.3: **Public Art Committee.** On a regular basis, ensure a 2-Councilmember Ad-Hoc Subcommittee of the City Council is appointed to review and implement the Public Art Program. *(Source: New Policy)*

ENV-7.4: **Public Art Qualifications.** Ensure artists that develop public art are well qualified and recognized by critics and peers as a professional practitioner of the visual art. *(Source: New Policy)*

ENV-7.5: **Public Art Selection Criteria.** Ensure Public Art is diverse and inclusive by considering artworks of all schools, styles, and tastes. *(Source: New Policy)*

ENV-7.6: **Public Art Location Criteria.** Ensure Public Art selected is visible and accessible to the public and constructed safely and placed outside traffic or other potential hazards. *(Source: New Policy)*

ENV-7.7: **Public Art Maintenance.** Ensure ongoing artwork maintenance is considered when selecting Public Art. *(Source: New Policy)*

ENV-7.8: **Public Art Funding.** Consider establishing a Public Art fund as the depository for all funds collected with the Public Art Program. *(Source: New Policy)*

Scenic Resources

American Canyon is located adjacent to the Coast Mountain Ranges with rich scenery and iconic landscapes. Wetlands Edge Road provides unimpeded views of the marsh and the nearby Napa River to the distant hills beyond. The eastern hills are visible from many areas of the community, bordering the city

with foothills along Newell Drive and American Canyon Road. *(Source: New Text)*

Several streams and creeks are located throughout the city and surrounding area, including American Canyon Creek, which runs through the southern portion of the city from the Sulphur Spring Mountains down to the Napa River. These waterways and natural areas provide habitat for local animal and plant species and are an important community resource for recreation and attractive landscapes. *(Source: New Text)*

These scenic resources, and the general bucolic environment in which the city resides, is a key characteristic for American Canyon that will be preserved and protected through policy and future development decisions. *(Source: New Text)*

There are no designated scenic highways or roads in American Canyon. However, the County has designated the portion of Highway 29 north of the American Canyon and South of the City of Napa as a designated scenic road. In addition, the portion of American Canyon Road located east of the city limits is also designated as a scenic road. *(Source: New Text)*

Goals and Policies

Goal ENV-8:

Preserve viewsheds and scenic resources, including ridgelines, canyons, and significant public views. (Source: New Goal)

Policies

Implement the Urban Limit Special Study Zone. The Special Study Zone in the Urban Limit Line on the eastern side of American Canyon requires proposed development to provide view corridors and public access from Newell Drive to the agricultural and Open Space lands in Unincorporated Napa County to the east. **Because the 2008 Urban Limit Line Initiative will expire in 2030, this policy will not apply to the Future Study Area designation applicable to the Hess/Laird property.** (2008 Urban Limit Line Initiative) ***Justification:*** The language augment acknowledges consideration of the Hess/Laird property into the City's ULL.

ENV-8.1: **Oat Hill View Corridor**. In conjunction with new development on Oat Hill, accommodate a public view trail around the top of Oat Hill. *(Source: New Policy)*

ENV-8.2: **Identify Scenic Vistas.** Identify notable viewsheds and public views from which scenic vistas can be observed. *(Source: New Policy)*

ENV-8.3: **Visual Design.** Require massing, height, and orientation of new development where allowable by the zoning standards adjacent to viewsheds and public views be evaluated and be sited and designed to minimize additional obstructions of public views to and along scenic areas. *(Source: New Policy)*

ENV-8.4: **Public Access to Vistas.** Identify important vista locations within the City, Sphere of Influence, and Urban Limit line and evaluate modification to the American Canyon Bicycle Plan and the Napa Countywide Bicycle and Pedestrian Master Plans to include trails that lead up to and around important vista locations. *(Source: New Policy)*

Climate Change and Air Quality

Greenhouse Gas Emissions

Greenhouse gases (GHG) are gases that trap heat in the Earth's atmosphere and cause changes to the Earth's climate, including changes to weather and precipitation patterns and increasing global temperatures. The main sources of GHG emissions are the combustion of fossil fuels for transportation and energy. California is a leader in GHG emissions reductions efforts and has adopted aggressive targets for GHG reduction. Primary GHG reduction legislation driving State and city climate action plans include Assembly Bill (AB) 32, Senate Bill (SB) 32, and Executive Order (EO) B-55-18. California has also passed legislation to increase energy efficiency in buildings (Title 24), improve fuel efficiency in vehicles (Advanced Clean Cars Program), and establish the goal of 100 percent carbon neutral electricity by 2045 (SB 100).

Major California Climate Change Legislation

- **Assembly Bill (AB) 32** – AB 32 was adopted in 2014 and sets a statewide goal of reducing GHG emissions to 1990 levels by 2020 and requires for the California Air Resources Board (CARB) to prepare a Scoping Plan that outlines the main strategies the State will employ to meet the 2020 target.

- **Senate Bill (SB) 32** – SB 32 was adopted in 2017 and is the successor to AB 32. SB 32 requires the State of California to achieve a statewide reduction in GHG emissions of 40% below 1990 levels by 2030.

- **Executive Order (EO) B-55-18** – EO B-55-18 establishes a new statewide goal of achieving and maintaining carbon neutrality as soon as possible and no later than 2045. Executive orders have not been codified by the State but are binding for State agencies and therefore, must be addressed by qualified GHG reduction plans.

- **Executive Order N-79-20 -** (EO N-79-20) issued in September 2020 established a statewide goal that 100 percent of in-state sales of new passenger cars and trucks will be zero-emission by 2035, that 100 percent of medium and heavy-duty vehicles in the State be zero-emission by 2045 for all operations where feasible, and that 100 percent of all drayage trucks will be zero-emission by 2035 where feasible. EO N-79-20 also establishes a goal to transition to 100 percent zero-emission off-road vehicles and equipment by 2035 where feasible. EO N-79-20 directs CARB to develop regulations that will help achieve these goals.
- **Senate Bill 100** – SB 100 requires 100 percent of retail sales of electricity to California end-use customer by sourced from eligible renewable energy resources and zero-carbon resources by 2045. SB 100 targets the reduction of GHG emissions associated with electrical generation.

- **Bay Area Air Quality Management District (BAAQMD) CEQA GHG Emissions Thresholds** – thresholds adopted in April 2022 by BAAQMD require a change to the way CEQA GHG thresholds are analyzed in CEQA documents. In summary, a proposed plan or project within BAAQMD jurisdiction should either 1) be consistent with GHG reduction measures of a local qualified Climate Action Plan (CAP), or 2) include and show proof of all the following: all electric buildings, 15 percent vehicle miles traveled (VMT) reduction, and electric vehicle

parking compliant with CalGreen Tier 2 requirements. *(Source: New Text)*

The City of American Canyon has begun a path towards electrification and decarbonization by adopting the Energy Efficiency Climate Action Plan (EECAP) to outline the City's approach to reduce energy use and energy-related GHG emissions and through joining Marin Clean Energy (MCE).

In 2019, the City Council issued a Proclamation to join with Napa County Jurisdictions dedicated to working together to address climate change through comprehensive, immediate, and sustained action with community organizations, businesses, schools, and regional partners and jurisdictions to educate, mobilize, expand, and accelerate local, regional, and statewide support.

In 2022, the City Council approved a Climate Emergency Resolution (Resolution 2022-07) recognizing that a Climate Emergency exists, and that it threatens our city, state, country, and the planet. The Resolution recognizes the need to provide leadership and services in working with community organizations, businesses, schools, and regional partners and jurisdictions to educate, mobilize, expand, and accelerate local, regional and statewide support for comprehensive, immediate, and sustained action to achieve its goal of net zero climate pollution by or before 2030.

Gaining a nearly carbon-free power mix through MCE makes the transition to a fully carbon-free economy feasible through a shift to electric vehicles and buses, adopting electric appliances, and shifting buildings away from natural gas usage. The goals and policies listed below are intended to move the City further along the path to decarbonization, allowing it to meet the 2045 carbon neutrality goal set by the State. For additional policies relating to energy see the Utilities Element (Element 5).

Goals and Policies

Goal ENV-9:

Conduct decisive near-term action to reduce greenhouse gas emissions in American Canyon. (Source: Goal 1U)

Policies

ENV-9.1: **Greenhouse Gas Emission Reductions.** Consider initiatives to reduce direct and indirect greenhouse gas (GHG) emissions from transportation sources, and from new, renovated, and existing development in the city. *(Source: Objective 1.37)*

ENV-9.2: **Intergovernmental Cooperation.** Work with Napa County Jurisdictions together with community organizations, businesses, schools, and regional partners and jurisdictions to educate, mobilize, expand, and accelerate local, regional, and statewide support for comprehensive, immediate, and sustained action. *(Source: Policy 1.37.1)*

ENV-9.3: **Gas Station Limits.** Recognizing that the transportation sector is the largest source of GHG emissions in American Canyon and in California more broadly, prohibit construction of new fossil-fuel stations in American Canyon. *(Source: Policy 1.37.2)*

ENV-9.4: **Expand Zero Emission Vehicles.** Consider feasible methods to foster widespread use of Zero Emission Vehicles (ZEVs) to improve air quality and help meet California's GHG reductions targets by expanding availability of non-fossil vehicle fuel infrastructure, such as public and private electric vehicle charging stations, and hydrogen facilities for fuel cell electric vehicles throughout American Canyon. *(Source: Policy 1.37.3)*

ENV-9.5: **Vehicle Miles Travelled Reduction**. Reduce vehicle miles travelled by encouraging future land uses that feature a compact mixed-use urban form connected with pedestrian and bicycle trails. *(Source: Policy 1.37.4)*

ENV-9.6: **Reach Building Code.** Consider feasibility of adopting a "reach" local amendment to the California building code to require a 15% or greater energy efficiency than the State standard. *(Source: Policy 1.37.5)*

ENV-9.7: **Vehicle Idling.** Reduce vehicle engine idling in American Canyon by educating the broader community (i.e.: businesses, commuters, residents) on the greenhouse gas impacts caused by engine idling and implementing feasible commercial vehicle regulations. *(Source: Policy 1.37.6)*

ENV-9.8: **Building Electrification.** Consider a Reach Building Code that would prohibit installation of natural gas in all new construction. *(Source: New Policy)*

ENV-9.9: **CEQA Qualified Climate Action Plan.** Investigate alternatives to develop a CEQA Compliant Climate Action Plan for the City of American Canyon. *(Source: New Policy)*

ENV-9.10: **GHG Emissions Education.** Support educational programs to educate the public on climate change and GHG emissions reduction measures. *(Source: New Policy)*

Goal ENV-10:

Reduce energy consumption and increase renewable energy resources. (Source: New Goal)

Policies

ENV-10.1: **Energy Efficiency.** Require developers employ energy-efficient site planning methods and building design, including building orientation, shading, landscaping, building reflectance, and passive solar heating and hot water systems. *(Source: Existing General Plan, Policy 8.23.1, modified)*

ENV-10.2: **Renewable Energy Sources.** Work with other agencies and utility companies to develop safe, economical, and renewable energy resources. *(Source: Existing General Plan, Policy 8.25.2, modified)*

ENV-10.3: **Renewable Energy Program.** Support installation of renewable energy and battery storage for homes and businesses. *(Source: New Policy)*

ENV-10.4: **Energy Retrofit Program.** Develop an energy retrofit program and incentives for homeowners and building owners to encourage energy efficiency improvements such as fixture and appliance upgrades. *(Source: New Policy)*

ENV-10.5: **Energy Efficiency City Operations.** Increase energy efficiency of City operations and evaluate the feasibility of installing renewable energy at city facilities. *(Source: New Policy)*

ENV-10.6: **Energy Conservation Education.** Provide educational programs to the community on energy conservation and renewable energy options. *(Source: New Policy)*

ENV-10.7: **LEED Certification of Municipal Facilities.** Design new municipal facilities to, at minimum, meet the baseline Leadership in Energy and Environmental Design (LEED) certification criteria. *(Source: New Policy)*

ENV-10.8: **Land Use Planning**. Utilize land-use planning techniques to reduce traffic congestion and promote alternative modes of transportation for the community. *(Source: New Policy)*

ENV-10.9: **Development**. Encourage and incentivize the development of mixed-use residential opportunities and live-work environments within the city to lessen the impacts of traffic congestion on local air quality. *(Source: New Policy)*

ENV-10.10: **Active Transportation**. Improve active transportation options within the city by connecting local bikeways and trails to City bus stops and public transportation centers. *(Source: New Policy)*

ENV-10.11: **Public Transit**. Coordinate with NVTA and actively pursue the improvement and expansion of public transit for American Canyon residents. *(Source: New Policy)*

Air Quality

American Canyon is located in the San Francisco Bay Area Air Basin (SFBAAB) which includes the nine counties surrounding San Francisco Bay. The Bay Area Air Quality Management District (BAAQMD) monitors regional air quality, oversees policies, and adopts regulations to maintain air quality standards for criteria air pollutants and reduce air pollution and GHG emissions for the SFBAAB.

Air quality in American Canyon is generally good. Monitoring in Napa County from 2016 to March 2020 shows particulate matter of less than 2.5 microns exceeds national standard for a few days in the fall some years but is generally within the national and State standards. The area is within State and national standards for concentrations of other criteria air pollutants, such as, nitrogen dioxide, and particulate matter of 10 microns or less.

Goals and Policies

Goal ENV-11:

Improve air quality and minimize human exposure to toxic air pollutants. (Source: New Goal)

Policies

ENV-11.1: **Regional Air Quality Efforts.** Support and coordinate with BAAQMD and State and Federal planning efforts aimed at reducing air pollution and management of major pollutants affecting American Canyon and the region, including the Clean Air Plan. *(Source: New Policy)*

ENV-11.2: **Construction Management Plans.** Require new development and redevelopment projects to prepare and implement a construction management plan that incorporates Best Available Control Measures and all best management practices in accordance with the Air District standards to reduce criteria pollutants. *(Source: New Policy)*

ENV-11.3: **Separate Sensitive Land Uses.** Separate sources of air pollution from sensitive land uses, such as residences, schools, day care centers, hospitals, and nursing homes. *(Source: New Policy)*

ENV-11.4: **EV Charging Station Requirements.** Consider adopting voluntary measures from CalGreen Tier 1 and/or Tier 2 to implement stricter electric vehicle charging requirements for new development. *(Source: New Policy)*

ENV-11.5: **Alternative Modes of Transportation.** Encourage residents to use alternative modes of transportation, including walking, biking, and transit to minimize air pollutant emissions. *(Source: New Policy)*

ENV-11.6: **City Vehicle Fleet.** Transition the municipal fleet to electric or alternative-fuel vehicles. *(Source: New Policy)*

ENV-11.7: **Air Pollution Education.** Support public education programs that promote the reduction of air pollutant emissions, such as

reducing vehicle emissions through reducing VMT and using alternative modes of transportation. *(Source: New Policy)*

ENV-11.8: **Commute Reduction.** Support programs that reduce commuter vehicle trips. *(Source: New Policy)*

ENV-11.9: **Countywide Bicycle and Pedestrian Plans.** Work with the County to implement the best practices provided within the American Canyon edition of the Napa Countywide Bicycle Plan and Napa Countywide Pedestrian Plan. *(Source: New Policy)*

ENV-11.10: **Transit Services.** Work with Vine Transit, SolTrans, and other transit providers to regularly evaluate and update transit servicing American Canyon *(Source: New Policy)*

Implementation Programs

	Programs	Implements Which Policy(ies)	Responsible / Supporting Department(s)	2020 – 2025	2026 – 2030	2031 – 2040	Annual	Ongoing
A	**Biological Resources Inventory** Create and maintain an inventory of areas within the City's Sphere of Influence and Urban Limit Line with significant biological habitats as defined in Section 19.24.010 of the municipal code. Utilize the inventory during site plan review to ensure protection of resources in those habitat areas. *(Source: New Implementation Program)*	ENV-1.1	Community Development Public Works					■
B	**Site Design Standards.** Expand and enforce the site design standards and land use restrictions within the municipal code for water courses and riparian habitats to preserve the natural state of drainages and riparian cooridors to the extent feasible. *(Source: New Implementation Program)*	ENV-1.3 ENV-2.1 ENV-2.2	Community Development		■			
C	**Natural Drainage Protection.** Update the municipal code to establish objective standards for protection of natural drainage and pedestrian paths and greenbelts for new development and redevelopment. *(Source: New Implementation Program)*	ENV-1.4	Community Development Public Works		■			
D	**Invasive Plant Species Management.** Create an invasive species management plan to identify and and remove invasive species in designated natural habitats and open spaces. Work with property owners to coordinate removal and prevention efforts. *(Source: New Implementation Program)*	ENV-1.5	Community Development Public Works		■			
E	**City Vegetative Maintenance Plan.** Prepare and implement a vegetative maintenance plan for City-owned properties to maintain views into and through vegetated areas, and to remove invasive species. *(Source: New Implementation Program)*	ENV-1.5	Community Development Public Works		■			
F	**Local Historic Resources.** Develop critieria for establishing local historic resources and maintain a database of designated local historic resources. *(Source: New Implementation Program)*	ENV-4.1	Community Development		■			

	Programs	~~Implements~~ Which Policy(ies)	Responsible Supporting Department(s)	2020 – 2025	2026 – 2030	2031 – 2040	Annual	Ongoing
G	**Funding for a Historic Resources Inventory.** Seek funding to conduct a citywide survey to inventory sites of historical significance. *(Source: New Implementation Program)*	ENV-4.1	Community Development		■			
H	**Historic Compatibility.** Develop guidelines, such as a review checklist, for determining historic and architectural compatibility for new development and redevelopment projects that include or are in proximity to historic structures.	ENV-4.2	Community Development		■			
I	**Adaptive Reuse.** Develop guidelines for adaptive reuse of historic buildings in new development and redevelopment projects. *(Source: New Implementation Program)*	ENV-4.4	Community Development		■			
J	**Historic Preservation Incentives.** Develop a historic preservation incentive program to encourage preservation of historic resources with measures such as waiving building permit fees for property owners with historic resources for the rehabilitation, alteration, or reuse of their structure in accordance with established historic preservation guidelines. *(Source: Existing General Plan, Policy 8.20.1 and 8.20.2, modified)*	ENV-4.4	Community Development		■			
K	**Building Code Flexibility for Historic Structures.** Consider allowing flexibility in building code requirements for the rehabilitation of historic structures as specified in State Historical Building Code Part 8, Title 24 if these structures are rehabilitated in accordance with established historic preservation guidelines. *(Source: Existing General Plan, Policy 8.20.3)*	ENV-4.4	Community Development					■
L	**Architectural and Cultural Resource Survey.** Conduct a comprehensive survey of archaeological and cultural resources and historic vegetation that is based on established criteria and encompasses the entire City and its Sphere of Influence. *(Source: Existing General Plan, Policy 8.19.1)*	ENV-4.1 ENV-5.1	Community Development		■			
M	**Project Review Guidelines.** Develop guidelines for project review to ensure potential impacts to archaeological and/or cultural resources are minimized. *(Source: New Implementation Program)*	ENV-4.1 ENV-5.1	Community Development		■			

	Programs	~~Implements~~ Which Policy(ies)	Responsible / Supporting Department(s)	2020 – 2025	2026 – 2030	2031 – 2040	Annual	Ongoing
N	**Archaeological Surveys.** Update site plan review requirements to ensure discretionary projects located in areas where archeological resources are suspected conduct an archaeological investigation in accordance with CEQA to determine if the site contains cultural resources.	ENV-5.1	Community Development	■				
O	**Grant Opportunities.** Pursue available funding sources and/or partnerships for open space acquisition, management, and enhancement. *(Source: New Implementation Program)*	ENV-6.2	Recreation Community Development					■
P	**Level of Service and Access.** Establish open space level of service and level of access standards to prioritize acquisition, maintenance, and access for open space areas. *(Source: New Implementation Program)*	ENV-6.4	Community Development Recreation		■			
Q	**Open Space ADA Accessability.** Evaluate and identify ADA compliance of open spaces. Seek funding to implement improvement projects that could increase accessibility such as providing ADA accessible parking and pathways and establishing easy access trails. *(Source: New Implementation Program)*	ENV-6.4	Recreation Community Development					■
R	**Trail Network Plan.** Develop a trail network plan to and connect open spaces, parks, and residential neighborhoods. *(Source: New Implementation Program)*	ENV-6.5	Recreation Community Development		■			
S	**Scenic Resources Inventory.** Create and periodically update an inventory of scenic resources important to the City. *(Source: New Implementation Program)*	ENV-7.1	Community Development					■
T	**Scenic Resource Protection.** Identify and map valuable scenic viewscapes and update the City's development and design standards to protect scenic resources and important viewsheds. *(Source: New Implementation Program)*	ENV-7.1 ENV-7.2	Community Development					■
U	**BAAQMD Non-Attainment Standards.** Comply with BAAQMD's non-attainment standards and implement required pollution control measures by State and Federal statutes. *(Source: New Implementation Program)*	ENV-8.1	Community Development					■

	Programs	~~Implements~~ Which Policy(ies)	Responsible Supporting Department(s)	2020 – 2025	2026 – 2030	2031 – 2040	Annual	Ongoing
V	**Construction Management Plan Guidelines.** Develop construction management plan guidelines for incorporating best management practices for air quality in new development and redevelopment projects. *(Source: New Implementation Program)*	ENV-8.2	Community Development		■			
W	**Sensitive Land Uses.** Update the municipal code to prohibit the siting of sensitive land uses in proximity to air pollutant emission sources unless adequate mitigation measures are adopted and implemented. *(Source: New Implementation Program)*	ENV-8.3	Community Development	■				
X	**EV Charging Standards.** Update the municipal code to incorporate development standards for electric vehicle charging facilities as new State and federal legislation is adopted. Consider adopting the voluntary CalGreen Tier 1 and/or Tier 2 electric vehicle measures. *(Source: New Implementation Program)*	ENV-8.4	Community Development		■			
Y	**Bicycle and Pedestrian Infrastructure Funding.** Pursue grant funding to implement bicycle and pedestrian infrastructure, such as new bike lanes and sidewalks. *(Source: New Implementation Program)*	ENV-8.5 ENV-8.9	Community Development		■			
Z	**Municipal Fleet Electrification.** Phase out the use of gasoline vehicles in the City's vehicle fleet for electric powered or alternative fuel vehicles. *(Source: New Implementation Program)*	ENV-8.6	Public Works					■
AA	**Air Pollution Reduction Education.** Provide and support educational programs that educate the public on air pollution and strategies to reduce air pollution emissions, especially vehicle emissions. *(Source: New Implementation Program)*	ENV-8.7	Community Development Public Works				■	
BB	**Commute Trip Reduction Program.** Create a commute trip reduction program to support employer implementation of commute reduction measures. Create guidelines for employers that include best practices and resources for commute reduction. *(Source: New Implementation Program)*	ENV-8.8	Community Development	■				

	Programs	~~Implements~~ Which Policy(ies)	Responsible Supporting Department(s)	2020 – 2025	2026 – 2030	2031 – 2040	Annual	Ongoing
CC	**GHG Thresholds.** Establish GHG thresholds to evaluate non-exempt discretionary projects consistent with CEQA. Require projects above those thresholds to mitigate their GHG emissions and locally offset the remaining GHG emissions if necessary.	ENV-9 ENV-9.2	Community Development	■				
DD	**Building Electrification Ordinance.** Adopt a new building ordinance which bans the installation of natural gas in new residential construction by 2024 and in new commercial construction by 2025. The ordinance will only apply for building types where electrification is shown to be cost-effective. *(Source: New Implementation Program)*	ENV-9.1	Community Development	■				
EE	**Electric Appliances Building Retrofit Program.** Coordinate with SCP and other local programs to create incentives for retrofitting for electric appliances in existing buildings by 2030. *(Source: New Implementation Program)*	ENV-9.1	Community Development		■			
FF	**Climate Action Plan.** Update the Energy Efficiency Climate Action Plan and GHG emissions reduction targets to be consistent with State and federal regulations. *(Source: New Implementation Program)*	ENV-9.1 ENV-9.2	Community Development	■				
GG	**GHG Inventory Update.** Update and report the citywide GHG emissions inventory every five years. *(Source: New Implementation Program)*	ENV-9.2 ENV-9.3	Community Development	■				
HH	**GHG Emissions Reduction Education.** Work with the school district to provide educational programs that educate the public on climate change and GHG emissions reduction strategies. *(Source: New Implementation Program)*	ENV-9.3	Community Development					■
II	**Energy Efficient Building Code.** Update the Zoning Ordinance to require energy efficient site and building design in all new development consistent with and, where feasible, beyond the requirements of Title 24 of the California Administrative Code. *(Source: Existing General Plan, Implementation Program I 8.7, modified)*	ENV-10.1	Community Development		■			

	Programs	~~Implements~~ Which Policy(ies)	Responsible Supporting Department(s)	2020 – 2025	2026 – 2030	2031 – 2040	Annual	Ongoing
JJ	**Energy Performance Requirements.** Enforce existing energy conservation provisions and establish additional energy performance requirements in the building code as new information becomes available. Measures to be considered include building orientation and shading, active and passive solar heating and hot water systems, insulation of water heater and pipes, roof, wall and floor insulation, solar swimming pool heater, setback thermostats, double-pane windows, etc. *(Source: Existing General Plan, Implementation Program I 8.9)*	ENV-10.1	Community Development		■			
KK	**Renewable Energy Incentives.** Partner with energy providers to develope a program to offer incentives to installation of renewable energy generating systems, such as rebates, fee waivers, and permit streamlining. *(Source: New Implementation Program)*	ENV-10.3	Community Development		■			
LL	**Energy Retrofit Program.** Provide incentives to support adoption of building retrofits for fixtures and appliances to conserve energy in partnership with energy providers, the County, or local programs such as BayREN. Incentives can include rebates, permit fee waivers, or connecting interested parties with agencies that provide technical assistance (BayREN). *(Source: New Implementation Program)*	ENV-10.4	Community Development Public Works		 ■			
MM	**Energy Education.** Prepare educational and promotional materials for distribution at the Planning and Building Department and post information on the City's website outlinining permitting procedures and a submittal checklist for solar, wind, and other alternative energy permits. *(Source: New Implementation Program)*	ENV-10.6	Community Development Public Works					 ■
NN	**Energy Audits.** Initiate and facilitate programs that allow for energy audits of existing structures and public education programs aimed at promoting energy conservation. The programs should define the current levels of use, compare these to current standards for similar types of structures, and prescribe corrective methods to improve conservation. *(Source: Existing General Plan, Implementation Program I 8.35, modified)*	ENV-10.6	Public Works					■

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8 Safety

The Safety Element provides the City of American Canyon's goals, policies, and actions to minimize safety hazards to in and around the city. The Safety Element evaluates natural and human-caused hazards that affect existing and future development and provides guidelines for protecting the community from harm. The Safety Element describes existing and potential future conditions and sets policies to reduce risk of injury, death, property loss, and other hardships to acceptable levels.

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Introduction

Public Safety in American Canyon includes both natural and manmade hazards and the emergency response to them. The goals and policies of this element are organized around the following topics:

- Emergency Operations
- Fire Safety
- Flooding
- Geologic Hazards and Seismic
- Hazardous Waste and Materials
- Airport and Military Operations
- Climate Change
- Noise

Emergency Response and Preparedness

There are several guiding documents that help the City of American Canyon prepare for and respond to natural and manmade disasters. The Emergency Operations Plan (EOP) and community emergency preparedness program helps minimize the risk of loss of life or property in the event of a disaster.

In 2020, the American Canyon Fire Protection District and County adopted The Napa County Multijurisdictional Hazard Mitigation Plan (MJHMP), developed in accordance with the Disaster Mitigation Act of 2000 (DMA 2000) and following FEMA's Local Hazard Mitigation Plan guidance. The MJHMP uses a process where hazards are identified and profiled, the people and facilities at risk are analyzed, and mitigation actions are developed to reduce or eliminate hazard risk. The implementation of these mitigation actions, which include both short and long-term strategies, involve planning, policy changes, programs, projects, and other activities. The MJHMP evaluates hazards such as drought,

earthquakes and geologic hazards, wildfire, and flood for the City of American Canyon, and assesses how those hazards may change in the future due to climate change.

Emergency Operations Plan

The City of American Canyon Emergency Operations Plan was adopted in 2009 and covers the government responsibilities, initial and long-term response and operations, mutual aid agreements, and funding options for emergency response in American Canyon.

Community Emergency Preparedness

The City manages a comprehensive website containing information, guidance, and instruction on preparing and responding to each type of emergency the residents of American Canyon may anticipate in the future. General preparedness tips and checklists are included on the main page of the website, with links to more specific guidance, in English and Spanish, for earthquakes, flooding, wildfires, power outages, evacuation procedures, and COVID-19 safety practices.

Emergency Communications

Napa County Jurisdictions' emergency management is organized within the Standardized Emergency Management System (SEMS) and National Incident Management System (NIMS). (*Source: Napa County Office of Emergency Services*) The Napa County EOP complies with SEMS and NIMS to coordinate with the State Emergency Plan and National Response Framework. Additionally, the City has an established system for warning and alerting the public of an emergency, and for needed coordination with other departments, agencies, organizations, and levels of government. To notify residents of emergencies, the Police and Fire Departments use the Emergency Alert System (NIXLE), integrated public alert & warning system (IPAWS), special broadcasts, the public address system, City website, City Manager's updates, Nextdoor, Facebook, non-electronic communications, and sirens. To alert and activate emergency response personnel, American Canyon uses an Emergency Operations Center (EOC) Notification List, which can only be activated by the City Manager, Police Chief, Fire Chief, or Incident Manager when a disaster occurs or threatens to occur in the city.

Emergency Operations Center (EOC)

The Napa County EOC, located at 1535 Airport Blvd, Napa, CA 94558, within the Napa County Sheriff's Office, is the central coordination point for multi-agency emergency management coordination. The purpose of a multi-agency coordination point is to provide a location to collect and disseminate information, provide a common operating picture of operational area response activities, and facilitate actions necessary to protect residents and property of Napa County during an event. Napa County has developed an EOC Plan as an annex to the County's EOP, which includes more specific operational guidance and position description for EOC roles. The American Canyon EOC is located at 911 Donaldson Way East.

The EOC exchanges information with governmental and nongovernmental agencies to maintain a comprehensive situational analysis. The EOC provides space and facilities for the centralized coordination of emergency functions (e.g., emergency operations, communications, damage assessment, public information). It is staffed with specially trained personnel and is equipped with a variety of systems and tools that aid in data collection and sharing, resource allocation, and other critical functions. (*Source: Napa County Office of Emergency Services*)

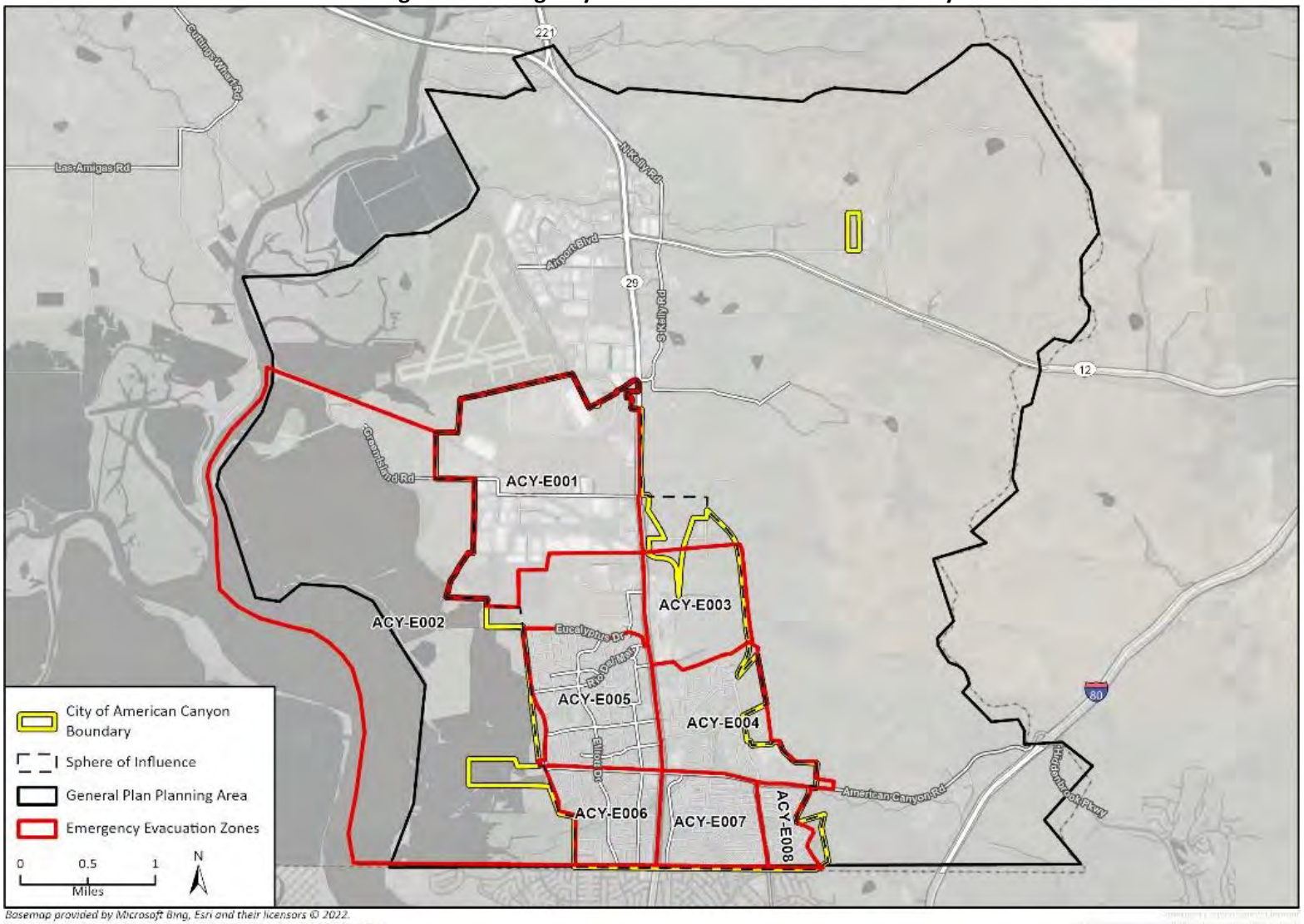
Evacuation Procedures

Evacuation may be required if a wildfire or earthquake takes place in the vicinity of homes, businesses, or gathering places. American Canyon generally operates using three levels of evacuation alerts: *(Source: New Text)*

- **Evacuation Advisory**: This is a precautionary notice designed to give residents time to prepare for a possible evacuation.
- **Voluntary Evacuation**: Those in the evacuation area are strongly urged to leave the area. If they choose to remain, they should be prepared to take action immediately if danger approaches.
- **Mandatory Evacuation**: Danger is imminent. Those in the evacuation area should find their Emergency Supply Kit and leave the area immediately. Should they choose to remain, they may be on their own as emergency personnel will not likely be able to help them.

Napa County and incorporated municipalities have partnered with Zonehaven to establish standardized evacuation zones for the entire county. In the past, evacuation zones were different for each incident; zones now remain consistent. American Canyon consists of eight evacuation zones, as shown in Figure 1.

S-Figure 1: Emergency Evacuation Zones in American Canyon



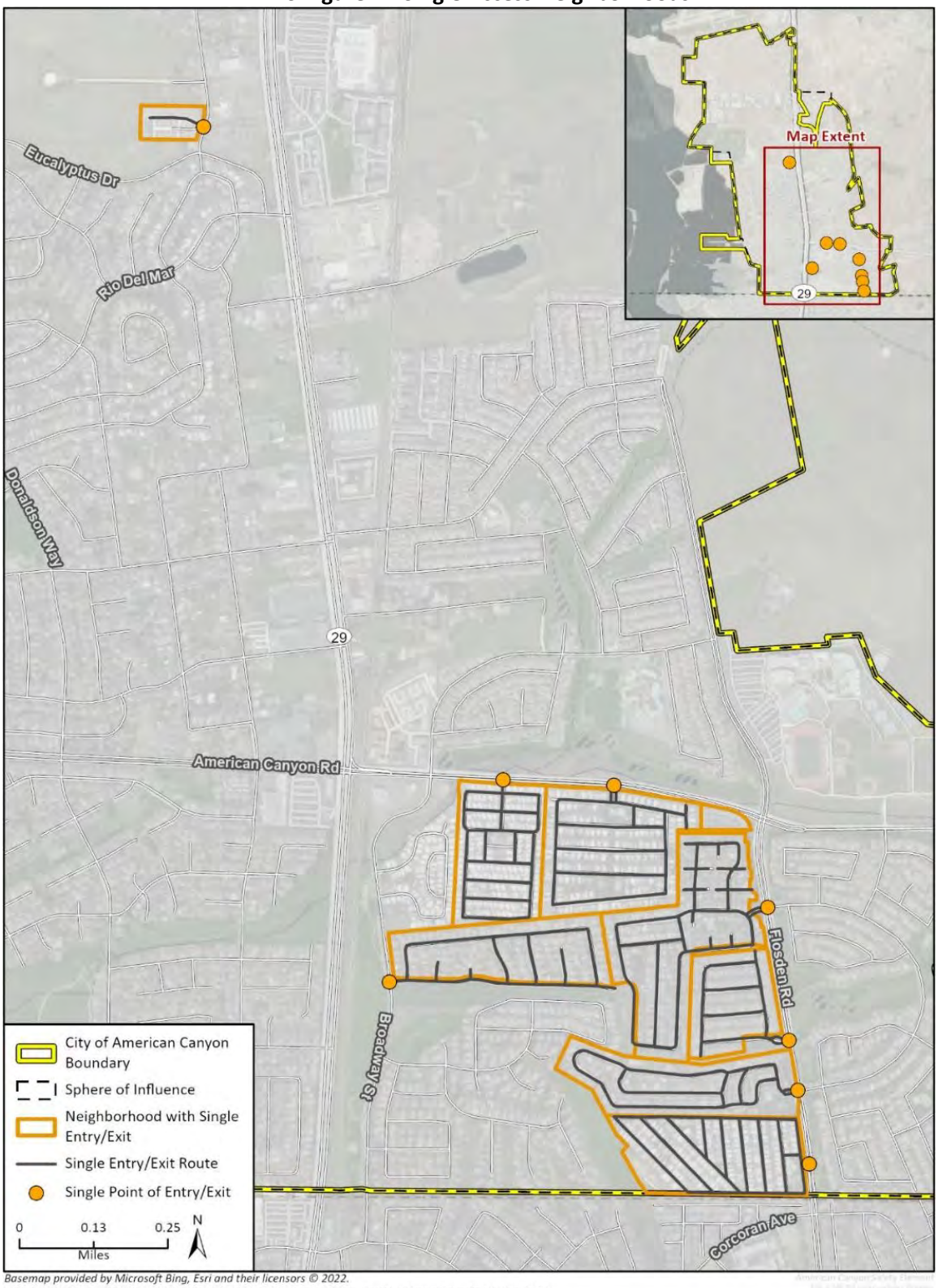
Basemap provided by Microsoft Bing, Esri and their licensors © 2022.
Additional data Georeferenced and Digitized from Zonehaven AWARE, 2022.

SB 99 Evacuation Analysis

Evacuation zones have been designated using Zonehaven to facilitate the movement of residents away from impacted areas before or during a disaster or hazard event. In 2019, the State adopted Senate Bill (SB) 99 which requires cities to identify residential developments in any hazard area identified in the Safety Element that do not have at least two emergency evacuation access roads. This allows the City to identify opportunities to improve evacuation capacity and connectivity for vulnerable neighborhoods. Figure 2 identifies residential neighborhoods that have a single access road for entry and exit (i.e., roads that connect to a collector or arterial road by only a single route).

There are currently eight neighborhoods in the city that have been identified as having only a single access road. Residents of these neighborhoods may be at risk during evacuation scenarios and these neighborhoods may pose significant logistical challenges. As a result, policy and implementing actions have been developed to minimize evacuation challenges for these specific neighborhoods.

S-Figure 2: Single Access Neighborhoods



Basemap provided by Microsoft Bing, Esri and their licensors © 2022.
Additional data provided by Mintier Harnish, 2022; SB 99 Routes determined by Rincon Consultants, Inc, 2022.

Goals and Policies

Goal S-1:

Prepare and equip American Canyon to minimize loss of life, injury, property damage, and disruption of vital services from disasters and emergencies. (Source: New Goal)

Policies

S-1.1: **Emergency Shelters.** Periodically coordinate with emergency shelter providers to ensure that necessary equipment supplies are available in case of emergency. *(Source: New Policy)*

S-1.2: **Critical Facilities.** Coordinate with service providers to ensure the resilience of critical emergency facilities to serve the entire city and other jurisdictions within the region. *(Source: New Policy)*

S-1.3: **Law Enforcement.** Coordinate with the American Canyon Fire Protection District, Napa County, the State, and neighboring jurisdictions to ensure readiness and availability of emergency services and back up services. *(Source: New Policy)*

S-1.4: **Water and Sewer.** Ensure any interruption of utility services in the case of a disaster is minimal and short-term, including water and sewer services. *(Source: New Policy)*

S-1.5: **Business Disaster Preparedness.** Coordinate with the American Canyon Chamber of Commerce to assist local and small businesses in preparing and responding to disasters and in planning for the subsequent continuity of operations. *(Source: New Policy)*

S-1.6: **Public Training.** Encourage residents to attend periodic training programs on wildfire mitigation and disaster planning, and to develop disaster preparedness and evacuation plans for their families. *(Source: New Policy)*

S-1.7: **Public Awareness.** Increase public awareness of City and Fire District emergency response plans, evacuation routes and shelters, and ways to reduce risks at the home and office,

focusing on the most vulnerable populations such as older adults and individuals with chronic health conditions. Offer informational materials in multiple languages. *(Source: New Policy)*

S-1.8: **Emergency Access.** Work with the American Canyon Fire Protection District (ACFPD) and the Napa County Sheriff's Department to identify and regularly evaluate emergency access routes to improve accessibility throughout the city in the event of a disaster. *(Source: New Policy)*

S-1.9: **Essential Facilities.** Work with service providers to maintain the reliability of essential facilities, such as communications towers, electrical substations, water services, and first-response buildings in the event of an emergency through promoting grid resilience and energy independence. Work to implement on-site power generation through solar photovoltaic systems and battery storage. *(Source: New Policy)*

S-1.10: **Communication.** Evaluate the potential to utilize a comprehensive emergency communication system to ensure effective communication between City departments, outside organizations and agencies, and with the community before, during, and to accelerate recovery following a disaster. *(Source: New Policy)*

S-1.11: **City Employee Emergency Preparedness.** Increase City employee capacity to respond to emergencies through the Standardized Emergency Management System (SEMS) and the National Incident Management System (NIMS) compliant training drills to identify hazards and assist in emergency preparedness, response and recover. *(Source: New Policy)*

S-1.12: **Local Partnerships.** Coordinate with citizen groups and organizations, such as the American Canyon Community Response team (CERT) to identify, prepare for, and respond to emergency assistance in the event of a natural disaster. *(Source: New Policy)*

S-1.13: **Emergency Evacuation Protocols for Single Access Neighborhoods.** Update emergency evacuation protocols and relevant evacuation plans to address and support

neighborhoods with fewer than two ingress/egress routes. *(Source: New Policy)*

S-1.14: **Communication and Outreach for Single Access Neighborhoods.** Establish and maintain communication and outreach protocols with the public that include tailored evacuation messaging to residents that live in identified neighborhoods with fewer than two ingress/egress routes. Outreach should include support for preventative home hardening and defensible space standards and conduct emergency preparedness and response trainings. *(Source: New Policy)*

S-1.15: **Expand Access for Single Access Neighborhoods**. Assess options for expanding ingress/egress options for residents in the identified access-limited areas in coordination, as necessary, with Napa Valley Transportation Authority, Caltrans, California Highway Patrol, adjacent cities, and Napa County. *(Source: New Policy)*

S-1.16: **Zone-Based Evacuation Plans.** Establish specific "zone-based" evacuation plans and protocols that address the specific needs of residents in identified areas with fewer than two ingress/egress routes. *(Source: New Policy)*

S-1.17: **Critical Infrastructure Siting.** Whenever feasible, locate the following critical facilities outside of flood, seismic, and high fire hazard zones: health care facilities, schools, emergency shelters, fire stations, emergency command centers, and emergency communications facilities. *(Source: New Policy)*

S-1.18: **Emergency Operations Plan.** Update the City's Emergency Operations Plan every five years and maintain consistency with the County's Emergency Operations Plan. *(Source: New Policy)*

S-1.19: **Multi-Jurisdictional Hazard Mitigation Plan Updates.** Continue to fully participate in, support, and implement the five-year updates of the Napa County Multi-Jurisdictional Hazard Mitigation Plan. *(Source: New Policy)*

S-1.20: **Funding for Critical Facilities.** Direct the dedication of funds to upgrade and maintain City owned critical facilities, including the Emergency Operations Center, fire and police departments, and

City Hall, to make them more resilient to the potential impacts of natural disasters.

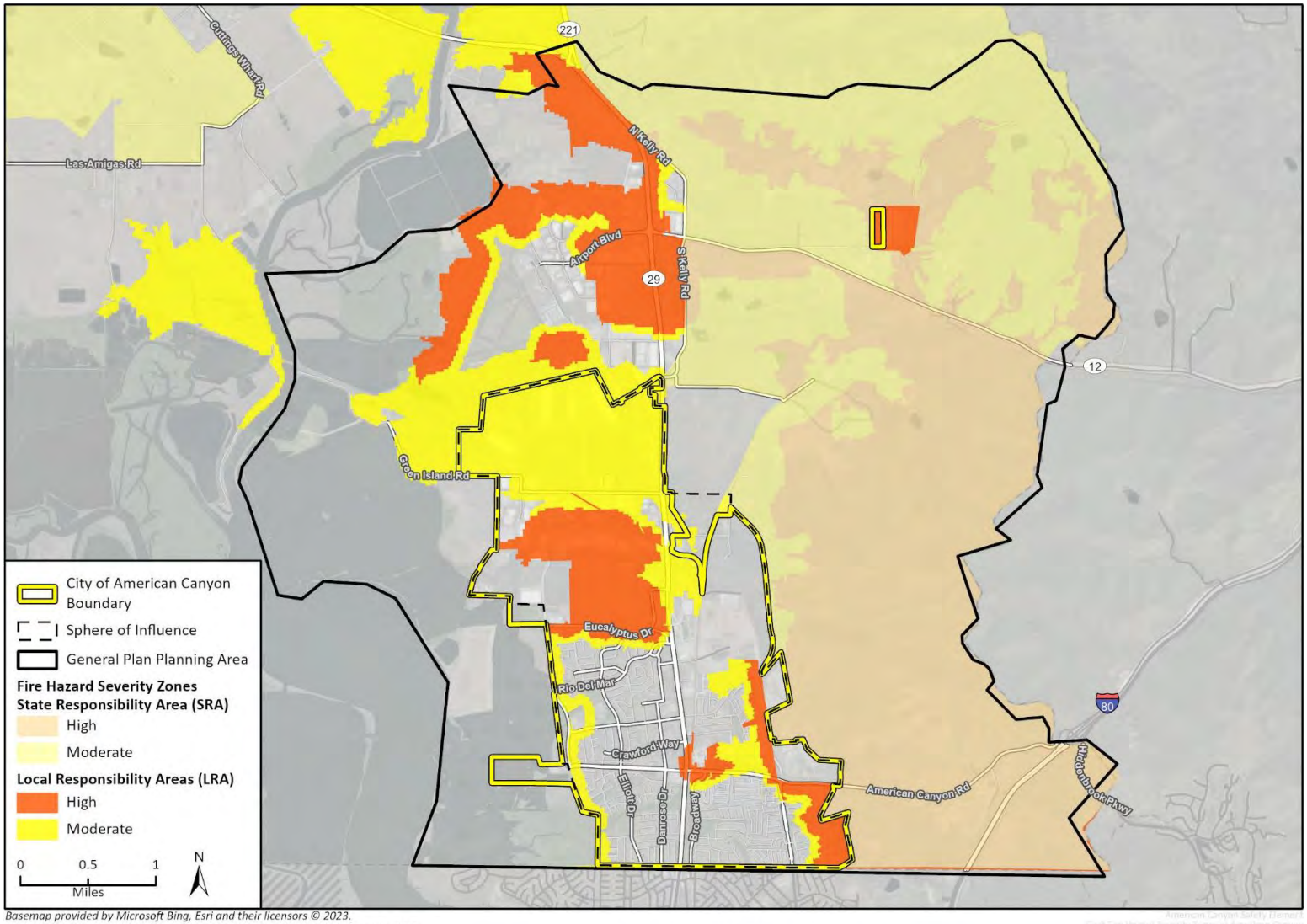
Wildfire Hazards

Wildfires are a common risk for Californians, and Napa County and American Canyon have had several nearby fires in recent history. The combination of highly flammable fuel, long dry summers and steep slopes creates a significant natural hazard for large wildland fires in many areas of Napa County. Wildland fire behavior is based on three primary factors: weather, topography, and fuel. Similarly, fires that start in urbanized areas can grow into wildland fires. Wildland/urban interface (WUI) fire hazards are especially pronounced in areas of high structure densities adjacent to undeveloped open space areas or narrow roads with dense vegetation. A WUI fire may result in death, injury, economic loss, and a large public investment in firefighting activities.

From 2000 to 2020, there were 12 wildfires that burned over 1,000 acres in Napa County. In October 2019, the American Fire caused 526 acres of open space in the eastern hills to burn, threatening the city and prompting evacuation advisories. The Atlas Fire and Nuns Fire, both in 2017, burned approximately ten miles north of American Canyon and were part of a series of destructive wildfires that occurred in the same season. Numerous other fires have caused health issues in the community from smoke, and such fire hazards are expected to continue and worsen in the future due to climate change.

The American Canyon Wildfire District provides fire protection services for the City of American Canyon. Direct wildfire risks for American Canyon are mostly on the eastern side of the city, as shown in Figure 3. As of 2020, American Canyon High School and the American Canyon Water Treatment Plant are located in high wildfire intensity zones, and approximately 1,460 people live in moderate to high wildfire intensity zones. While the urbanized areas of the city are not directly susceptible to wildland fires, development on hillsides has increased the number of homes in the wildland-urban interface (WUI) and fire could spread from the hillside area to urbanized areas.

S-Figure 3: Fire Severity Zones Surrounding American Canyon



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Additional data provided by CalFire, 2007; Napa County and Mintier Harnish, 2022.

Goals and Policies

Goal S-2:

A City safe and adequately prepared for urban and wildfire emergencies. (Source: New Goal)

Policies

S-2.1: **Fire Safe Site Design.** Develop site design and ongoing maintenance standards for new development in the moderate and high fire hazard zones to mitigate wildfire risk, including implementing minimum road widths and clearances to ensure adequate space for emergency vehicles. *(Source: New Policy)*

S-2.2: **Utility Undergrounding.** Develop a comprehensive plan to underground overhead utilities in new development projects and throughout the city. *(Source: New Policy)*

S-2.3: **Residential Evacuation Routes.** Require that all new residential development have at least two emergency evacuation routes. *(Source: New Policy)*

S-2.4: **Public Education.** Coordinate with the American Canyon Fire Protection District to target fire safety education efforts and fire hazard reduction strategies towards the most vulnerable populations such as older adults and individuals with chronic health conditions. *(Source: New Policy)*

S-2.5: **Fire Equipment.** Coordinate with the American Canyon Fire Protection District to ensure that all fire equipment remains operable and adequate to respond to a major disaster. *(Source: New Policy)*

S-2.6: **Building and Fire Code Compliance.** Require new development to meet or exceed structural hardening requirements in the most current version of the California Building Codes and California Fire Code. *(Source: New Policy)*

S-2.7: **Development Standards Update.** Incorporate relevant new legislative requirements and best practices into the City's development standards. *(Source: New Policy)*

S-2.8: **Property and Building Improvements.** Encourage property and building owners to implement site improvements and building retrofits to bring existing non-conforming developments into conformance with contemporary fire safe standards. *(Source: New Policy)*

S-2.9: **Fire Protection Plans.** Coordinate with the American Canyon Fire Protection District to consider developing fire protection plan guidelines and standards for new construction projects. *(Source: New Policy)*

S-2.10: **Fire Suppression.** Coordinate with the Fire District to ensure adequate, water supply to suppress wildfire, as part of the next Napa County Multi-jurisdictional Hazard Mitigation Plan update. *(Source: New Policy)*

S-2.11: **Peakload Water Supply.** Support measures to provide adequate water availability throughout the city to meet future peak fire demand during times of peak domestic demands. *(Source: New Policy)*

S-2.12: **Emergency Roadways.** Maintain roadways used for emergency access by emergency response vehicles as necessary and appropriate to ensure ongoing serviceability. (Source: New Policy)

S-2.13: **Community Fire Breaks.** Coordinate with the American Canyon Fire Protection District to encourage property owners to maintain fire breaks and fuel modification/reduction zones on their property. *(Source: New Policy)*

Flood Hazards

The Napa River is prone to seasonal flooding from November through April each year, which most severely impacts low-lying properties near the Napa River and its feeder streams. Recorded history indicates there has been recurrent flooding on the Napa River, with the most serious recent floods occurring in 2005, 1997, 1995, and 1986.

Most areas in the 100- and 500-year FEMA flood zones are located on the west side of the city and along the canal that runs east to west across the city, as shown in Figure 4. Flooding may also occur throughout the city during extreme storms, when the stormwater system is overwhelmed and cannot convey water away quickly enough. Most flooding in the city, whether from the flood zones or stormwater system, occurs during extreme storm events and is limited to localized flooding of a few inches to a few feet at most.

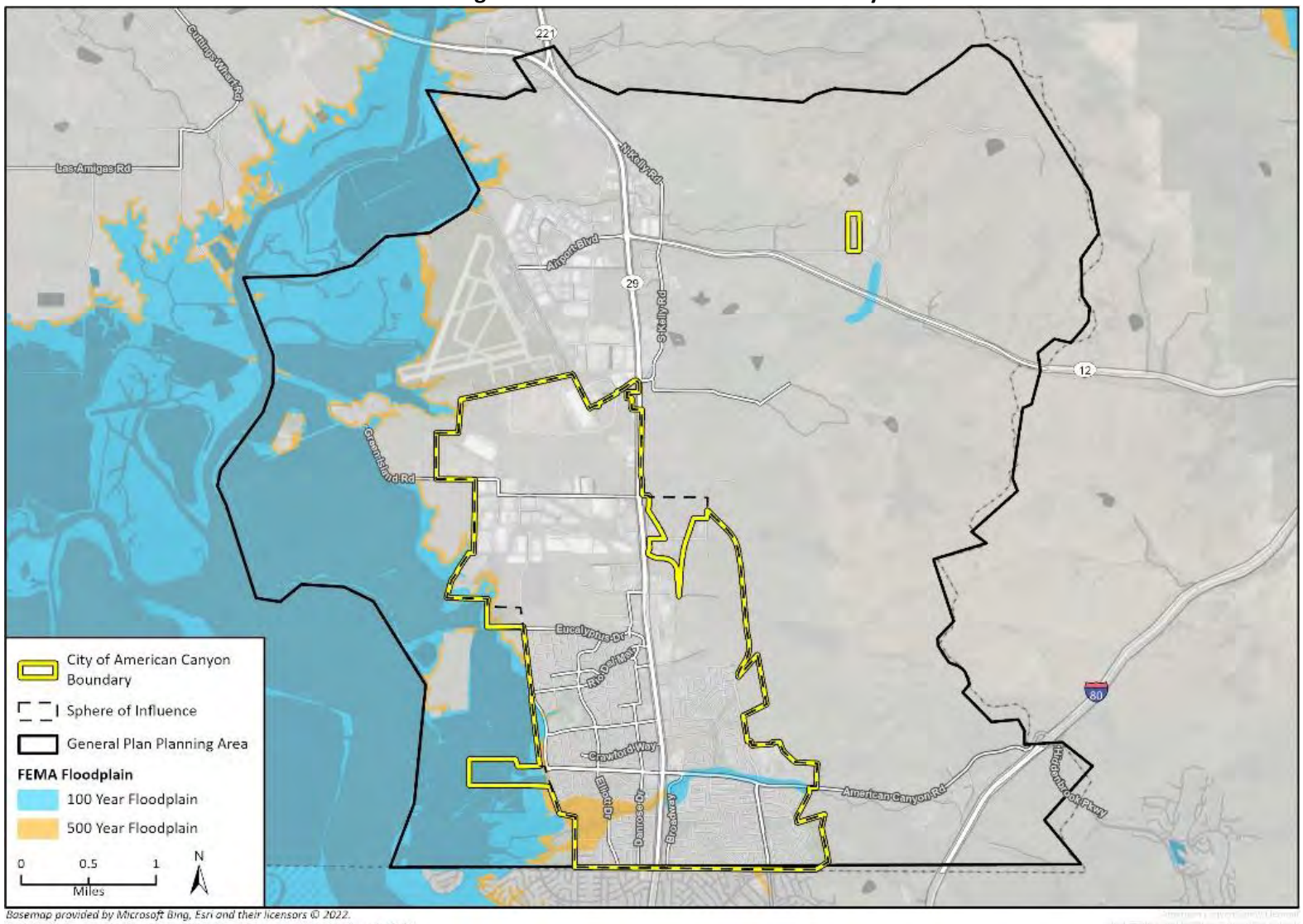
Sea Level Rise

Sea level rise is the increase in ocean levels caused by climate change. Rising global temperatures are melting glaciers and ice caps and causing an expansion of sea water. This phenomenon will lead to more extensive coastal flooding during storms and increased coastal erosion. A small area adjacent to the city's western border is projected to be affected by future sea level rise due to increased flooding from the Napa River. This area includes the American Canyon Wastewater Treatment Plant, Public Works Yard, and pump stations located along Wetlands Edge Road. This flooding would be minimal, mostly exacerbating any issues already present, with expected flooding depths of less than two feet in most storm events.

Dam Inundation

The Napa County MJHMP includes Figure 1-5: Dam Failure Exposure Summary showing the extent of potential inundation risk for American Canyon in the event of dam failure. While the City does have areas within potential inundation areas should a dam fail, the MJHMP has mitigation measures in place to cooperate with other participating jurisdictions in the assessment of local dams and coordination of warning systems if and when necessary.

S-Figure 4: Flood Hazards in American Canyon



Basemap provided by Microsoft Bing, Esri and their licensors © 2022.
Additional data provided by FEMA, 2021; Napa County and Mintier Harnish, 2022.

Goals and Policies

Goal S-3:

Protect the community from potential flood hazards. (Source: New Goal)

Policies

S-3.1: **Regulatory Compliance**. Coordinate with local, state, and federal agencies to ensure the City's flood control regulations comply with federal, State, and local standards. (Source: New Policy)

S-3.2: **FEMA Coordination**. Coordinate with the Federal Emergency Management Agency (FEMA) to ensure that Federal Insurance Rate Maps correctly depict flood hazards in the City. (Source: New Policy)

S-3.3: **Changing Conditions**. Coordinate with the Bay Development and Conservation District (BCDC) to consider the need to expand flood control facility capacity caused by flood conditions associated with climate change and extreme weather. (Source: New Policy)

S-3.4: **City Preventative Maintenance.** Maintain City stormdrains to prevent local flooding and debris flows. *(Source: New Policy)*

S-3.5: **Private Preventive Maintenance.** Require property owners keep natural drainage courses on their sites free of obstructions such as structures, dams, and debris, which may adversely affect flooding on the site or downstream properties. *(Source: Existing Policy 10.1.3 modified)*

S-3.6: **Development in Flood Zones**. Implement the standards and requirements defined in the Municipal Code to reduce hazards within the 100-year flood zone and require projects in the 100- and 500-year flood zones to incorporate adequate stormwater management and flood-prevention design measures. *(Source: New Policy)*

S-3.7: **Reduce Flood Vulnerability**. Seek funding and assistance to protect existing structures and infrastructure that are

vulnerable to flood hazards and sea level rise impacts. *(Source: New Policy)*

S-3.8: **Protect Public Facilities.** Protect existing public infrastructure at risk from sea level rise through building retrofits and other mitigation methods. *(Source: New Policy)*

S-3.9: **Zero Net Fill**. Establish an ordinance that requires any permit that adds fill within a floodway to demonstrate that an equal amount of fill is removed from the floodway. *(Source: New Policy)*

S-3.10: **Sea Level Rise Mitigation**. Require new development and redevelopment within areas at risk of sea level rise to incorporate mitigation measures to address flood and erosion hazards into the project's design. *(Source: New Policy)*

S-3.11: **Flood Protection by Wetlands**. Coordinate with resource agencies to preserve and restore wetlands in the western areas of the city to mitigate the effects of sea level rise and flood impacts. *(Source: New Policy)*

S-3.12: **Public Facilities.** Locate, when feasible, new essential public facilities outside of flood hazard zones, including hospitals and health care facilities, emergency shelters, fire stations, emergency command centers, and emergency communications facilities, or identify mitigation measures to ensure such facilities are protected from flood hazards.

Geologic and Seismic Hazards

American Canyon is located near several active or potentially active earthquake faults, including the Northern Hayward/Rodgers Creek, Mayacamas, Hunting Creek-Berryessa, West Napa, and Green Valley faults. Numerous earthquakes have occurred in and near Napa County over the last twenty years. Two large-scale earthquakes in Napa County caused damage, death, and injuries over the last twenty years. In September 2000, Napa County residents experienced a 5.2 earthquake on the West Napa Fault. Damages were estimated at $30-50 million.

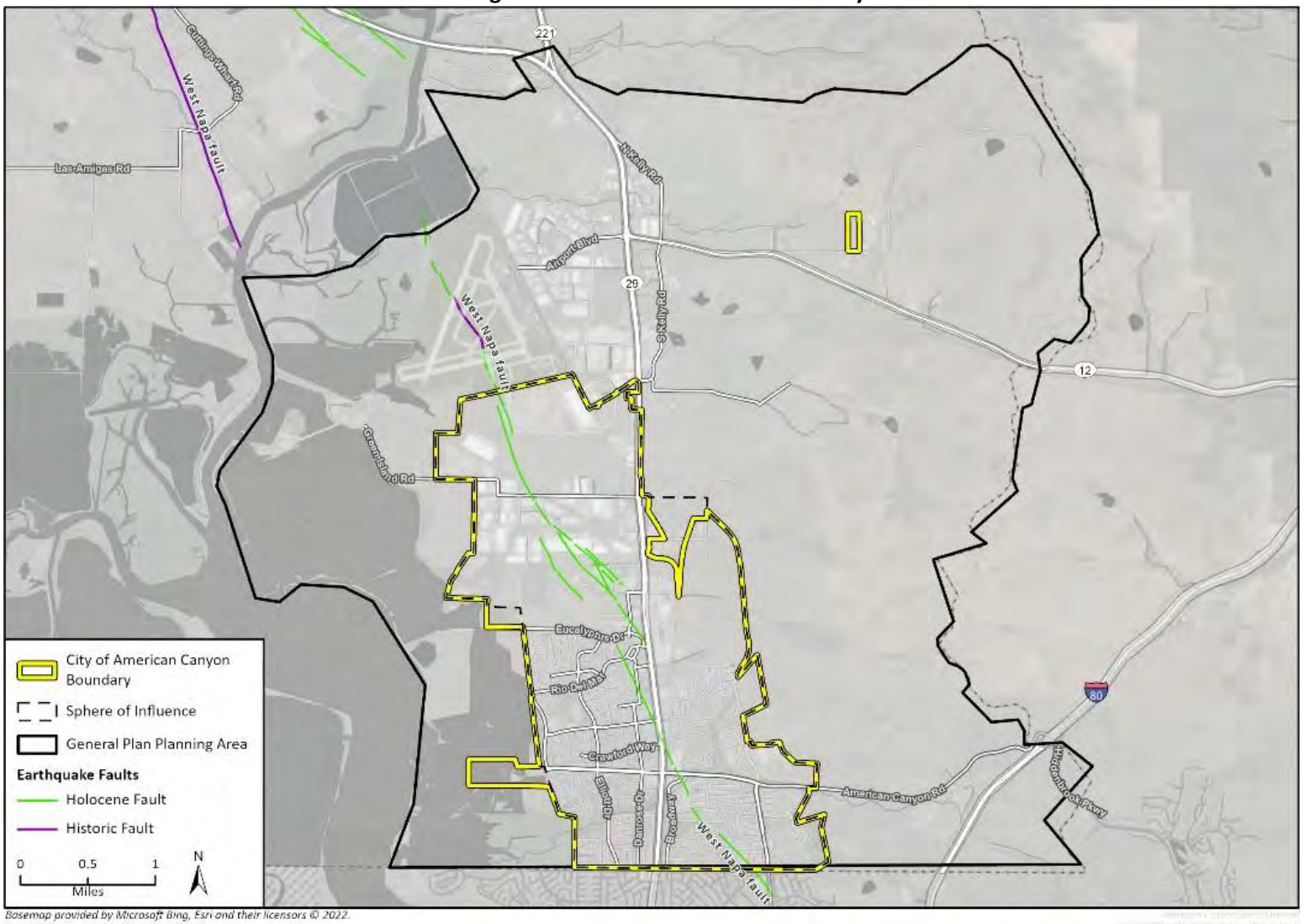
American Canyon is in a severe earthquake probability zone. Figure 5 shows fault lines in American Canyon. Seventy-nine critical facilities are located in earthquake hazard areas, and the water and utility distribution systems are vulnerable in the event of a severe earthquake.

Risk of landslides in American Canyon is primarily located in the eastern hills just outside of the city limits. A moderate earthquake could trigger landslides that impact development on the eastern side of the city, especially in the area south of American Canyon Road and east of Flosden Road and along Newell Drive. Figure 6 shows areas susceptible to landslide in American Canyon.

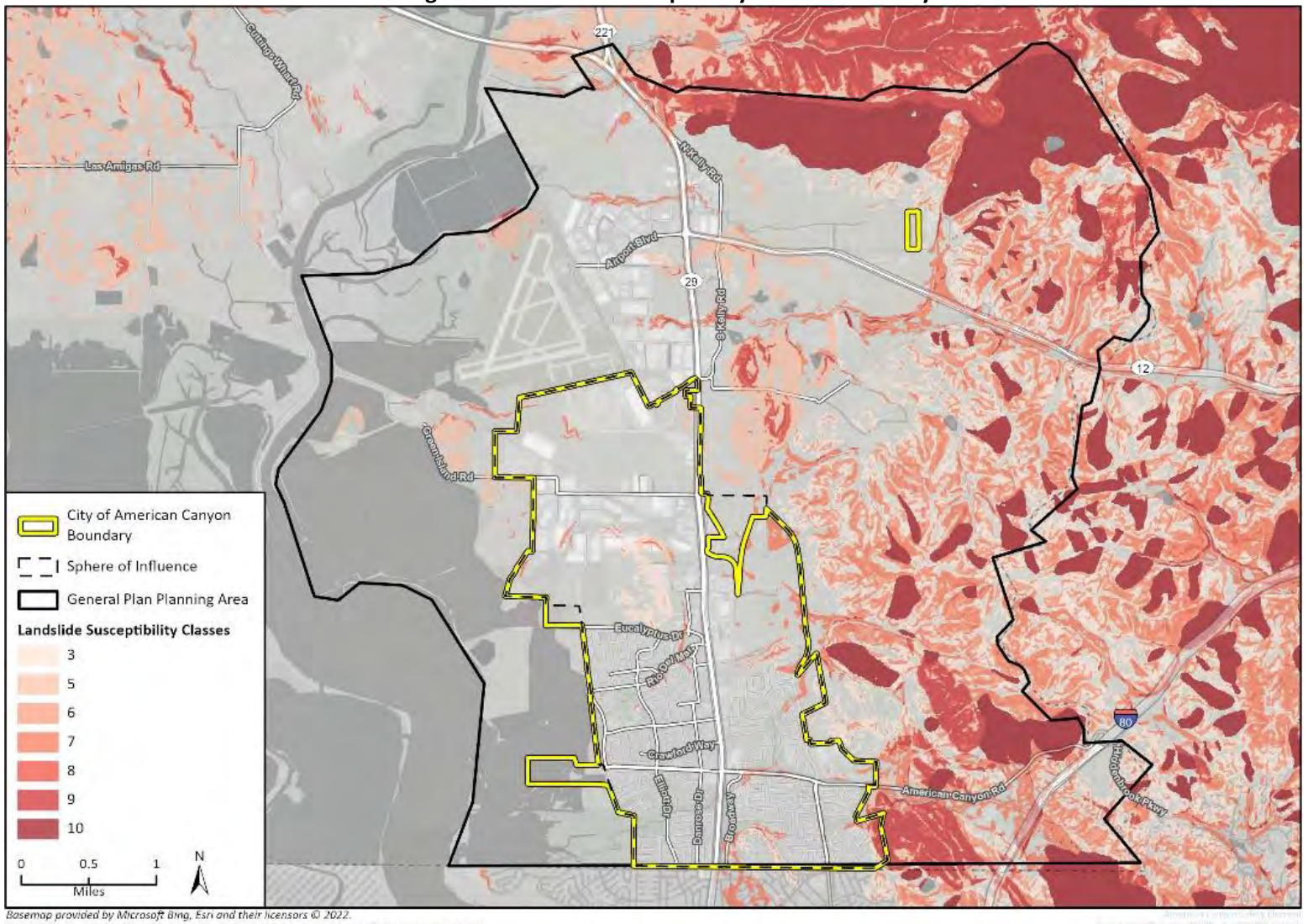
The 2014 South Napa Earthquake

The South Napa earthquake hit at approximately 3:30 a.m. on August 24, 2014, at a 6.0 on the moment magnitude scale and a maximum Mercalli intensity of VIII (severe), making it the largest bay area earthquake since the 1989 Loma Prieta earthquake. The earthquake was centered four miles northwest of American Canyon and resulted in over 200 people being injured and significant damages to buildings and infrastructure.

S-Figure 5: Fault Lines in American Canyon



S-Figure 6: Landslide Susceptibility in American Canyon



Basemap provided by Microsoft Bing, Esri and their licensors © 2022.
Additional data provided by CGS, Map Sheet 58, 2015; Napa County and Mintier Harnish, 2022.

Goals and Policies

Goal S-4:

A community adequately prepared for natural hazards related to landslides, geologic instability, and seismic activity. (Source: New Goal)

Policies

S-4.1: **Geologic Hazard Identification**. Reference current local and California Geologic Survey seismic and geologic hazards map surveys when assessing development review applications. *(Source: New Policy)*

S-4.2: **Liquefaction**. Require special site-specific studies in areas potentially subject to liquefaction to determine engineering mitigations and development siting measures for new development. *(Source: Existing Policy 9.3.2 modified)*

S-4.3: **Structure Protection.** Develop inventories of at-risk public buildings and infrastructure and seek funding to bring existing City-owned structures into compliance with updated seismic safety standards. *(Source: New Policy)*

S-4.4: **Infrastructure Protection.** Support earthquake strengthening and provision of alternative or backup services, for at-risk infrastructure such as water, sewer, electricity, and natural gas pipelines and connections, for critical facilities especially in areas of high seismic or geologic high hazard or where weak segments are identified by existing or future studies. *(Source: New Policy)*

S-4.5: **Earthquake Protection.** Enforce seismic design provisions from all relevant building codes to reduce the risk of damage associated with seismic activity in all new and expanded development and ensure adequate review and inspection. *(Source: New Policy)*

S-4.6: **Alquist-Priolo Act**. Implement mandatory development restrictions and investigation requirements (by the state, under the Alquist-Priolo Act, or by the City) on the West Napa fault

zone located within American Canyon and its Planning Area. *(Source: Existing Policy 9.1.2)*

S-4.7: **Geotechnical Review.** Continue to require preliminary investigations of tract sites by State-registered geotechnical engineers and certified engineering geologists (Chapter 70 County Building Code) and ensure regular inspection of grading operations. *(Source: Existing Policy 9.4.5 modified)*

S-4.8: **Landslide Activity.** Restrict new development in areas of known landslide activity unless adequate mitigation is incorporated. *(Source: Existing Policy 9.4.7 modified)*

Hazardous Materials

A hazardous material is any substance that may be explosive, flammable, poisonous, corrosive, reactive, radioactive, or any combination thereof because of its quantity, concentration, or characteristics. These substances have a variety of uses and are frequently stored and transported but require special care in handling and disposal because of their hazardous nature.

Hazardous material concerns are most likely to occur as part of certain land uses, such as oil and gas, agriculture, or industrial businesses, or through the transport or storage of hazardous materials. Hazardous materials are most often transported along Highways 29, 12, and 37, and on the California Northern railway. The city's rail yard also has bulk hazardous material storage, and several permitted underground storage tanks are located throughout the city that could potentially cause concern if leaks occur. There are no State or Federally listed hazardous material cleanup sites in American Canyon, but there are five locations that are considered hazardous waste sites due to the materials or uses on the site.

Goals and Policies

Goal S-5:

A community protected from use, storage, and transport of hazardous materials. (Source: New Goal)

Policies

S-5.1: **Regulations**. Ensure that American Canyon Fire Protection District continues to enforce the Fire Code relating to the use of hazardous material and ensure that appropriate regulations are followed and precautions are taken for the type and amount of hazard being created. *(Source: New Policy)*

S-5.2: **Cleanup Sites**. Require developers coordinate with the Napa County Health Care Agency to confirm that hazardous waste cleanup sites located within the city are remediated by the property owner in a manner that keeps the public safe. *(Source: New Policy)*

S-5.3: **Travel Restriction.** Restrict the travel of vehicles carrying hazardous material through the city by establishing designated travel routes. *(Source: New Policy)*

S-5.4: **Storage and Disposal.** Coordinate with the American Canyon Fire Protection District to enforce proper storage and disposal of hazardous materials, including medical waste, by commercial and industrial operations. *(Source: New Policy)*

S-5.5: **Safe Use and Disposal**. Coordinate with the City's waste service provider(s) to increase public awareness about safe use and disposal of household hazardous wastes. *(Source: New Policy)*

S-5.6: **Hazardous Material Review.** Review new development sites for potential presence of hazardous materials.

Airport Hazards and Military Compatibility

The northern city boundary is just south of the Napa County Airport, with industrial buildings closest to the airport and residences located approximately four miles south. The airport was first constructed in 1942 by the Army Corps of Engineers on County-owned land. ~~The airport does not support commercial flights and mostly serves single-engine aircraft, with a 2021 projection of between 210,000 and 260,000 total aircraft operations for the airport.~~ The airport serves general aviation flight activity from small single-engine aircraft to large business jets. Total aircraft operations in 2023 and 2024 were between 65,500 and 68,000 each year. Federal Aviation Administration (FAA) forecasts project this same, steady level of annual aircraft activity through 2049[1].

Justification: Revised language updates the status of the Napa Airport.

Potential dangers from the airport are mostly limited to the obstruction of airspace near the airport and the risk of aircraft accidents. The airport and surrounding communities adhere to several practices that minimize these risks.

Open Land Requirements

Maintaining open land to be used in the event of an emergency landing is important to maintain the safety of communities surrounding the airport. The Airport Land Use Plan (ALUP) and land use plans of surrounding communities ensure adequate open space is maintained for emergency landings if necessary.

Limiting Surrounding Development

Residential uses are not allowed in areas that may be impacted by significant noise or safety issues from the airport. Maintaining a buffer around the airport where homes are not allowed to be built mitigates potential hazards.

[1] Federal Aviation Administration, Terminal Area Forecast, issued January 2024.

Goals and Policies

Goal S-6:

A community protected from loss of life, injury, and property damage from aircraft operations. (Source: New Goal)

Policies

S-6.1: **Airport Land Use Consistency.** Adhere to land use compatibility planning policies in the Land Use Element Goal LU-9. ~~Review all applications for new development, expansion of existing uses, and re-use within Napa County Airport Compatibility Zones "A" through "E" for compliance with the appropriate use and development conditions. *(Source: Existing Policy 1.27.2)*~~

S-6.2: **Adverse Airport Impact Mitigation.** Work with the Napa County Airport Authority to ensure that onsite ground activities of the Airport do not adversely impact (e.g., noise, vibration, air emissions, or other pollution) the City of American Canyon. (*Source: Existing Policy 1.27.3*)

S-6.3: **Airport Traffic Impacts.** Work with the Napa County Airport Authority to ensure that airport vehicular access does not adversely impact the City of American Canyon. (*Source: Existing Policy 1.27.4*)

S-6.4: **Airport Operation Expansion.** Work with the Napa County Airport Authority to ensure that any expanded operations of the Airport do not adversely impact existing land uses and development in the City of American Canyon. (*Source: Existing Policy 1.27.5*)

S-6.5: **Emergency Preparedness**. Work with the Napa County Airport Authority and other appropriate agencies to ensure that emergency preparedness plans are maintained to protect American Canyon residents and development. (*Source: Existing Policy 1.27.6*)

S-6.6: **Economic Development.** Recognize the importance of the Napa County Airport to City residents, including the economic,

transportation and recreational benefits, and ensure that land use decisions rendered for this area do not negatively impact Airport operations (*Source: Existing Policy 1.27.7*).

S-6.7: **Airport Plan Updates.** Participate in Napa County efforts to update with the Napa Airport Land Use Compatibility Plan. *(Source: New Policy)*

~~**S-6.8:** **ALUC Plan Review**. Submit applicable General Plan Amendments and legislative proposals for Napa Airport Land Use Compatibility Plan consistency review by the ALUC . *(Source: New Policy)*~~

Justification: This policy was updated in the Land Use Element per Policy LU-9.3.

Climate Change and Adaptation

Climate change is affecting the bay area in many ways, some obvious and some more subtle. While climate change occurs on a global scale, the effects are felt locally, and local communities do their part to reduce emissions of the greenhouse gases that cause climate change. Rising average temperatures, more days of extreme heat, more occurrences of drought, more risk of severe wildfires, and rising sea levels are already affecting California cities as a result of climate change.

According to models developed by the State of California and the University of Berkeley, increases in temperature will be the most intense effect of climate change. By 2040, the average maximum temperature is expected rise by 2.5°F to 77.7°F, and by 2050, the average maximum temperature will rise by 3.4°F to 74.8°F, and by 2100 it will rise 4.5°F to 75.9°F. Days where temperatures reach 99.0°F or more are likely to occur twice as often each year by 2040, and more than triple to 12 days a year by 2060.

Regional risks such as wildfire and drought will also increase in American Canyon and in the surrounding Napa and Solano Counties. Changes in weather patterns throughout California could occur, leading to times of extreme drought when rainfall and snowfall is reduced, or instances of extreme storms and flooding. The California Department of Water Resources projects that the Sierra snowpack will decrease by 25 to 40 percent by 2050, reducing available water supplies throughout California and the surrounding states. The increased temperatures and potential for extreme drought will also increase the risk and intensity of wildfires because of dry vegetation and an increased chance of ignition.

Goals and Policies

Goal S-7:

A community prepared for the effects of climate change. (Source: New Goal)

Policies

S-7.1: **Water Conservation.** Continue and expand water conservation programs and water efficiency upgrades for existing and new development. *(Source: New Policy)*.

S-7.2: **Planning Decisions.** Prepare for and adapt to the effects of climate change by considering climate change vulnerability in planning decisions, including those involving new public facilities and private development. *(Source: New Policy)*

S-7.3: **Climate Planning Partnerships.** Engage surrounding jurisdictions and Napa County to coordinate climate adaptation planning efforts. *(Source: New Policy)*

S-7.4: **Green Infrastructure.** Utilize drought-tolerant green infrastructure projects including street trees and landscaped areas and encourage installation of green roof systems as part of cooling strategies to help reduce the heat island effect and energy demand during extreme heat events. *(Source: New Policy)*

S-7.5: **Extreme Heat Response Measures.** Update emergency/disaster response measures to provide support during extreme heat emergencies. *(Source: New Policy)*

S-7.6: **Extreme Heat Education.** Provide educational programs on preparing for extreme heat days and the effects heat related illness and target educational efforts to vulnerable populations. *(Source: New Policy)*

S-7.7: **Air Conditioning Alternatives.** Encourage residents to adopt air conditioning supplements such as installing fans or planting shade trees. *(Source: New Policy)*

S-7.8: **Public Facility Retrofits.** Seek funding to retrofit existing public facilities, including public buildings and transit stops, to protect the community from extreme heat events and poor air quality. *(Source: New Policy)*

S-7.9: **Resilient Hubs.** Establish community serving facilities that support vulnerable population resilience during climate related emergencies such as poor air quality and extreme heat. *(Source: New Policy)*

S-7.10: **Open Space Protection.** Protect city open space areas and parks from the effects of drought and heat by incorporating drought tolerant landscaping and native trees for shade. *(Source: New Policy)*

S-7.11: **City Tree Maintenance.** Reduce risk of falling tree limbs caused by drought and heat by properly maintaining city trees. *(Source: New Policy)*

S-7.12: **Emergency Power for Critical Facilities.** Work with local providers and facility owners to establish emergency power systems for critical facilities such as hospitals, police and fire departments, City Hall, and community centers. (Source: New Policy)

S-7.13: **Climate Change Impact Outreach.** Create an outreach plan with specific outreach programs for vulnerable populations identified in the Climate Change Vulnerability Assessment to educate and help prepare residents for climate change hazards such as extreme heat, sea level rise, flooding, drought, wildfires, and poor air quality. (Source: New Policy)

S-7.14: **Monitoring.** Coordinate with the Napa County Public Health Department to establish extreme heat and air quality warning systems and develop accessible and language appropriate community education resources to prepare community members for increase extreme heat events and air pollution. *(Source: New Policy)*

S-7.15: **Backup Power Sources.** Require new City-owned critical facilities to have adequate backup power sources and battery storage to minimize service disruptions during climate hazard events. *(Source: New Policy)*

Noise

Noise is recurring or ongoing unwanted or intrusive sound, usually generated by vehicular, railroad, or airplane traffic, construction or industrial activity, or disturbances, such as barking dogs, construction, home maintenance activities, or special events and parties. *(Source: Story Maps)* To manage unwanted noise, the American Canyon Municipal Code Title 8, Chapter 8.12, Community Noise establishes a noise control program that designates the community development director as the City's noise control officer (NCO) who, along with the police chief, can enforce noise restrictions within the city. Chapter 8.12 prohibits the making of noise that disturbs the peace and quiet of the community or that causes discomfort or annoyance and outlines procedures for measuring problematic noises. The ordinance also sets limits for interior and exterior noise levels near residential uses and for construction activity and lists specific noises that are prohibited in the city. In addition, the Noise Ordinance specifies procedures for obtaining a variance for noise sources restricted by the ordinance. *(Source: New Text)*

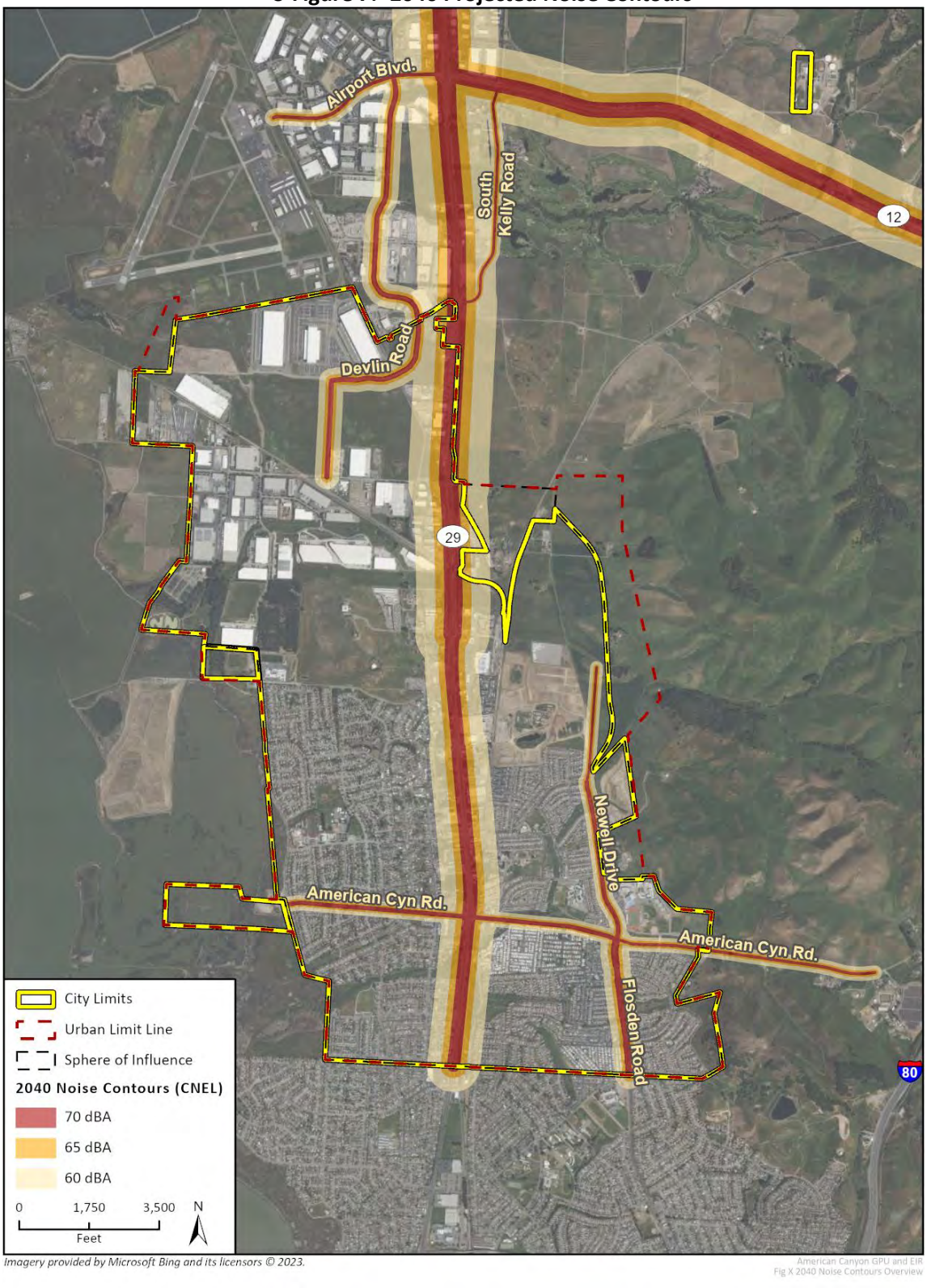
Noise Sources

Many noise issues are managed by careful planning of land use and circulation patterns, ensuring that noise-generators are located away from noise sensitive areas such as homes, schools, and hospitals. The biggest source of noise in American Canyon is vehicular traffic. Other noise sources include aircraft and railroad operations. *(Source: New Text)*

Most noise issues in American Canyon are from vehicle traffic, especially along Highway 29 and American Canyon Road. The railroad is another source of noise, running north to south parallel to Highway 29. Much of Highway 29 within the city is developed with commercial uses, and many areas with residential or other noise sensitive uses on both roads have fences to buffer roadway noise. *(Source: New Text)*

Construction activity also typically generates substantial short-term increases in ambient noise levels in the immediate vicinity of construction sites, which can be disruptive to nearby noise-sensitive uses. Figure 7 shows the projected future noise contour map for American Canyon. *(Source: Story Maps)*

S-Figure 7: 2040 Projected Noise Contours



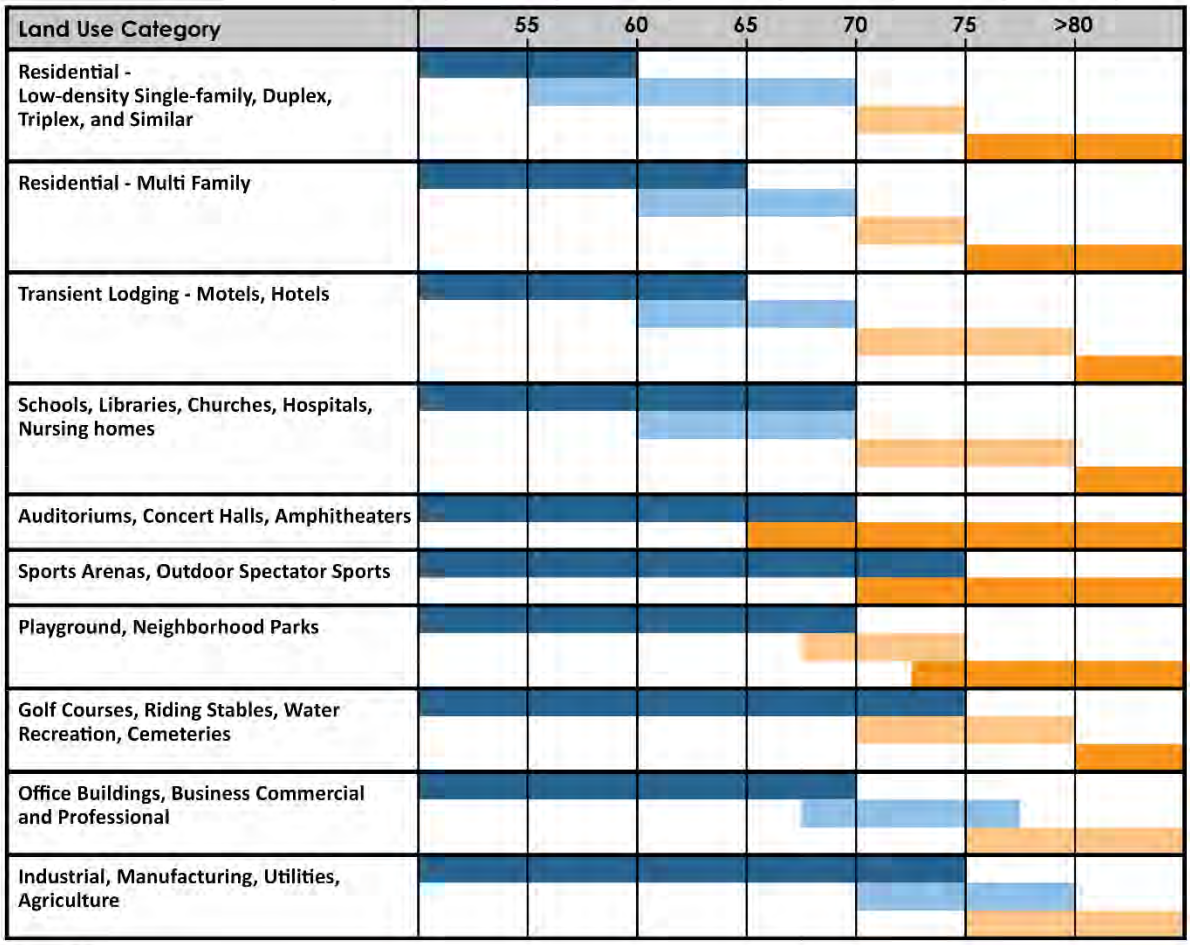
Noise Measurement

Noise is generally described in terms of the loudness (amplitude) of the sound and frequency (pitch) of the sound. Noise loudness is measured in decibels (dB). which are based on a logarithmic scale that condenses the range in sound pressure levels to a more usable number range. A weighted decibel (dBA) is an additional measure of sound that adjusts the sound rating scale to levels consistent with the sensitivity range of the human ear. For example, people perceive a sound 10 dBA higher than another sound as being twice as loud, and 20 dBA higher as being four times as loud. Everyday sounds normally range from 30 dBA (very quiet) to 100 dBA (very loud). *(Source: New Text)*

Noise Sensitive Uses

There are some land uses that are more sensitive to noise than others. Noise-sensitive land-uses include residential, residential care, child/elder care facilities, schools, places of worship, and hospitals. Consideration of sensitive land use location relative to noise sources is required to make sure noise levels are not disruptive. Residential neighborhoods are the most common noise sensitive areas in American Canyon. Homes are located on the western and eastern sides of the city, mostly away from Highway 29 and the noise-generating areas of the airport and commercial area to the north. Schools, daycares, and assisted living facilities are located within these quieter residential areas, ensuring they are also located away from major noise sources. *(Source: Story Maps)* Table S-1 shows the State guidelines for land use categories and associated acceptable noise levels. *(Source: New Text)*

Table S-1 Noise Compatibility Matrix



Legend

Normally Acceptable
Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.

Conditionally Acceptable
New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning, will normally suffice.

Normally Unacceptable
New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.

Clearly Unacceptable
New construction or development generally should not be undertaken.

Airport Noise

The Napa County Airport is located north of American Canyon, and the Napa County Land Use Commission oversees the expansion and compatibility of the airport with surrounding jurisdictions to ensure noise mitigation and public safety related to airport activities.

The Napa Airport Land Use Compatibility Plan (NALUCP) outlines compatibility criteria to evaluate and coordinate compatible land use planning and decision-making at the local, regional, and State levels. The Napa Airport Land Use Compatibility Plan includes guidance on compatible land uses for designated compatibility zones. ~~(Figure 8, Tables 1 and 2).~~

The NALUCP is incorporated into the General Plan as a standalone document identified as Appendix 3 Napa County Airport Land Use Compatibility Plan. (Source: NALUCP Section 1.4.2, bullet option #3)

Justification: The 2024 NALUCP adoption into the General Plan as a standalone document alleviates the need to include specific tables and charts in the body of the General Plan. This information cross-references the Land Use Element Airport Compatibility policies.

~~S-Figure 8: Napa Airport Land~~

9 Environmental Justice

The Environmental Justice Element establishes environmental justice goals, policies, and implementation programs to ensure all members of the American Canyon community (i.e., residents, workers, business owners, local organizations, and visitors) regardless of race, ethnicity, age, gender, religion, sexual orientation, disability, and socio-economic status feel valued, safe, respected, included, and secure.

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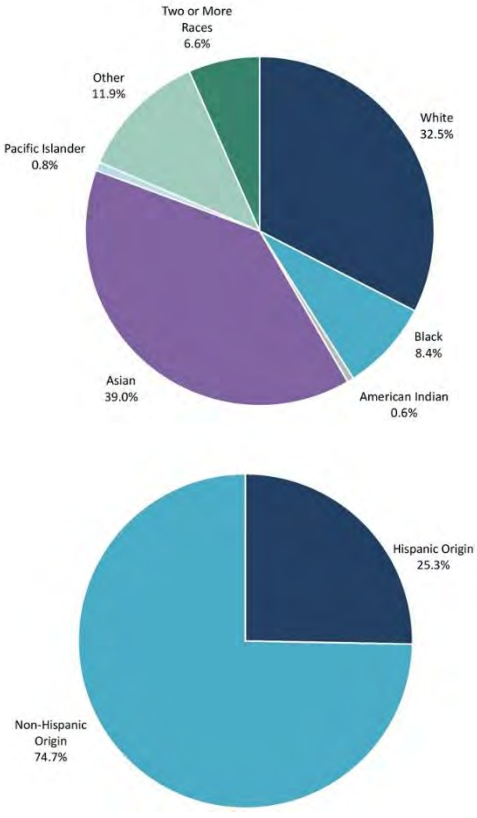
Environmental Justice

The State of California defines Environmental Justice as "the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies." Fair treatment means that no group of people should bear a disproportionate share of the negative environmental consequences resulting from industrial, governmental, and commercial operations, and policies.

Today, and throughout much of California and United States history, communities with lower incomes, lower levels of education, and higher proportions of minority residents often bear a disproportionately large burden of exposure to environmental hazards. These environmental inequities are largely a result of land use policy and zoning regulations (e.g., residential uses located adjacent to industrial uses). The environmental justice goals, polices, and implementation programs in this Element seek to address these systemic inequities.

Racial and Ethnic Diversity

The city is home to a variety of races and cultures. Diversity is the representation of different groups, and in American Canyon no single US Census-reported race category makes up more than 40 percent of the local population total. About four in ten residents are Asian, three in ten are White, and almost one in ten are Black. About one quarter of residents' report being ethnically Hispanic.



Source: US Census, 2019

Introduction

Legal Requirements

The Planning for Healthy Communities Act of 2016 (Senate Bill 1000) was established to address the role of environmental justice in local and regional planning practice. Through Senate Bill 1000, cities and counties are required to identify environmental justice communities (called "disadvantaged communities") within their planning area and incorporate environmental justice related goals and policies into their general plans. According to the Bill, environmental justice goals and policies could be integrated into several sections of a general plan or created as a standalone element. The City of American Canyon created this standalone element to address environmental justice goals, policies, and objectives for the community consistent with State law. As of 2022, there are no disadvantaged communities within the City of American Canyon.

Additionally, Government Code Section 65302.10 requires that all general plans identify and analyze Disadvantaged Unincorporated Communities (DUCs) outside of a city's boundaries but within or adjacent to a city's sphere of influence (SOI). DUCs are defined as inhabited unincorporated areas with 10 or more housing units and a median household income that is less than 80 percent

of the statewide median household income. As of 2022, there are no DUCs adjacent to or within American Canyon's SOI.

Relationship to Other General Plan Goals, Policies, and Implementation Programs

State law requires the General Plan, and all individual elements collectively form an "integrated, internally consistent, and compatible statement of policies." The goals, policies, and programs of this Justice Element are consistent with and build upon the goals, policies, and programs contained in other elements of the General Plan. The goals, policies, and programs established in this Element seek to reduce health risks in American Canyon through strategies such as reducing pollution exposure, improving air quality, and promoting public facilities, food access, safe and sanitary homes, and physical activity; promote civil engagement in the public decision-making process; and prioritize improvements and programs that address the needs of today and the future.

Many policies that address environmental justice impacts and improve the quality of life for American Canyon residents are already present in other General Plan elements. EJ-Table 1, below, provides a list of these policies. The goals, policies, and programs in the Environmental Justice Element aim to fill gaps and ensure the General Plan fully addresses community member needs.

Household Income Distribution

The 2019 median household income in American Canyon was about $99,400, 12 percent higher than the Napa County median income of $88,500. The median income in American Canyon grew by an average of about 2.4 percent per year over the past decade, a rate comparable to inflation in the economy.

By 2019, over 23 percent of American Canyon households had an annual income in the range of $100,000 to $149,999, compared to 19 percent countywide. About seven percent have an annual income below $25,000, compared to nearly 10 percent in Napa County as a whole.

EJ-Table 1: Policies in Other Elements Supporting Environmental Justice Efforts

Policy Number	Policy Title	Page Number
Civic Engagement		
LU-15.7	Community Outreach	LU-33
U-8.1	Recycling Education and Information	U-17
ENV-6.6	Public Input	ENV-24
S-1.6	Public Training	S-10
S-1.7	Public Awareness	S-10
S-5.5	Safe Use and Disposal	S-28
S-7.13	Climate Change Impact Outreach	S-34
S-7.14	Monitoring	S-34
Pollution Exposure		
LU-5.3	Truck Access	LU-20
ENV-11.1	Regional Air Quality Efforts	ENV-38
S-5.4	Storage and Disposal	S-28
S-5.2	Cleanup Sites	5-28

EJ-Table 1: Policies in Other Elements Supporting Environmental Justice Efforts

Policy Number	Policy Title	Page Number
Physical Activity		
LU-1.4	Compact Development Pattern	LU-15
MOB-1.7	Promote Walking and Bicycling	M-30
Public Facilities and Services		
ENV-5.5	American Canyon Bicycle and Pedestrian Trail Plans.	ENV-18
ENV-5.10	Urban Trails	ENV-18
ENV-6.3	Park System	ENV-24
ENV-10.10	Active Transportation	ENV-36
ENV-11.9	Countywide Bicycle and Pedestrian Plans	ENV-39
LU-7.1	Adequate Public Facilities	LU-22
MOB-1.24	Bicycle Facilities	M-32
MOB-1.25	Street Trees	M-32
S-1.2	Critical Facilities	S-10
Land Use and Development		
MOB-1.11	Reduce the Need to Drive	M-30
MOB-1.23	Pedestrian Connections to Employment Destinations	M-32
ENV-6.2	Parks Master Plan	ENV-24
LU-5.4	Industrial Operations	LU-20
LU-5.5	Prevent Adverse Impacts	LU-20
LU-12.14	Industrial Performance Standards	LU-30
ENV-1.6	Urban Forest	ENV-7
ENV-11.3	Separate Sensitive Land Uses	ENV-38
MOB-6.4	Location of Industrial Development	M-42
Managing Environmental Concerns		
ENV-5.12	Climate Adaptation	ENV-19
S-7.9	Resilient Hubs	S-34
LU-10.13	Climate Change Adaptation	LU-27
ENV-9.1	Greenhouse Gas Emissions Reductions	ENV-34
ENV-9.5	Vehicle Miles Travelled Reduction	ENV-35
Infrastructure Accessibility, Design, and Maintenance		
LU-2.5	Active Transportation	LU-16
LU-10.14	Safe Pedestrian and Bicycle Mobility	LU-27
MOB-1.5	Sidewalks	M-30
MOB-1.22	Non-motorized Circulation System	M-32
MOB-2.3	Bicycle Safety	M-34
U-2.3	Retrofits Existing Buildings	U-8

EJ-Table 1: Policies in Other Elements Supporting Environmental Justice Efforts

Policy Number	Policy Title	Page Number
ENV-6.1	Park Standards	ENV-24
ENV-6.13	Park Accessibility	ENV-25
Health and Safety		
MOB-2.1	Vision Zero	M-34
MOB-2.5	Speeds on Residential and Arterial Streets	M-34
Safe and Sanitary Housing		
LU-10.11	Property Maintenance Programs	LU-26
U-9.6	Residential Energy Efficiency	U-20
ENV-10.4	Energy Retrofit Program	ENV-36
S-2.3	Retrofit Strategy	S-16
S-2.9	Property and Building Improvements	S-17

Source: City of American Canyon, 2023

Background

California law defines "disadvantaged communities" as areas most afflicted with a combination of economic, health, and environmental burdens. As a result, they are more likely to suffer a lower quality of life and increased health problems. To identify local disadvantaged communities, the Governor's Office of Planning and Research (OPR) recommends utilizing the California Communities Environmental Health Screening Tool (CalEnviroScreen) to identify designated disadvantaged communities.

CalEnviroScreen 4.0 Methodology

Developed by the Office of Environmental Health Hazard Assessment (OEHHA), the CalEnviroScreen tool identifies disadvantaged communities throughout California. In October 2021, OEHHA released CalEnviroScreen 4.0 which was used to prepare this Element. CalEnviroScreen 4.0 uses existing environmental, health, and socioeconomic data to rank census tracts based on 20 distinct indicators. The 20 indicators are grouped into four indicator categories which are summed into two primary data groupings (see EJ-Table 2):

Pollution Burden

- **Environmental Effects Indicators.** Based on the locations of toxic chemicals in or near communities.
- **Exposure Indicators:** Based on measurements of different types of pollution that people may come into contact with.

Population Characteristics

- **Socioeconomic Factor Indicators.** Based on conditions that may increase peoples' stress or make healthy living difficult and cause them to be more sensitive to pollution effects.
- **Sensitive Populations.** Based on conditions that measure the number of people in a community who may be more affected by pollution because of their age or underlying health.

EJ-Table 2: CalEnviroScreen 4.0 Indicators

Pollution Burden	
Exposure Indicators	**Environmental Effect Indicators**
• Ozone Concentrations	• Cleanup Sites
• PM2.5 Concentrations	• Groundwater Threats
• Diesel PM Emissions	• Hazardous Waste
• Drinking Water Contaminants	• Impaired Water Bodies
• Children's Lead Risk from Housing	• Solid Waste Sites and Facilities
• Pesticide Use	
• Toxic Releases from Facilities	
• Traffic Impacts	
Population Characteristics	
Sensitive Populations Indicators	**Socioeconomic Factor Indicators**
• Asthma Emergency Department Visits	• Educational Attainment
• Cardiovascular Disease (Heart Attacks)	• Housing Burdened Low-Income Households
• Low Birth Weight Infants	• Linguistic Isolation
	• Poverty
	• Unemployment

Source: California Communities Environmental Health Screening Tool (CalEnviroScreen 4.0), Office of Environmental Health Hazard Assessment (OEHHA), 2022.

To identify potential disadvantaged communities, CalEnviroScreen produces a percentile ranking of each census tract to demonstrate burdens present in that tract relative to the rest of the State. The percentile ranking is calculated by combining the indicator scores for each census tract in EJ-Table 2. In general, the higher the CalEnviroScreen score, the more impacted a community is by pollution burdens and population vulnerabilities. For example, a 80th percentile ranking for a census tract would mean that the census tract is in the top 20 percent of all CalEnviroScreen scores statewide. Designated disadvantaged communities are those communities that scored within the highest 25 percent of census tracts across California (overall CalEnviroScreen percentile scores of 75 or higher).

Census Tracts in American Canyon

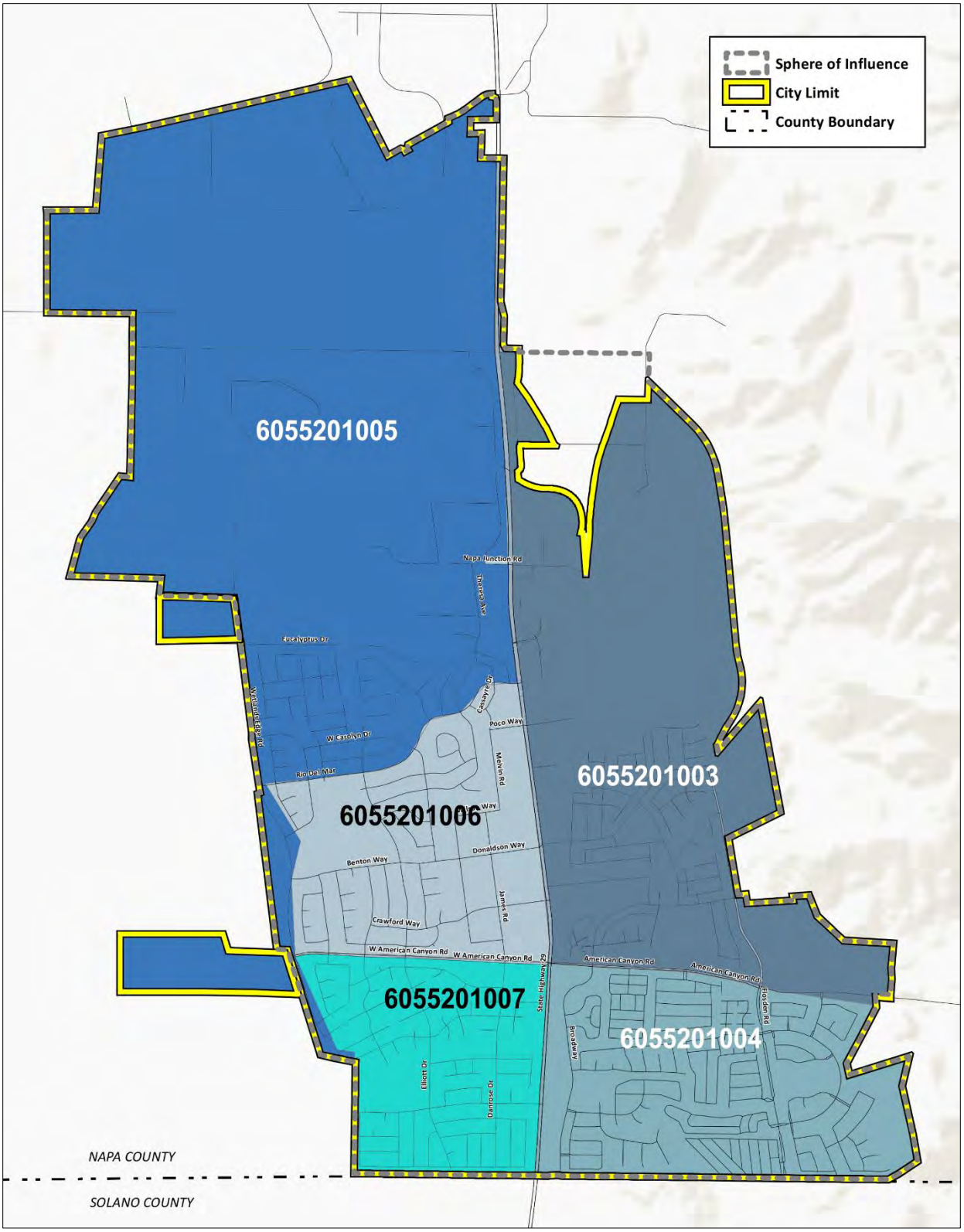
The American Canyon planning area is comprised of five census tracts. A census tract is a geographical region defined for the purpose of documenting population data. Sometimes census tracts coincide with a city limit, whereas others exist entirely within an unincorporated county. Occasionally a census tract will exist in both the unincorporated county and city limits. Three of the five American Canyon planning area census tracts include unincorporated Napa County areas. See EJ-Table 3, below, and EJ-Figure 1.

EJ-Table 3: American Canyon Census Tracts

Census Tract	Census Tract Location	
	Entirely Within SOI	Within City SOI and County
6055201003		X
6055201004		X
6055201005		X
6055201006	X	
6055201007	X	

Source: United States Census Topologically Integrated Geographic Encoding and Referencing (TIGER) 2020 database, 2022.

EJ-Figure 1: American Canyon Sphere of Influence Census Tracts



Environmental Justice in American Canyon

Disadvantaged Communities

Disadvantaged communities are those with an overall CalEnviroScreen 4.0 percentile score of 75 or higher (the highest 25 percent of census tracts across California).

Disadvantaged Community Analysis

Based on 2019 data, American Canyon has no census tracts that are at or below the statewide median income[1]. Fortunately, as shown in EJ-Table 4, and EJ-Figure 2, no census tracts within the American Canyon planning area received an overall CalEnviroScreen percentile score at or above the 75th percentile. This means there are no identified disadvantaged communities within the city or Planning Area. Census tracts 6055201003 and 6055201005 received the highest CalEnviroScreen scores of 62 and 63, respectively. As shown on Figure EJ-1, Census tracts 6055201003 and 6055201005 encompass very large areas outside the City Limits and include industrial uses in the northern areas of the city, around Napa Airport, and vineyards northeast of the city. In contrast, census tracts 6055201004, 6055201006, and 6055201007 which are limited to American Canyon city limits and the open space hill immediately east of the La Vigne neighborhood received the lowest scores with an average overall CalEnviroScreen score of 31.

EJ-Table 4: American Canyon CalEnviroScreen 4.0 Score Overview

Census Tract	Pollution Burden Percentile	Population Characteristics Percentile	Overall CalEnviroScreen 4.0 Score
6055201003	74	48	62
6055201004	8	45	24
6055201005	73	50	63
6055201006	14	46	30
6055201007	13	63	39

Source: California Communities Environmental Health Screening Tool (CalEnviroScreen 4.0), Office of Environmental Health Hazard Assessment (OEHHA), 2022.

Pollution Burden

Table EJ-Table 4 presents the CalEnviroScreen pollution burden scores for all associated tracts in American Canyon. The pollution burden score is calculated

[1] California's median income for 2019 was $41,870 *Source: State of California Franchise Tax Board*

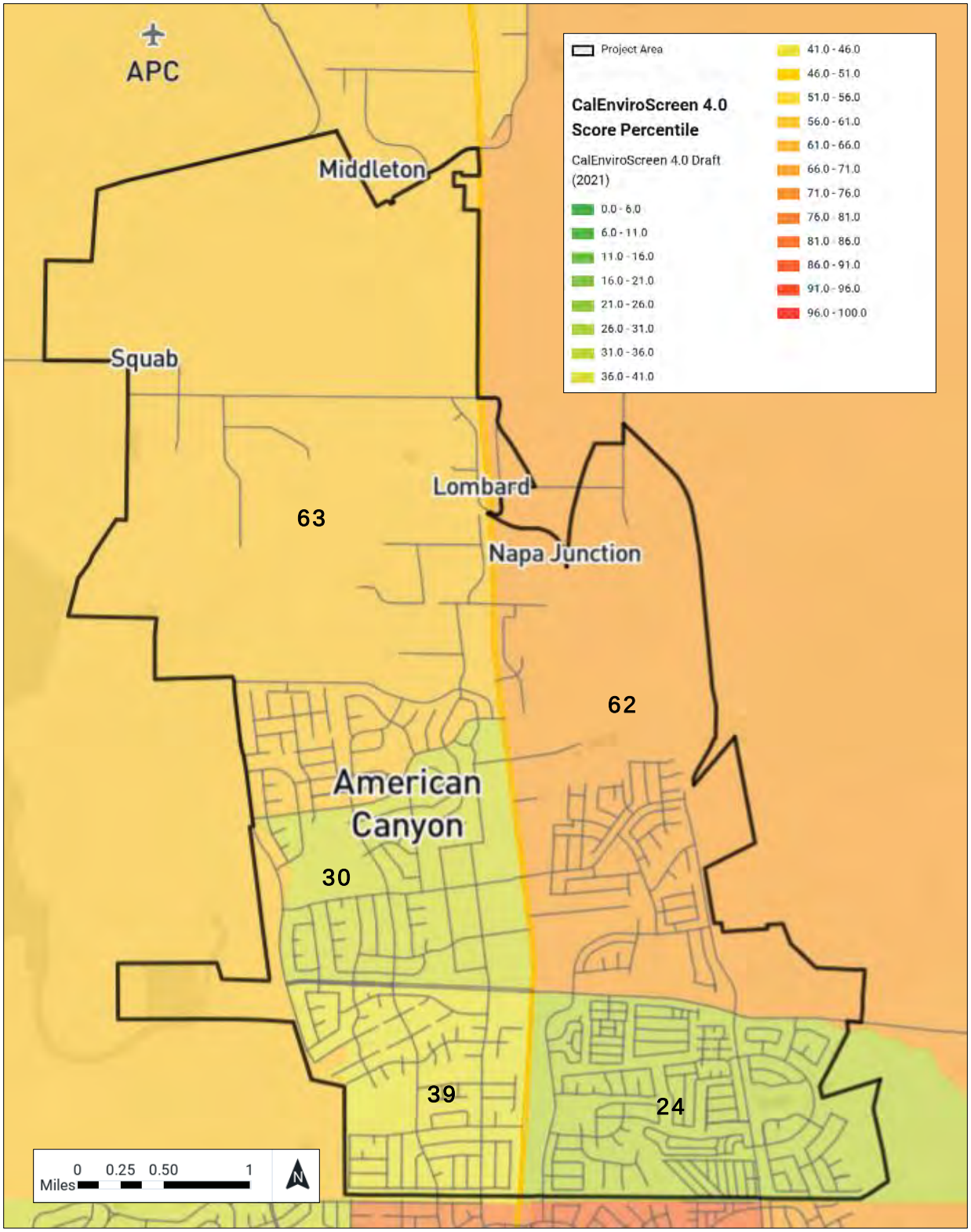
by measuring a range of pollution exposure and environmental indicators that people may encounter within their environment (see EJ-Table 2 for a list of indicators).

Fortunately, no census tracts in American Canyon received a pollution burden percentile score in or above the 75th percentile. Census tracts with the lowest pollution burden are primarily located in American Canyon, while census tracts with the highest pollution burden percentiles are located in the northern census tracts that extend well beyond the city limits into Napa County (see EJ-Figure 2).

Population Characteristics

Table EJ-Table 4 presents the CalEnviroScreen population characteristics burden scores for all associated tracts in American Canyon. The population characteristics burden score is calculated using a range of sensitive population and socioeconomic factor indicators. Certain population characteristics and socioeconomic factors are often related to health conditions such as asthma, low-birth weight, and cardiovascular disease. Socioeconomic factors such as lower educational attainment, linguistic isolation, poverty, unemployment, and housing burden are often found in populations that also have a higher risk of health conditions (see EJ-Table 2 for a list of indicators). No census tracts in American Canyon received a population characteristics burden percentile score in or above the 75th percentile.

EJ-Figure 2: Overall CalEnviroScreen 4.0 Scores



Goals and Policies

This section identifies goals and policies which seek to ensure all American Canyon community members (i.e., residents, workers, business owners, local organizations, and visitors) regardless of race, ethnicity, age, gender, religion, sexual orientation, disability, and socio-economic status feel valued, safe, respected, included, and secure.

Goal EJ-1: Affordable Housing

Support equal and fair access to affordable housing options for all residents. (Source: New Goal)

Policies

EJ-1.1: **Affirmatively Further Fair Housing.** Promote and affirmatively further fair housing policies and programs. *(Source: New Policy)*

EJ-1.2: **Review and Update of Housing Policies.** Periodically review and update, as necessary, local housing policies and procedures to ensure they do not pose impediments to furthering fair housing. *(Source: New Policy)*

EJ-1.3: **Housing Affordability and Access.** Support the development and preservation of affordable housing throughout the city for a variety of income levels. *(Source: New Policy)*

EJ-1.4: **Housing Element Implementation.** Support implementation of the Housing Element policies to address equal and fair access to affordable housing options for all residents. *(Source: New Policy)*

Goal EJ-2: Health and Safety

Ensure residents have healthy and safe living conditions. (Source: New Goal)

Policies

EJ-2.1: **Education and Awareness.** Support and expand education programs that increase awareness among residents about property maintenance and neighborhood quality standards. *(Source: New Policy)*

EJ-2.2: **Safe and Sanitary Housing**. Through implementation of the Housing Element, the City shall provide standards for development that promote safe and sanitary housing. *(Source: New Policy)*

EJ-2.3: **Housing Support Services**. Through implementation of the Housing Element, continue support for regional and nonprofit agency efforts that provide housing support services. *(Source: New Policy)*.

EJ-2.4: **Housing Support Services**. Through implementation of the Housing Element, continue support for regional and nonprofit agency efforts that provide housing support services. *(Source: New Policy)*.

Goal EJ-3: Land Use Equity

Ensure all land use decisions benefit American Canyon residents and do not create a disproportionate burden to any resident based on location, income, race, color, educational status, or national origin. (Source: New Goal)

Policies

EJ-3.1: **Environmental Justice Considerations**. Consider potential adverse health and safety impacts associated with land use decisions and reduce negative impacts on residents from hazardous materials, industrial activities, facility locations, and design features. *(Source: New Policy)*

EJ-3.2: **New Incompatible Land Uses.** Avoid the introduction of new incompatible land uses and consider the potential impacts of adding uses with environmental hazards into existing residential areas. *(Source: New Policy)*

EJ-3.3: **Environmental Protection.** Evaluate and implement environmental protection measures within the City's authority that support equitable treatment of all neighborhoods. *(Source: New Policy)*

EJ-3.4: **Capital Improvements.** When preparing a Capital Improvement Programs, consider reducing existing infrastructure deficiencies in lower-income neighborhoods. *(Source: New Policy)*

EJ-3.5: **Vision Zero Mobility.** Support and fund a Local Road Safety Program to that evaluates priority measures to improve the safety of trails and streets in all areas of the City. *(Source: New Policy)*

EJ-3.6: **Accessible Infrastructure.** Implement a City-wide accessibility plan to improve accessible pathways throughout the City. *(Source: New Policy)*

EJ-3.7: **Combat Heat Island Impacts**. Consider the addition of trees in new street and trail construction to reduce the heat island impacts of new paved surfaces. *(Source: New Policy)*

Goal EJ-4: Policy Inclusiveness

Support meaningful and inclusive participation of all community members in the decision-making process. (Source: New Goal)

Policies

EJ-4.1: **Accessibility to City Events.** Schedule City events using different days, times, and formats (i.e., virtual and digital accessibility) to encourage and facilitate participation among community members with work, school, and other obligations that conflict with more traditional scheduling. *(Source: New Policy)*

EJ-4.2: **Innovative Communication.** Promote and implement new and innovative approaches to facilitate communication between

members of the community and City-elected officials and staff members. *(Source: New Policy)*

EJ-4.3: **Transparent Public Decision-Making.** Ensure transparent public decision-making processes through effective public outreach, engagement, and participation that is inclusive of socially disadvantaged individuals and groups. *(Source: New Policy)*

EJ-4.4: **Leadership Development.** Promote and implement programs that educate local residents about the roles of each municipal department and local decision-making processes. *(Source: New Policy)*

EJ-4.5: **Municipal Employee Recruitment.** Evaluate and implement "state of the art" employment recruitment procedures that reduce or eliminate opportunities for intrinsic bias in employment application and screening. *(Source: New Policy)*

EJ-4.6: **Diverse Employment Opportunities.** Support measures to streamline the development review process to facilitate new development that will provide diverse employment opportunities from construction and ongoing business operations. *(Source: New Policy)*

EJ-4.7: **Open and Inclusive Recreation.** Support municipal and private nonprofit recreation events that appeal to all segments of society. *(Source: New Policy)*

Goal EJ-5: Healthy Environment

Ensure all residents have access to healthy foods, education, green spaces, and medical services. (Source: New Goal)

Policies

EJ-5.1: **Community-Supported Agriculture.** Support community-supported agriculture/food production, such as community gardens and cottage food operations. *(Source: New Policy)*

EJ-5.2: **Acceptance of Government-Issued Vouchers.** Coordinate with farmers market vendors and local food retailers to continue to

accept payment through Electronic Benefit Transfer (EBT), which allows residents in the Supplemental Nutrition Assistance Program (SNAP) and the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) to purchase food with their program benefits. *(Source: New Policy)*

EJ-5.3: **Access to Community Assets.** Identify and address gaps in access to residential, commercial, recreation facilities, natural open space areas, and physical and mental health resources, to help ensure that these resources are equitably available to all residents. *(Source: New Policy)*

EJ-5.4: **Integrated and Accessible Park System.** Continue to develop an integrated park system that is safe and accessible. *(Source: New Policy)*

Goal EJ-6: Education and Lifelong Learning

Support exceptional variety and quality of Education and Lifelong Learning opportunities that reach community members throughout their lives. (Source: New Goal)

Policies

EJ-6.1: **Joint Ventures** Support policies, projects and programs that facilitate shared use and joint development of resources with education providers and nonprofit organizations that provide recreational facilities, and cultural, intellectual, and artistic opportunities. *(Source: New Policy)*

EJ-6.2: **Recreation as Education** Seek opportunities to include educational lessons in recreation programs. *(Source: New Policy)*

EJ-6.3: **Education Partnerships** Support awareness of Education and Lifelong Learning service providers that operate autonomously from the City. *(Source: New Policy)*

EJ-6.4: **American Canyon Library** Support policies, projects and programs that recognize the American Canyon Library as a central element in American Canyon's citywide educational system. *(Source: New Policy)*

Implementation Programs

	Programs	Implements Which Policy(ies)	Responsible / Supporting Department(s)	2023 – 2025	2026 – 2030	2031 – 2040	Annual	Ongoing
A	**Implement Housing Element Policies** Implement and enhance Housing Element goals and policies to ensure that future improvements in the environmental justice community do not result in a net loss of affordable housing or displacement of existing residents. *(Source: New Implementation Program)*	EJ-1.1 EJ-1.3	Community Development Planning Division					■
B	**Review and Update of Housing Related Policies** Review and update, as necessary, local housing policies and programs to ensure they support and do not pose impediments to furthering fair housing. *(Source: New Implementation Program)*	EJ-1.1 EJ-1.2	Community Development Planning Division					■
C	**Establish Best Practices.** Explore and implement best practices for innovative housing options such as tiny homes, cooperatives, community land trusts, etc. that prioritize community ownership and support resident efforts to build intergenerational wealth. *(Source: New Implementation Program)*	EJ-1.3	Community Development Planning Division					■
D	**Educational Resources for Housing.** Maintain and update information on the City website that contains resources related to affordable housing, rental assistance, tenant rights, homeownership, homelessness services, and other special needs resources. *(Source: New Implementation Program)*	EJ-2.1	Community Development Planning Division					■
E	**Racial, Social, and Environmental Justice Outreach.** The City shall prepare and use clear and inclusive outreach materials, expand media campaigns, and implement other strategies (i.e., translation services) to increase and advance racial, social, and environmental justice initiatives. *(Source: New Implementation Program)*	EJ-4.1 EJ-4.2 EJ-4.3	City Manager Community Development					■

	Programs	Implements Which Policy(ies)	Responsible Supporting Department(s)	2023 – 2025	2026 – 2030	2031 – 2040	Annual	Ongoing
F	**Community Engagement.** The City shall prepare and implement programs that include new and innovative mechanisms to communicate and engage members of the community who are not typically active in civic issues to foster stronger relationships with the City such as mobile device surveys, community meetings, and community roundtables. *(Source: New Implementation Program)*	EJ-4.2	City Manager Community Development					■
G	**Constraints to Healthcare.** Evaluate and remove local governmental constraints that might hinder the provision of high-quality healthcare services and resources are accessible and near residential neighborhoods. *(Source: New Implementation Program)*	EJ-5.3	Planning Division Community Development					■
H	**Park and Open Space Access.** Establish procedures wich encourage the development of urban open space and recreation opportunities such as plazas and public community gathering spaces provided by both non-residential and residential development. *(Source: New Implementation Program)*	EJ-5.4	Planning Division Community Development		■			

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~~S-Table 1: Compatibility Zone Definitions~~

~~Zone A~~	~~Runway Protection Zone: Dimensioned to encompass the current and future Runway Protection Zones for the runways of the Napa County Airport, as defined under FAA regulations and shown on Figure 8. The zones also include areas lateral to the runway. These areas are regularly overflown by aircraft below 50 feet above the ground. For this reason, these areas are considered high risk with regard to accident potential and any structures, buildings, trees or obstacles may create a flight hazard. These areas are also affected by high noise levels.~~
~~Zone B~~	~~Approach/Departure Zone: This zone is defined as the areas where aircraft will be below 100 feet above ground level as determined by the type of approach anticipated for that runway. Approach slopes are designated on the Airport Compatibility Zones map, Figure 8. These areas are affected by substantial risk of accident potential due to the frequency of overflights at low altitudes. Noise levels are generally high with frequent loud single-events.~~
~~Zone C~~	~~Extended Approach/Departure Zone: This zone is defined as the area where aircraft will be below 300 feet above ground level as determined by the type of approach. The low altitude of the aircraft in these areas indicates moderate to high risk of accident potential. Properties in this zone will be affected by substantial noise.~~
~~Zone D~~	~~Common Traffic Pattern: This area is defined by the flight pattern for the Napa County Airport as illustrated on Figure 8. These areas are routinely overflown by aircraft operating to and from the airport with frequent single-event noise intrusion. Overflights in these areas can range from near the traffic pattern altitude (about 1,000 feet above the ground) to as low as 300 feet above the ground. Accident risk varies from low to moderate. Areas where aircraft are near pattern altitude (e.g., downwind leg) have the lowest risk. In areas where aircraft are at lower altitudes (especially on circle-to-land instrument approaches) a moderate level of risk exists.~~
~~Zone E~~	~~Other Airport Environs: An airport's influence area often extends beyond the typically defined compatibility zones during busy traffic hours and when larger aircraft are in the pattern. Aircraft overflights can occur anywhere in these areas when aircraft are departing or approaching an airport. Overflight annoyance is the~~

	~~primary impact element in these areas. The risk of accident is very low.~~

S-Table 2: Napa Airport Zone Land Use Densities

Zone	Location	Impact Elements	Maximum Densities (8)		
			Residential (1)	Other Structures (people/acres) (2)	
				In Structures	Total in and out of Structures
A (9)	Runway Protection Zone and Primary Surface	High risk High Noise Levels Low overflights below 50' AGL	0	0	10
B	Inner Approach / Departure Zone	Substantial risk High Noise Levels Low overflights below 100' AGL	0	10	25
C	Approach / Departure Zone	Moderate risk Substantial Noise Levels Low overflights below 300' AGL	0	50	75
D	Common Traffic Pattern	Moderate risk Frequent Noise Intrusion Low overflights below 1,000' AGL	0	100	150
E	Other Airport Environs	Low risk Overflight annoyance	See Note 7		

1. Residential land use and zoning designations are considered incompatible uses within the traffic pattern area (Zones A, B, C, and D) where aircraft overflights are frequent and at low altitude. The residential restrictions do not apply to residential uses allowable under agricultural land use and zoning designations.

2. The use should not attract more than the indicated number of persons per **net** acre. Net acreage is the total site area inclusive of parking areas and landscaping, less the area dedicated for streets. These densities are intended as general planning guidelines

~~to aid in determining the acceptability of proposed land uses. Clustering of development within the density parameters should be encouraged to protect and provide open land/safety areas. However, in Zones A, B, and C the density of any one acre of a parcel should not exceed twice the indicated number of people per acre.~~

~~3. Dedication of an avigation or overflight easement or deed notice is required as a condition of new development within all zones. Also, height limit restrictions are applicable to structures and trees in all zones in accordance with Federal Aviation Regulation Part 77 and local ordinances. Uses which may be hazardous to flight are prohibited in all zones.~~

~~4. These uses typically can be designed to meet the density requirements and other development conditions listed.~~

~~5. These uses typically do not meet the density requirements and other development conditions listed. They should be allowed only if a major community objective is served by their location in this zone and if mitigation measures (i.e., noise attenuation) are incorporated that will minimize potential conflicts.~~

~~6. NLR = Noise Level Reduction; I.e. the attenuation of sound level from outside to inside provided by the structure. Noise level reduction measures may be required in areas with high single-event noise levels and where noise-sensitive uses (schools, libraries, etc.) are proposed. Refer to Appendix C for criteria and noise attenuation measures.~~

~~7. Maximum residential densities in accordance with local adopted General Plans and zoning designations. Consideration should be given to the proximity of flight patterns, frequency of overflight, terrain conditions, and type of aircraft in determining acceptable locations of residential uses. Referral to the ALUC for review of development plans prior to approval is recommended.~~

~~8. The purpose of these criteria is to provide a basis for determining those land uses which are compatible with airport activities. Specific land uses will be allowed only in they are also consistent with applicable General Plan policies and zoning ordinances.~~

~~9. All lands in Zone A are either within the Airport's boundaries or are designated for acquisition in the Airport Master Plan.~~

~~10. Includes objects that penetrate FAR Part 77 surfaces, uses that would attract large numbers of birds (e.g., landfills), and uses that would create smoke, glare, distracting lights, or electronic interference.~~

~~11. Avigation easements will be required in lieu of overflight easements or deed notices where there is an appropriate public agency to review them.~~

Goals and Policies

Goal S-8:

A comfortable community environment that is free from excessive stationery and mobile noise and vibration. (Source: New Goal)

Policies

S-8.1: **Land Use Compatibility.** Use the land use-noise compatibility matrix in

S-8.3: Table S-1 to guide the siting of future land uses. *(Source: New Policy)*

S-8.4: **Sensitive Facilities**. Ensure appropriate noise mitigation is incorporated into the design of noise- sensitive facilities. *(Source: New Policy)*

S-8.5: **Site Design**. Minimize noise impacts to adjacent noise-sensitive land uses in site planning and project design. *(Source: New Policy)*

S-8.6: **Roadway Noise**. Encourage nonmotorized transportation alternatives for local trips and decrease excessive motor vehicle noise by implementing traffic-calming road design, lateral separation, natural buffers, and setbacks. *(Source: New Policy)*

S-8.7: **Highway Noise**. Continue to coordinate with California Department of Transportation (Caltrans) and the NVTA to complete the American Canyon SR 29 Corridor Improvement Project. *(Source: New Policy)*

S-8.8: **Noise Complaints.** The Noise Control Officer will continue to monitor and enforce noise complaints from residents, seek to resolve concerns where feasible, and make the enforcement process accessible to the general public. *(Source: New Policy)*

S-8.9: **Mobile Noise Sources.** Minimize exposure of sensitive receptors to noise from roads through land use decisions, by encouraging the siting of sensitive noise receptors away from high traffic roadways. *(Source: New Policy)*

S-8.10: **Noise Mitigation Measures.** Require heavy trucks to use designated truck routes that avoid residential and other sensitive land uses to the maximum degree feasible. When not feasible, investigate noise mitigation strategies such as noise barriers or truck travel restrictions, especially in areas of concern such as along American Canyon Road. *(Source: New Policy)*

S-8.11: **Railroad Noise.** Minimize exposure of sensitive receivers to railroad-related noise and vibration through land use decisions

and, as appropriate, use of setbacks and/or noise insulation for new development. *(Source: New Policy)*

S-8.12: **Construction Noise.** Minimize exposure of sensitive receivers and enforce the limits in Section 8.12 of the municipal code for construction noise and vibration through methods such as restricting construction to daytime hours, use of sound barriers and/or other methods to dampen noise from construction equipment, and public notification prior to construction activities. *(Source: New Policy)*

S-8.13: **Cross-Jurisdictional Coordination.** If noise concerns related to the California Northern Railroad (CFNR) or Napa County Airport arise, coordinate with those entities to develop and implement appropriate responses. *(Source: New Policy)*

S-8.14: **Residential Outdoor Mechanical Equipment**. Require air conditioning units and pool equipment within residential areas be designed and sited in a manner that does not intrude upon the peace and quiet of adjacent noise-sensitive uses. *(Source: Existing Policy 11.2.3)*

S-8.15: **Vibration Impacts.** Require project specific vibration impact assessments for projects involving the use of vibration generating equipment such as pile drivers and vibratory rollers that could generate groundborne vibration levels. For projects with significant vibration impacts, require feasible mitigation measures to reduce ground vibration levels and exposure to sensitive receptors. *(Source: New Policy)*

Goal S-9:

Limit Aircraft noise impacts consistent with the Napa Airport Land Use Compatibility Plan (ALUCP) which is included in the General Plan as Appendix 3. (Source: New Goal)

Policies

S-9.1: **Land Use Compatibility.** Except for projects that require Napa County Airport Land Use Commission Review or are Exempt, all new development within the City that is subject to the NALUCP

shall be evaluated consistent with the procedures in NALUCP Section 5.1 which addresses noise-sensitive land use policies. ~~Restrict development of uses within the 65 CNEL contour of Napa Airport to industrial, agricultural, or other open space uses (see Figure [x]). *(Source: Existing Policy 11.4.1)*~~

~~**S-9.2: Development Requirements.** Require development in the vicinity of Napa Airport comply with the Airport Land Use Compatibility Plan (ALUP) noise standards. *(Source: Existing Policy 11.4.2)*~~

~~**S-9.3: Napa County Airport.** Work closely with Napa County Airport to ensure the airport's operations do not generate adverse noise conditions in the City of American Canyon. *(Source: Existing Policy 11.4.3)*~~

~~**S-9.4: ALUCP Consistency.** Require dedication of navigation or overflight easements and/or deed restrictions and real estate disclosure notifications, consistent with the requirements of the ALUCP, when new development or subdivisions are permitted on property within the jurisdiction of the Napa County Airport Land Use Commission (ALUC). *(Source: Existing Policy 1.27.3)*~~

~~**S-9.5: Height Restrictions.** Limit building heights for airspace protection in accordance with Federal Aviation Regulations (FAR) Part 77. *(Source: Existing Policy 1.27.4)*~~

~~**S-9.6: Clustered Development.** To the extent feasible, development in Zones C and D shall be clustered to preserve open land for safety purposes in accordance with the ALUCP. *(Source: Existing Policy 1.27.5)*~~

~~**S-9.7: Airport Planning Area.** Give consideration to the proximity of flight patterns, frequency of overflight, terrain conditions, and type of aircraft in determining the acceptable locations for residential uses within the Airport's planning area, outside of the Airport's common traffic pattern. *(Source: Existing Policy 1.27.6)*~~

~~**S-9.8: Helipad Proposals.** Refer helipad proposals anywhere within the City's Planning Area to the ALUC for a consistency determination. *(Source: Existing Policy 1.27.7)*~~

~~**S-9.9:** **Consistency Determination.** Refer all General Plan, Zoning Ordinance, Subdivision Ordinance, Specific Plan and building regulation amendments that affect areas within ALUCP zones to the ALUC for a consistency determination. *(Source: Existing Policy 1.27.8)*~~

Justification: Adoption of the NALUCP as a standalone document in the General Plan alleviates the need for specific policies because the NALUCP addresses these issues.

Implementation Programs

	Programs	Implements Which Policy(ies)	Responsible Supporting Department(s)	2020 – 2025	2026 – 2030	2031 – 2040	Annual	Ongoing
A	**Emergency Centers.** Conduct an evaluation of public facilities that can be used as emergency centers to identify necessary retrofitting to ensure the stability and safety of the facility in the event of a disaster. Outline procedures for preparation and use of the identified facilities the during emergencies. *(Source: New Implementation Program)*	S-1.1	Public Works Community Development Police Fire District	■				
B	**County Fire and Police Coordination.** Meet annually with the County Fire and Police Departments to coordinate and evaluate the provision of emergency services to the City. *(Source: New Implementation Program)*	S-1.2	Fire District Police					■
C	**Water Agency Coordination.** Work with contracted water agencies to identify peak load water requirements for the City and plan for adequate water supply and delivery in the event of a disaster. *(Source: New Implementation Program)*	S-1.3	Public Works					■
D	**Prepare City Staff.** Update emergency protocols and provide trainings to City staff annually to ensure quick response in reestablishing/maintaining power, water, and roadway access in the event of a disaster. *(Source: New Implementation Program)*	S-1.4	Community Development Public Works Fire District Police					■

	Programs	Implements Which Policy(ies)	Responsible / Supporting Department(s)	2020 – 2025	2026 – 2030	2031 – 2040	Annual	Ongoing
E	**Community Emergency Preparedness.** Create a community preparedness program to educate and prepare residents for disasters. The program can include emergency preparedness trainings for businesses and residents, increasing awareness on the City's emergency response plans and resources, providing checklists for personal and business emergency preparedness kits, and developing a network of emergency and medical response volunteers. *(Source: New Implementation Program)*	S-1.4 S-1.5 S-1.6	Community Development Police Fire District	■				
F	**Community Emergency Response Team (CERT).** Encourage community members and City staff to participate in FEMA's CERT program by distributing flyers/information to City departments, businesses, and social media. *(Source: New Implementation Program)*	S-1.4 S-1.5 S-1.6 S-1.10	Police Fire District	■				
G	**Information Sharing.** Distribute flyers and utilize social media to provide information on disaster preparedness, resources, and updates during emergencies. Regularly update emergency preparedness information on the City's website. *(Source: New Implementation Program)*	S-1.5	Police Fire District	■				
H	**Educate Vulnerable Populations.** Target educational emergency preparedness materials and trainings to the city's most vulnerable populations by distributing information to senior centers, daycares, schools, cultural centers/organizations, and employers with low-income, non-english speaking, and outdoor workers. Provide informational materials in multiple languages. *(Source: New Implementation Program)*	S-1.6	Community Development Police Fire District	■				

	Programs	~~Implements~~ Which Policy(ies)	Responsible Supporting Department(s)	2020 – 2025	2026 – 2030	2031 – 2040	Annual	Ongoing
I	**Emergency Access Routes.** Regularly evaluate existing roadways, particularly along evacuation and emergency access routes, to ensure roads will have adequate capacity during times of emergency. Develop and implement improvement plans for roadways that do not have adequate capacity or require maintenance. *(Source: New Implementation Program)*	S-1.7	Public Works					■
J	**Fire Review.** Include fire department plan review and approval for new development and redevelopment projects that involve roadway design or redesign to ensure adequate emergency access is maintained. *(Source: New Implementation Program)*	S-1.7	Fire District					■
K	**Backup Power for Critical Facilities.** Identify critical facilities that do not have reliable power in the event of an emergency. Develop a plan to provide on-site backup power or other means of providing back up power to those facilities. *(Source: New Implementation Program)*	S-1.8	Public Works		■			
L	**Emergency Communication Plan.** Develop an emergency communication plan to evaluate and implement communication procedures and resources during and after a disaster. Review and update the plan at least once a year to incorporate new technologies, processes, and pprocedures as needed. *(Source: New Implementation Program)*	S-1.9	Community Development		■			
M	**Employee Training Plan.** Update and implement the employee training plan to include up to date training requirements for City employees based on the Standardized Emergency Management System (SEMS) and the National Incident Management System (NIMS). *(Source: New Implementation Program)*	S-1.10	Administration	■				
N	**Volunteer Registry.** Create a registry of volunteers ~~who live and work in the city and~~ can assist in the event of an emergency. (New Program). *(Source: New Implementation Program)*	S-1.11	Police Fire District	 ■				

	Programs	Implements Which Policy(ies)	Responsible Supporting Department(s)	2020 – 2025	2026 – 2030	2031 – 2040	Annual	Ongoing
O	**Emergency Alerts for Single Access Neighborhoods.** Update the City's local alert system, Nixle, to provide tailored emergency alerts and evacuation directions to residents in neighborhoods with a single evacuation route. *(Source: New Implementation Program)*	S-1.13	Police Fire District	■				
P	**Residential Secondary Access.** Develop and implement a plan to add a second route of ingress/egress for neighborhoods with fewer than two evacuation routes to the extent feasible. *(Source: New Implementation Program)*	S-1.14	Community Development Public Works	■				
Q	**Single Access Neighborhood Outreach.** Provide and distribute flyers with emergency access and preparedness information tailored for specific neighborhoods with only one ingress/egress route. *(Source: New Implementation Program)*	S-1.13	Police Fire District	■				
R	**Critical Facilities Siting.** During the project development and review process, ensure new and expanded critical infrastructure is located outside of high risk hazard areas, or is retrofitted to appropriately withstand such hazard events if such location is not possible. *(Source: New Implementation Program)*	S-1.16	Community Development Public Works					■
S	**Inventory Critical Facilties.** Inventory City owned critical facilities to identify facilities that require retrofitting to bring them up to modern safety standards for natural disasters and outline what improvements are needed. *(Source: New Implementation Program)*	S-1.19	Public Works					■
T	**Critical Facilties Funding.** Designate a City staff member to identify and pursue funding opportunities and available grants for critical facilties improvements to improve resiliency to natural disasters. *(Source: New Implementation Program)*	S-1.19	Public Works					

	Programs	~~Implements~~ Which Policy(ies)	Responsible / Supporting Department(s)	2020 – 2025	2026 – 2030	2031 – 2040	Annual	Ongoing
U	**Site Design Standards.** Develop specific site design and maintenance standards, such as requirements for maintaining defensible space surrounding structures, for development on the eastern side of the city, in proximity to the high fire hazard severity zones. *(Source: New Implementation Program)*	S-2.1	Fire District Community Development		■			
V	**Retrofit Incentives Programs.** Develop and promote incentives for building improvements such as installation of fire sprinklers for existing structures to improve fire safety in existing development. *(Source: New Implementation Program)*	S-2.3 S-2.9	Public Works Fire District		■			
W	**Fire Safety Education.** Distribute flyers with information on fire safety, including wildland and structural fire prevention, evacuation protocols, and guidelines for defensible space and other hazards around structures. *(Source: New Implementation Program)*	S-2.5	Fire District	■				
X	**Fire Equipment.** Regularly inventory and test fire equipment and water supply availability to evaluate the City's capacity to suppress and respond to fires. *(Source: New Implementation Program)*	S-2.6 S-2.12	Fire District					■
Y	**Evacuation Route Capacity.** Evaluate evacuation route capacity, safety, and viability under a range of emergency scenarios as part of the next update to the Napa County Operational Area Multi-jurisdictional Hazard Mitigation Plan, in accordance with AB 747. *(Source: New Implementation Program)*	S-1.8	Community Development Fire District					■
Z	**Fire Safety Audits.** Offer fire safety audits to property owners and residents to enhance fire prevention for existing structures. *(Source: New Implementation Program)*	S-2.9	Fire District					■
AA	**Fire Protection Plans.** Update the municipal code to establish requirements for fire protection plans for new development projects. *(Source: New Implementation Program)*	S-2.10	Fire District Community Development		■			

	Programs	Implements Which Policy(ies)	Responsible Supporting Department(s)	2020 – 2025	2026 – 2030	2031 – 2040	Annual	Ongoing
BB	**Defensible Space.** Update the municipal code to establish requirements for defensible space for development in high and very high fire hazard severity zones. *(Source: New Implementation Program)*	S-2.11	Fire District Community Development		■			
CC	**Water Supply.** Regularly evaluate the city's water supply and water fire flow to ensure adequate capacity during wildfire/fire events. *(Source: New Implementation Program)*	S-2.12	Fire District Public Works					■
DD	**Emergency Roadway Maintenance.** Prioritize emergency roadway maintenance projects within the City's Capital Improvement Plan. *(Source: New Implementation Program)*	S-2.14	Public Works		■			
EE	**Storm Drain Maintenance.** Encourage community members to assist in maintaining storm drains by providing instructions for clearing debris from stormdrains on the City's website and posting links ot the information to social media before storm events. *(Source: New Implementation Program)*	S-3.1	Public Works					■
FF	**Flood Improvement Projects.** Develop and implement an improvement plan to outline and prioritize capital improvement projects for low-lying, flood-prone, and sea level rise areas and seek funding for those projects. *(Source: New Implementation Program)*	S-3.3 S-3.4	Public Works			■		
GG	**Flood Management Training.** Work with FEMA and other floodplain management authorities to receive annual training regarding floodplain regulations, best practices, and management. *(Source: New Implementation Program)*	S-3.3	Public Works					■
HH	**Flood Prevention in New Development.** Develop mitigation and design guidelines for new construction to protect development from flood and sea level rise impacts. *(Source: New Implementation Program)*	S-3.2 S-3.6	Community Development		■			

	Programs	Implements Which Policy(ies)	Responsible Supporting Department(s)	2020 – 2025	2026 – 2030	2031 – 2040	Annual	Ongoing
II	**Wetland Management Plan.** Work with other agencies to develop and implement the American Canyon Wetlands Restoration Plan and to preserve the ecological integrity of wetland areas within the city. *(Source: New Implementation Program)*	S-3.6	Community Development Public Works			■		
JJ	**Publicly-Owned Critical Facilities.** Inventory critical facilities and other public buildings that are exposed to seismic shaking or are at an elevated risk of seismic shaking or liquefaction. Seek funding to conduct retrofits to City-owned infrastructure to improve safety and provide emergency power backup to reduce vulnerability related to seismic hazards. *(Source: New Implementation Program)*	S-4.1 S-4.2	Public Works		■			
KK	**Funding to Identify Vulnerable Critical Facilities.** Seek grant funding to identify and retrofit critical facilities and infrastructure that is vulnerable to geologic hazards. *(Source: New Implementation Program)*	S-4.2	Public Works Community Development					
LL	**Privately-Owned Critical Facilities.** Work with businesses and organizations to encourage building retrofits to privately owned critical faicilities to improve safety and provide emergency power backup. *(Source: New Implementation Program)*	S-4.1 S-4.2	Public Works		■			
MM	**California Building Code. A**dopt new California Building Code requirements, when necessary, to promote the use of updated design standards. *(Source: New Implementation Program)*	S-4.1 S-4.3	Community Development					■
NN	**Geologic Studies.** Continue to enforce the California Building Code and the Alquist-Priolo Earthquake Fault Zoning Act that require geologic studies to be performed so that habitable structures and essential facilities will be sited away from active and potentially active faults. *(Source: New Implementation Program)*	S-4.1 S-4.3 S-4.4	Community Development					■

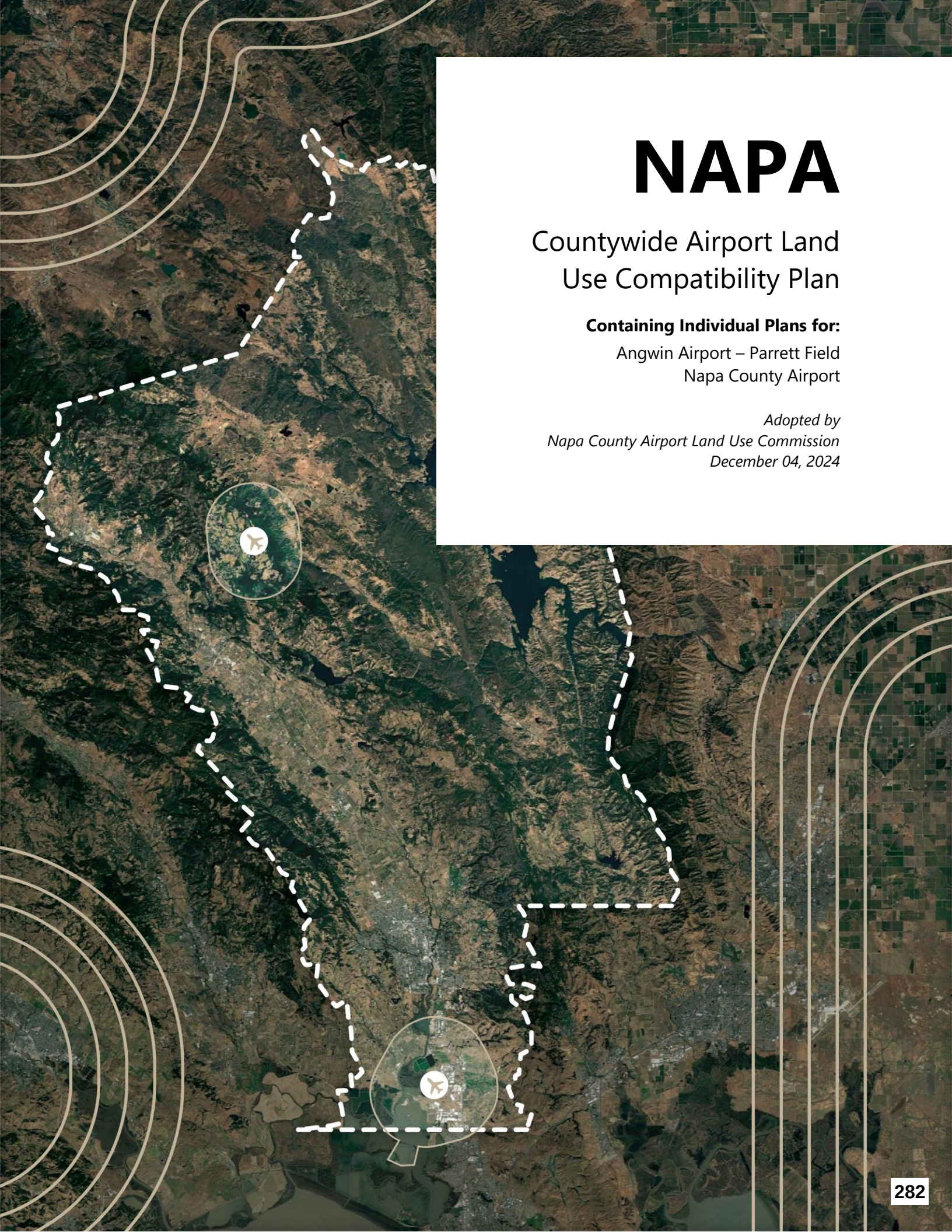
	Programs	~~Implements~~ Which Policy(ies)	Responsible Supporting Department(s)	2020 – 2025	2026 – 2030	2031 – 2040	Annual	Ongoing
OO	**Water Infrastructure.** Evaluate and monitor earthquake and seismic safety of existing water infrastructure and identify weaknesses. Develop improvement programs for infrastructure that is susceptible or damaged by seismic events. *(Source: New Implementation Program)*	S-4.2	Public Works		■			
PP	**Hazardous Materials Transport.** Designate and enforce safe routes through the city for the transport of hazardous materials. *(Source: New Implementation Program)*	S-5.1	Waste Management		■			
QQ	**Hazardous Waste Information.** Provide information on proper disposal of household and industrial hazardous waste to businesses, in City Hall, and on the City's website. *(Source: New Implementation Program)*	S-5.2 S-5.3	Waste Management	■				
RR	**Hazardous Waste Disposal.** Work with Recology American Canyon to adjust hazardous waste drop off limits and potentially expand curbside pick up beyond motor oil. *(Source: New Implementation Program)*	S-5.2	Public Works	■				
SS	**Medical Waste Disposal.** Distribute information on proper medical waste disposal to businesses and residents. *(Source: New Implementation Program)*	S-5.2	Waste Management	■				
TT	**Environmental Site Assessment.** If determined by the City to be necessary, a Phase I Environmental Site Assessment in accordance with ASTM International methodologies shall be completed for a development proposal prior to project approval. If the Phase I Environmental Site Assessment determines hazardous materials may be present, a Phase II Environmental Site Assessment may be required. If the Phase II ESA for the development site indicates that contaminants are detected in the subsurface at the project site, the project applicant shall prepare a Soil Management Plan for impacted soils prior to the start of construction.	S-5.6	Community Development Public Works	■				

	Programs	~~Implements~~ Which Policy(ies)	Responsible Supporting Department(s)	2020 – 2025	2026 – 2030	2031 – 2040	Annual	Ongoing
UU	**Airport Land Use Consistency.** Maintain consistency between the land use designations and the Napa County Airport Land Use Compatibility Plan. *(Source: New Implementation Program)*	S-6.1	Community Development					■
VV	**ALUC Consistency**. Monitor Airport Land Use Commission planning efforts and update City land use designations as appropriate. *(Source: New Implementation Program)*	S-6.2	Community Development					■
WW	**Restrict Siting of Sensitive Land Uses**. Update the municipal code to restrict siting of sensitive land uses in the approach/departure or common traffic pattern zones of the Napa County Airport, consistent with the land use restrictions in the Napa County Airport Land Use Compatibility Plan. *(Source: New Implementation Program)*	S-6.3	Community Development		■			
XX	**Water Conservation Education.** Distribute information to the public on incentives for water conservation best practices. *(Source: New Implementation Program)*	S-7.1	Public Works	■				
YY	**State Water Conservation Programs.** Update the municipal code to implement and enforce State mandated water conservation programs. *(Source: New Implementation Program)*	S-7.1	Public Works	■				
ZZ	**Climate Action Plan.** Develop a Climate Action Plan or expand the City's Energy Efficiency Climate Action Plan to address and plan for climate change impacts. *(Source: New Implementation Program)*	S-7.2	Community Development		■			
AAA	**Sea Level Rise.** Identify public and critical facilities vulnerable to sea level rise impacts and develop improvement plans to implement retrofits or relocate facilities as appropriate. *(Source: New Implementation Program)*	S-7.2	Community Development Public Works		■			
BBB	**Napa County Climate Action Plan.** Participate in the developmentment and encourage adoption of the Napa County Climate Action Plan as well as subsequent updates. *(Source: New Implementation Program)*	S-7.3	Community Development	■				

	Programs	Implements Which Policy(ies)	Responsible Supporting Department(s)	2020 – 2025	2026 – 2030	2031 – 2040	Annual	Ongoing
CCC	**Napa County Climate Action Committee.** Attend the Napa County Climate Action Committee meetings and work with the committee on regional and local climate action efforts. *(Source: New Implementation Program)*	S-7.3	Community Development					■
DDD	**Drought Tolerant Landscaping.** Require the use of drought tolerant landscaping in new construction. *(Source: New Implementation Program)*	S-7.10	Community Development	■				
EEE	**Rebate Programs.** Work with water providers to evaluate the feasibility of expanding rebate programs for the replacement of lawns and toilets to other water fixtures and updates. *(Source: New Implementation Program)*	S-7.4	Public Works		■			
FFF	**Urban Forest Master Plan.** Develop an Urban Forest Master Plan to identify areas within the city that need additional tree canopy, including street trees, to mitigate the impacts of the urban heat island effect. *(Source: New Implementation Program)*	S-7.4	Community Development Public Works		■			
GGG	**Green Roofs.** Explore the opportunity to incorporate green roof systems into local design guidelines for new development. *(Source: New Implementation Program)*	S-7.4	Community Development		■			
HHH	**Extreme Heat Relief.** Identify and publicize facilities where residents can seek refuge from extreme heat, such as libraries, community centers, or other public facilities. *(Source: New Implementation Program)*	S-7.5	Community Development Public Works	■				
III	**Extreme Heat Education.** Distribute information regarding preparation for extreme heat days and heat related illness to community centers, senior centers, and daycares and schools. Provide informational materials in mutliple languages. *(Source: New Implementation Program)*	S-7.6	Community Development	■				
JJJ	**Air Conditioning Alternatives.** Update the municipal code to establish standards for air conditioning alternatives to reduce energy demand and provide cooling during extreme heat events. *(Source: New Implementation Program)*	S-7.7	Community Development		■			

	Programs	Implements Which Policy(ies)	Responsible / Supporting Department(s)	2020 – 2025	2026 – 2030	2031 – 2040	Annual	Ongoing
KKK	**Resilient Public Critical Facilities.** Upgrade public critical facilities such as libraries and community centers to incorporate resiliency and preparedness to extreme heat events and poor air quality, prioritizing the protection of public health for vulnerable populations. *(Source: New Implementation Program)*	S-7.8 S-7.9	Community Development Public Works		■			
LLL	**Bus Stop Shading.** Install shade structures and/or plant shade trees at bus stops that do not currently provide shading. *(Source: New Implementation Program)*	S-7.8	Public Works		■			
MMM	**Open Space Maintenance.** Evaluate climate change impacts on the city's managed open space areas and create a maintenance plan to protect vegetation from heat and drought. *(Source: New Implementation Program)*	S-7-10	Public Works		■			
NNN	**City Tree Management.** Create a City tree management plan to monitor and maintain City owned trees. *(Source: New Implementation Program)*	S-7.11	Public Works		■			
OOO	**Critical Facilities Improvements.** Identify, seek funding for, and implement improvement projects to protect critical facilities against poor air quality and extreme heat. *(Source: New Implementation Program)*	S-7.12	Public Works		■			
PPP	**Community Outreach Partnerships.** Partner with local organizations and non profits to educate residents on climate change hazards, with specific emphasis on vulnerable populations. *(Source: New Implementation Program)*	S-7.13	Community Development Police Fire District					■
QQQ	**Noise Compatibility Matrix.** Continue to enforce Chapter 8.12 *Community Noise* of the municipal code *(Source: New Implementation Program)*	S-8.1 S-8.3	Community Development Police		■			

	Programs	~~Implements~~ Which Policy(ies)	Responsible Supporting Department(s)	2020 – 2025	2026 – 2030	2031 – 2040	Annual	Ongoing
RRR	**Acoustical Analyses.** Require applicants to submit an acoustical analysis for projects near sensitive land uses or involving new or expanded sensitive land uses and require appropriate mitigation measures to reduce noise impacts if necessary to less than significant levels. *(Source: New Implementation Program)*	S-8.3	Community Development					■
SSS	**Noise Insultation.** Require new residential development meet the California Noise Insulation Standards (Title 24 of the California Administrative Code) for interior and exterior noise levels. *(Source: New Implementation Program)*	S-8.5	Community Development					■
TTT	**Vibration Impact Assessment.** Require project specific vibration impact assessments and vibration impact reduction measures for new development projects using major vibration generating equipment. *(Source: New Implementation Program)*	S-8.7	Community Development					■



NAPA

Countywide Airport Land Use Compatibility Plan

Containing Individual Plans for:

Angwin Airport – Parrett Field
Napa County Airport

Adopted by
Napa County Airport Land Use Commission
December 04, 2024

Napa Countywide Airport Land Use Compatibility Plan

Containing Individual Compatibility Plans for:

Angwin Airport – Parrett Field

Napa County Airport

Prepared for

County of Napa

Designated as

Napa County Airport Land Use Commission

Prepared by

Mead & Hunt

Windsor, California | www.meadhunt.com

Adopted December 04, 2024

Napa Countywide
AIRPORT LAND USE COMPATIBILITY PLAN

The Napa County Airport Land Use Commission (ALUC) comprises the five Napa County Planning Commissioners and two at-large members with aviation expertise, appointed by the Board of Supervisors.

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Heather Phillips, District 3
Andrew Mazotti, District 4
Megan Dameron, District 5
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1

Introduction

1.1 OVERVIEW

This 2024 *Napa Countywide Airport Land Use Compatibility Plan (ALUCP)* updates and entirely replaces the *ALUCP* adopted by the Napa County Airport Land Use Commission (*ALUC*) in April 1991 and amended in December 1999 (1999 *ALUCP*). The need for the comprehensive update arose primarily because of a desire to bring the plan up to current standards, reflect current airport layout plans (ALPs), and address stakeholder needs. This 2024 *ALUCP* applies to lands around the two public-use airports in the county:

- Angwin Airport – Parrett Field
- Napa County Airport

In addition to these two airports, the 1999 *ALUCP* also contained compatibility policies for areas around the Calistoga Gliderport. This facility has since ceased to exist, and thus, none of the policies contained in the 1999 *ALUCP* remain in effect for that facility, and this document also does not apply to it.

The *Compatibility Plan* for each of the above two airports is contained in this document. To maintain commonality of wording, policies that apply equally to both airports are contained in **Chapters 2** and **3**. **Chapter 2** focuses on *ALUC* procedural policies and **Chapter 3** on compatibility policies and criteria. Policies and maps that apply distinctly to only one airport are found in **Chapters 4** and **5** for Angwin Airport – Parrett Field and Napa County Airport, respectively.

Note: Terms shown in italics in this chapter and elsewhere in this document are defined in **Section 2.1** of **Chapter 2**

As adopted by the *ALUC*, the basic function of this *ALUCP* is to promote compatibility between the two airports and future land use development in their surrounding areas. The plan accomplishes this function through establishment of a set of compatibility criteria applicable to new development around each airport. Additionally, the *ALUCP* serves as a tool for use by the *ALUC* in fulfilling its duty to review plans, regulations, and Major Land Use Actions of local agencies for consistency with the *ALUCP* criteria. Airport development plans, including plans for any new heliport anywhere in the county, are also subject to review by the *ALUC*. However, neither this *ALUCP* nor the *ALUC* have authority over existing land uses or over the operation of the airports.

The Airport Influence Area for each of the airports, as defined herein, extends roughly 1.5 to 4 miles from the airport runways. These influence areas encompass lands within three local government jurisdictions in Napa County:

- Napa County
- City of Napa
- City of American Canyon

These three local government jurisdictions—together with, any city, special district, school district, or community college district in Napa County that exists or may be established or expanded into any of the two Airport Influence Areas defined by this *ALUCP*—are subject to the provisions of the plan. [1]

1.2 AIRPORT LAND USE COMMISSION REQUIREMENTS

The creation of *ALUC*s and the preparation of compatibility plans are requirements of the California State Aeronautics Act. [2] Provisions for creation of *ALUC*s were first established under state law in 1967 (see **Appendix A** for a copy of the current statutes). With limited exceptions, an *ALUC* is required in every county in the state. Furthermore, a compatibility plan is required for each public-use and military airport in the state, even in instances where an *ALUC* is not established.

Many of the procedures that govern how *ALUC*s operate are defined by state law. Statutory provisions in the Public Utilities Code establish the requirements for *ALUC* adoption of compatibility plans, which airports must have these plans, and some of the steps involved in plan adoption. The law also dictates the requirements for airport land use compatibility reviews by the *ALUC*. For example, the law specifies the types of land use and airport-related actions that local jurisdictions must refer for *ALUC* review.

1.2.1 *ALUC Powers and Duties:* Although the law has been amended numerous times since its original adoption, the fundamental purpose of *ALUC*s to promote land use compatibility around airports has remained unchanged. As expressed in the present statutes, this purpose is:

> "...to protect public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses." [3]

The compatibility plans that *ALUC*s adopt are the basic tools they use to achieve this purpose. The ultimate objective of *ALUC*s, though, is to ensure that land use actions taken by local agencies also adhere to this purpose.

[1] *Public Utilities Code Section 21670(f).*

[2] *Public Utilities Code Section 21670 et seq.*

[3] *Public Utilities Code Section 21670(a)(2).*

*ALUC*s pursue this objective by reviewing the general plans, specific plans, zoning ordinances, building regulations, and certain individual development actions of local agencies for consistency with the policies and criteria in the applicable compatibility plan.

*ALUC*s also review airport operators' proposed master plans and other airport development plans—such as proposed nonaviation development of airport property that does not directly serve the flying public—to determine if those plans are consistent with the compatibility plan or if modifications should be made to the compatibility plan to reflect current airport planning.

1.2.2 *ALUC Limitations:* Two specific limitations on the powers of *ALUC*s are set in the statutes. First, as indicated above, *ALUC*s have no authority over areas "already devoted to incompatible uses." [4] The common interpretation of this clause is that *ALUC*s have no jurisdiction over existing land uses even if those uses are incompatible with airport activities. An *ALUC* cannot, for example, require that an existing incompatible use be converted to something compatible.

The second explicit limitation is that *ALUC*s have no "jurisdiction over the operation of any airport." [5] This limitation includes anything concerning the configuration of runways and other airport facilities, the types of aircraft operating at the airport, or where they fly.

1.3 AIRPORT LAND USE COMPATIBILITY PLAN REQUIREMENTS

1.3.1 *ALUCP Guidelines:* With respect to airport land use compatibility criteria, the statutes say little. Instead, a section of the law enacted in 1994 refers to another document, the *California Airport Land Use Planning Handbook (Handbook)* published by the California Department of Transportation (Caltrans), Division of Aeronautics. Specifically, when preparing compatibility plans for individual airports, designated bodies functioning as *ALUC*s "shall be guided by information" [6] in the *Handbook*. The *Handbook* is not regulatory in nature, however, and it does not constitute formal state policy except to the extent that it explicitly refers to state laws. Rather, its guidance is intended to serve as the starting point for compatibility planning around individual airports.

The policies and maps in this *ALUCP* rely upon the guidance provided by the current edition of the *Handbook* (October 2011). The October 2011 edition of the *Handbook* is available for downloading from the Caltrans web site (https://dot.ca.gov/-/media/dot-media/programs/aeronautics/documents/californiaairportlanduseplanninghandbook-a11y.pdf).

[4] *Public Utilities Code Section 21674(a).*

[5] *Public Utilities Code Section 21674(e).*

[6] *Public Utilities Code Section 21674.7(a).*

An additional function of the *Handbook* is established elsewhere in California state law. The Public Resources Code creates a tie between the *Handbook* and the California Environmental Quality Act (CEQA). The Public Resources Code requires lead agencies to use the *Handbook* as "a technical resource" when preparing CEQA documents assessing airport-related noise and safety impacts of projects located in the vicinity of airports. [7]

1.3.2 *ALUCP Relationship to Airport Master Plans: ALUCP*s are distinct from airport master plans, airport layout plans, and other types of airport development plans, but they are closely connected to them. An airport layout plan is a drawing showing existing facilities and planned improvements. Airport master plans primarily address on-airport issues. The purpose of airport master plans is to assess the demand for airport facilities and guide the development necessary to meet those demands. A typical airport master plan includes an airport layout plan drawing, but also provides textual background data, a discussion of forecasts, and an examination of alternatives along with a detailed description of the proposed development. Airport layout plans and airport master plans are prepared for and adopted by the entity that owns and/or operates the airport. Most large, publicly owned airports have an airport master plan, but many smaller or private airports do not.

In contrast to airport layout plans and airport master plans, the focus of which is normally on on-airport concerns, airport land use compatibility plans mostly address off-airport issues. The major purpose of a compatibility plan is to ensure that incompatible development does not occur on lands surrounding the airport. Compatibility plans are required to reflect the planned airport development and anticipated activity at least 20 years into the future. The responsibility for preparation and adoption of compatibility plans lies with each county's *ALUC*.

The principal connection between the two types of plans stems from the California Public Utilities Code. [8] The statutes require that *ALUC* plans must be based upon a long-range airport master plan adopted by the airport owner/proprietor or, if such a plan does not exist or is outdated for a particular airport, an airport layout plan may be used with the acceptance of Caltrans.

The connection works in both directions. While a compatibility plan must be based upon an airport master plan, any proposed modification to an airport master plan must be submitted to the *ALUC* to determine whether the proposal is consistent with the compatibility plan. [9] Provided that the off-airport compatibility implications of the proposed modifications are adequately addressed in the master plan, the outcome of this process usually is that the *ALUCP* will need to be updated to mirror the new master plan.

[7] *Public Resources Code Section 21096.*

[8] *Public Utilities Code Section 21675(a).*

[9] *Public Utilities Code Section 21676(c).*

1.3.3 *ALUCP Airport Activity Forecasts:* In addition to the requirement that a compatibility plan be based upon the adopted airport master plan or state-approved airport layout plan, the Public Utilities Code says that a compatibility plan must reflect "the anticipated growth of the airport during at least the next 20 years." [10] Frequently, unless the master plan is very recent, its forecasts cannot be directly used because they do not cover the requisite 20-year time period. A final forecasting factor, therefore, is one pointed out in the *Handbook*:

> "For compatibility planning, however, 20 years may be shortsighted. For most airports, a lifespan of more than 20 years can reasonably be presumed. Moreover, the need to avoid incompatible land use development will exist for as long as an airport exists. Once development occurs near an airport, it is virtually impossible—or, at the very least, costly and time consuming—to modify the land uses to ones that are more compatible with airport activities." (*Handbook*, p. 3-5.)

Chapters 6 and **7** of this document describe the activity forecasts upon which the individual *ALUCPs* for Angwin Airport-Parrett Field and Napa County Airport are based, respectively.

1.4 *ALUCP* IMPLEMENTATION REQUIREMENTS

1.4.1 *Relationship of the ALUC to County and City Governments of Napa County:* The fundamental relationship between the *ALUC* and the governments of Napa County and the cities affected by this *ALUCP* is set by the Public Utilities Code. For the most part, *ALUC*s act independently from the local land use jurisdictions. The *ALUC* is not simply an advisory body for the Board of Supervisors or City Councils in the manner that their respective planning commissions are. Within the bounds defined by state law, the decisions of the *ALUC* are final and are independent of the Napa County Board of Supervisors or City Councils. The *ALUC* does not need county or city approval in order to adopt this *ALUCP* or to carry out *ALUC* land use project review responsibilities. However, the *ALUC* must consult with the involved agencies when establishing Airport Influence Area boundaries. [11]

The responsibility for implementation of the *ALUC*-adopted *ALUCP* rests with the affected local agencies. In accordance with the Government Code, [12] Napa County and cities affected by the *ALUCP* must each make its general plan and any applicable specific plans consistent with the *ALUCP* policies. Alternatively, local agencies in the county can undertake the series of steps listed in the Public Utilities Code and described later in this chapter to overrule the *ALUC* policies.

[10] *Public Utilities Code Section 21675(a).*

[11] *Public Utilities Code Section 21675(c).*

[12] *Government Code Section 65302.3.*

The other responsibility of local agencies is to refer their plans and certain other proposed land use actions to the *ALUC* for review so that the *ALUC* can determine whether those actions are consistent with the *ALUCP*. Proposed adoption or amendment of general plans, specific plans, zoning ordinances, and building regulations always must be referred to the *ALUC*. However, Major Land Use Actions, such as those associated with individual development proposals, are subject to *ALUC* review only until such time as the local agency's general plan and specific plans have been made consistent with the *ALUC*'s plan or the local agency has overruled the *ALUC*.

1.4.2 *General Plan Consistency:* As noted above, state law requires each local agency having jurisdiction over land uses within an *ALUC*'s planning area to modify its general plan and any affected specific plans to be consistent with the compatibility plan.

The local agency must take this action within 180 days of when the *ALUC* adopts or amends its plan. [13] The only other course of action available to local agencies is to overrule the *ALUC* using the process outlined in the next section.

A general plan does not need to be identical with the *ALUC* plan in order to be consistent with it. To meet the consistency test, a general plan must do two things:

- It must specifically address compatibility planning issues, either directly or through reference to a zoning ordinance or other policy document; and
- It must avoid direct conflicts with compatibility planning criteria.

To achieve consistency with this *ALUCP*, a *Local Agency* can address compatibility planning issues in one, or more of the following ways:

- **Incorporate Policies into Existing General Plan Elements**—One method of achieving the necessary planning consistency is to modify existing general plan elements. For example, airport land use noise policies could be inserted into the noise element, safety policies could be placed into a safety element, and the primary compatibility criteria, associated maps, and procedural policies might fit into the land use element. With this approach, direct conflicts would be eliminated and the majority of the mechanisms and procedures to ensure compliance with compatibility criteria could be fully incorporated into a local jurisdiction's general plan.
- **Adopt a General Plan Airport Element**—Another approach is to prepare a separate airport element of the general plan. Such a format may be advantageous when a community's general plan also needs to address on-airport development and operational issues. Modification of other plan elements to provide cross referencing and eliminate conflicts would still be necessary.

[13] *Government Code Section 65302.3(b).*

- **Adopt the *ALUCP* as Stand-Alone Document**—Jurisdictions selecting this option would simply adopt the relevant portions of the *ALUCP* as a local policy document. Changes to the community's existing general plan would be minimal. Policy references to the separate *ALUCP* document would need to be added, and any direct land use or other conflicts with compatibility planning criteria would have to be removed. Limited discussion of compatibility planning issues could be included in the general plan, but the substance of most compatibility policies would appear only in the stand-alone document.
- **Adopt an Airport Combining District or Overlay Zoning Ordinance**—This approach is similar to the stand-alone document except that the local jurisdiction would not explicitly adopt an *ALUCP* as policy. Instead, the compatibility policies would be restructured as an airport combining or overlay zoning ordinance. A combining zone serves as an overlay of standard community-wide land use zones and modifies or limits the uses permitted by the underlying zone—flood hazard combining zoning is a common example. An airport combining zone ordinance can serve as a convenient means of bringing various airport compatibility criteria into one place.

  The airport-related height-limit zoning that many jurisdictions have adopted as a means of protecting airport airspace is a form of combining district zoning. Noise and safety compatibility criteria, together with procedural policies, would need to be added to create a complete airport compatibility zoning ordinance. Other than where direct conflicts need to be eliminated from the local plans, implementation of the compatibility policies would be accomplished solely through the zoning ordinance. Policy reference to airport compatibility in the general plan could be as simple as mentioning support for the airport land use commission and stating that policy implementation is by means of the combining zone. An outline of topics that could be addressed in an airport combining zone is included in **Appendix E**.

1.4.3 *Overruling ALUC Decisions:* If an *ALUC* has determined that a local agency's general plan is inconsistent with the *ALUCP* and the local agency wishes to adopt the general plan anyway, then it must overrule the *ALUC*. The statutes are explicit in defining the steps involved in the overrule process. This same process also applies if the local agency intends to overrule the *ALUC* with regard to a finding of inconsistency on proposed adoption or approval of a specific plan, zoning ordinance, or building regulation; an individual development proposal for which *ALUC* review is mandatory; or an airport master plan. [14]

The steps that a local agency in Napa County must take to overrule the *ALUC* are set by state law and court decisions and are summarized below. Further discussion is contained in the *Handbook*.

[14] *Public Utilities Code Sections 21676(a), (b), and (c).*

(a) **Specific Findings by Local Agency**—When overruling the *ALUC*, the local agency must make specific findings that the proposed action is consistent with the purposes of the *ALUC* statutes as set forth in the Public Utilities Code. [15] Such findings may not be adopted as a matter of opinion, but must be supported by substantial evidence. Specifically, the governing body of the local agency must make specific findings that the proposed project will not:

- Impair the orderly, planned expansion of the airport;
- Adversely affect the utility or capacity of the airport (such as by reducing instrument approach procedure minimums); or
- Expose the public to excessive noise and safety hazards.

(b) **Notification and Voting Requirements**—In accordance with the *ALUC* statutes, the local agency must do all of the following:

- Provide to the *ALUC* and Caltrans a copy of the proposed decision and findings to overrule the *ALUC* at least 45 days prior to the hearing date.
- Hold a public hearing on the matter. The public hearing shall be publicly noticed consistent with the agency's established procedures.
- Include any comments received from the *ALUC*, Caltrans, the Federal Aviation Administration (FAA), Airport owner, or the public in the public record of any final decision to overrule the *ALUC*.
- Make a decision to overrule the *ALUC* by a two-thirds vote of its governing body.

(c) **Liability**—The *ALUC* statutes indicate that if a local agency other than the airport owner overrules the *ALUC*, then the agency owning and operating the airport "shall be immune from liability for damages to property or personal injury caused by or resulting directly or indirectly from the local agency's decision to overrule the *ALUC*'s compatibility determination or recommendation." [16]

1.4.4 *Project Referrals:* In addition to the types of land use actions for which referral to the *ALUC* is mandatory in accordance with state law—adoption or amendment of general plans, specific plans, zoning ordinances, or building codes affecting land within an Airport Influence Area—the Napa County *ALUCP* specifies other Major Land Use Actions that either must or should be submitted for review. These "major land use actions" are defined in **Chapter 2**. Beginning when the *ALUCP* is adopted by the *ALUC* and continuing until such time as local agencies have made the necessary modifications to their general plans, all of these major land use actions must be referred to the *ALUC* for review. After local agencies have made their general plans consistent with the *ALUCP*, the *ALUC* requests that these major land use actions continue to be submitted on a voluntary basis. The project referral procedures must be indicated in the local agency's general plan or other implementing policy document in order for the general plan to be considered fully consistent with the *ALUCP*.

[15] *Public Utilities Code Section 21670.*

[16] *See Public Utilities Code Sections 21678 and 21675.1(f).*

1.5 COMPATIBILITY PLANNING IN NAPA COUNTY

1.5.1 *Napa County Airport Land Use Commission (ALUC):* The Napa County ALUC was established in 1970 by Board of Supervisors Resolution No. 70-159 and pursuant to Public Utilities Code Section 21670.1. Under this resolution, the Napa County Planning Commission and the Napa County Airport Committee jointly served as the Napa County ALUC.

The 1970 resolution was rescinded in 1975 by Resolution No. 75-51 and the Napa County Planning Commission, previously renamed as the Conservation, Development, and Planning Commission, was designated to act by itself as the *ALUC*. The Select Committee of Mayors for the County of Napa determined by majority vote that this designation was appropriate.

A subsequent 1987 change in the state statute dictated that when a designated body serves as the ALUC in a county, as was the case under the 1975 resolution, that body must be augmented by at least two members having "expertise in aviation" as defined in the statute. To fulfill this requirement, the Board of Supervisors adopted Resolution 90-22 in 1990. This resolution states that "anytime there is a change in membership of either the Napa County Conservation, Development, and Planning Commission or the Airport Land Use Commission, this Board shall determine how many members of the Conservation, Development, and Planning Commission have an 'expertise in aviation.'" Further, "the Board shall augment, to the extent necessary, the Napa County Conservation, Development, and Planning Commission, whenever said Commission functions as the Airport Land Use Commission, by adding up to two persons to ensure that the Airport Land Use Commission is comprised of at least two members having an expertise in aviation as defined in California Public Utilities Code Section 21670(e)." The 1990 resolution remains in effect as of the time of adoption of the ALUCP contained in this document, and the ALUC is formatted accordingly as a "Designated Body." [17] Copies of the resolutions are included in Attachment A.

1.5.2 *Airport Plans for Napa County Airports:* Napa County Airport is a public-use reliever airport, whereas Angwin Airport – Parrett Field is a public-use, privately-owned airport. In accordance with state law, the current and planned physical features and operational characteristics of each airport having implications for land use compatibility have been taken into account in the preparation of this *ALUCP*. The airport plan status differs for each airport in Napa County.

[17] *See Public Utilities Code Sections 21670.1(a).*

(a) **Angwin Airport – Parrett Field:** Angwin Airport – Parrett Field is a privately owned, public-use general aviation facility owned and operated by Pacific Union College (PUC or College). Angwin Airport – Parrett Field does not have a formal master plan. However, Napa County completed a *Master Plan Feasibility and Alternate Site Selection Study—Angwin Airport/Parrett Field* in 2010 that addressed whether the existing airport would meet long-term general aviation needs in the upper Napa Valley and included the development of an Airport Layout Plan (ALP) in late 2009. The college acknowledged in an April 21, 2023, letter that the 2009 ALP is an accurate representation of the airport's existing conditions. Furthermore, although the college has no existing plans for future development, they concurred that the ultimate conditions shown on the ALP can serve as the basis for the Napa County *ALUCP* future conditions. This ALP was accepted by the Caltrans for compatibility planning purposes in November 2023. The information contained in the 2009 ALP and supplemental data provided by airport personnel serve as the foundation for this *ALUCP*. Detailed background data pertaining to Angwin Airport – Parrett Field is presented in **Chapter 6**.

(b) **Napa County Airport:** Napa County Airport is a general aviation facility owned and operated by Napa County. The County adopted a master plan for Napa County Airport in March 2007. Since publication of the master plan, updates have been made to the ALP drawing to reflect recent and newly proposed construction projects. The current ALP was approved by the Federal Aviation Administration (FAA) in May 2016. The information contained on the 2016 ALP, together with supplemental information provided in the 2007 Master Plan and by airport personnel, form the foundation for this Airport Land Use Compatibility Plan (*ALUCP*) for Napa County Airport. The 2016 ALP was approved by the Caltrans for compatibility planning purposes in November 2023. Detailed background data pertaining to Napa County Airport is presented in **Chapter 7**.

1.5.3 *ALUCP Development Process:* Major factors in the decision to prepare an updated *ALUCP* were the desire to clarify and enhance the *ALUCP* policies to improve local implementation of the plan by local jurisdictions and to reflect changes in airport operations and fleets and revised guidance from the State. Additionally, the *ALUCP* update needed to reflect the fact that Calistoga Gliderport was no longer in operation by removing all references from the Plan.

As required by California state law, the *Handbook* provides guidance for the compatibility policies set forth in this *ALUCP*. The *Handbook* was used both to structure and define compatibility criteria and to establish the procedures to be followed by the *ALUC* and local agencies in implementation of the criteria.

As noted above, the aeronautical data serving as the foundation of each *ALUCP* in this document are based upon an approved airport master plan or airport layout plan showing existing and proposed airport improvements over the requisite 20-year planning timeframe. With respect to aircraft activity projections, the *ALUCP* again relies upon data obtained from each airport regarding historic, current, and projected operations. The activity forecasts are based on data obtained from current airport master plans and/or airport managers.

Similar to what was done for the 1999 *ALUCP*, a technical advisory committee—this time called a Project Development Team (PDT)—was established specifically for the 2024 *ALUCP* update project. The PDT membership consisted of *ALUC* staff, airport representatives from both Napa County Airport and Angwin Airport – Parrett Field, and planning staffs from Napa County and the cities of Napa and American Canyon. The PDT assisted with providing airport and land use data, reviewing discussion papers and draft materials, and providing technical input for consideration in the administrative draft plan. Additionally, the PDT was charged with keeping their respective local jurisdictions informed of the *ALUCP* update progress.

1.5.4 *ALUCP Contents:* This *ALUCP* is organized into seven chapters and a set of appendices. The intent of this introductory chapter is to set the overall context of airport land use compatibility planning in general and for Napa County in particular. The most important components of the plan are found in **Chapters 2** through **5**. **Chapters 2** and **3** present *ALUC* procedural policies and compatibility policies applicable uniformly to each of the addressed airports. **Chapters 4** and **5** contain the airport-specific compatibility maps and criteria for each airport together with individual policies for that airport. **Chapters 6** and **7** present airport and land use background information regarding each of the airports.

Also included in this document are a set of appendices containing a copy of state statutes concerning airport land use commissions and other general information pertaining to airport land use compatibility planning. This material is mostly taken from other sources and does not represent *ALUC* policy except where cited as such in **Chapters 2** through **5**—specifically the state *ALUC* statutes and certain other laws (**Appendix A**) and Code of Federal Regulations Part 77 (**Appendix B**).

1.5.5 *ALUCP Adoption and Amendment Process:* As noted earlier, although contained within this single volume, this *ALUCP* consists of two separate *ALUCP*s, one for each airport addressed. With the adoption of the *ALUCP*s for Napa County Airport and Angwin Airport – Parrett Field, an Initial Study was prepared in accordance with the California Environmental Quality Act (CEQA). The purpose of each Initial Study was to identify the potential environmental impacts associated with the implementation of the *ALUCP* following adoption. The issues addressed by each Initial Study included those identified in the 2007 California Supreme Court decision in Muzzy Ranch Company v. Solano County Airport Land Use Commission, such as an assessment of the potential displacement of future residential and nonresidential land use development.

The Initial Studies, associated Negative Declarations, and Notice of Exemption associated with each *ALUCP* were circulated for a 30-day public review period that extended from June 17, 2024, through July 17, 2024. Written comments provided on the *ALUCP* and associated CEQA document during this timeframe up through the *ALUC* public hearing of December 4, 2024, were used to guide a final set of revisions to this *ALUCP*.

Additionally, two hybrid public workshops on the draft 2024 *ALUCP* were held on November 16, 2023, and December 7, 2023; the first focused on the *ALUCP* for Napa County Airport and the second was more general, providing information on the *ALUCP* for both Napa County Airport and Angwin Airport – Parrett Field. The first workshop was noticed through direct mailings to property owners within areas with more restrictive criteria based on the draft zones. The second workshop was publicized by means of a block advertisement in local papers.

The *ALUC* held a formal public hearing on the draft *ALUCP* on July 17, 2024, which was continued until November 6, 2024, and again to December 4, 2024. The *ALUC* considered comments offered in writing during the document review phase and at the hearings, then formally adopted the *ALUCP* for each airport. See Attachments B and C at the back of this document for copies of the adoption resolutions. The 2024 *ALUCP* replaces the Napa County Airport Land Use Compatibility Plan originally adopted in April 1991 and amended in December 1999.

A copy the Napa County Airport Land Use Compatibility Plan (Adopted December 4, 2024) and associated CEQA documents are available for review and comment on the Napa County *ALUC* website (https://www.countyofnapa.org/1603/Airport-Land-Use-Commission).

2

Procedural Policies

2.1 DEFINITIONS

The following definitions apply for purposes of the policies set forth in this *Napa Countywide Airport Land Use Compatibility Plan* (*ALUCP*). Where these terms apply to the policies appearing in **Chapters 2** through **5**, they are shown in *italics*. General terms pertaining to airport and land use planning are defined in the *Glossary* (**Appendix G**).

2.1.1 *Actions/Projects/Proposals:* These terms are similar in meaning and all refer to the types of *Airport* and land use planning and development activities (permanent or temporary), either publicly or privately sponsored, that are subject to the provisions of this *ALUCP*. Other terms with similar meaning include *Land Use Actions, Airport Actions, Major Land Use Actions,* and *Development Actions.*

2.1.2 *Aeronautics Act:* Except as indicated otherwise, the article of the California Public Utilities Code (Section 21670 *et seq.*) pertaining to airport land use commissions and airport land use compatibility plans (also known as the *California State Aeronautics Act*).

2.1.3 *Airport:* Angwin Airport – Parrett Field, Napa County Airport, or any new public-use or military airport that may be created within Napa County.

2.1.4 *Airport Influence Area/Referral Area:* An area, as delineated herein for each *Airport*, in which current or future airport-related noise, overflight, safety, or airspace protection factors may significantly affect land uses or necessitate restrictions on those uses. The *Airport Influence Area* constitutes the *Referral Area* within which certain *Airport Actions* and *Land Use Actions* are subject to *ALUC* review to determine consistency with the policies herein.

2.1.5 *Airport Land Use Commission (ALUC):* The Napa County Airport Land Use Commission or a legally established successor. The *ALUC* membership consists of the five Napa County Planning Commissioners together with two at-large members with aviation expertise, both appointed by the Board of Supervisors.

2.1.6 *Airport Land Use Commission (ALUC) Executive Officer:* The *ALUC Executive Officer* of the *ALUC* or a person designated by the *ALUC Executive Officer* with the concurrence of the *ALUC* Chair.

2.1.7 *Airport Proximity Disclosure:* A form of buyer awareness documentation required by California state law and applicable to many transactions involving residential real estate, including previously occupied dwellings. The disclosure notifies a prospective purchaser that the property is located in proximity to an *Airport* and may be subject to annoyances and inconveniences associated with the flight of aircraft to, from, and around the *Airport*. See Policy 3.6.2 for applicability. Also see Policy 2.1.35 for a related buyer awareness tool, *Recorded Overflight Notification*.

2.1.8 *Airspace Critical Protection Zone:* The Code of Federal Regulations Title 14 Part 77 (*CFR Part 77*) primary surface and the area beneath portions of the approach and transitional surfaces to where these surfaces intersect with the horizontal surface together with the *Airspace High Terrain Zone*. See details in Policy 3.5.1(b).

2.1.9 *Airspace High Terrain Zone:* Areas of land in the vicinity of an *Airport* where the ground lies above a *CFR Part 77* surface or within 35 feet beneath such surface. See details in Policy 3.5.1(c).

2.1.10 *Airspace Protection Surfaces/Maps/Plans/Zones:* Imaginary surfaces in the airspace surrounding an *Airport* defined in accordance with criteria set forth in *CFR Part 77*. [18] These surfaces establish the maximum height that objects on the ground can reach without potentially creating constraints or hazards to the use of the airspace by aircraft approaching, departing, or maneuvering in the vicinity of the associated *Airpor*t. The *Airspace Protection Surfaces* are depicted in the *Airspace Protection Maps* for each *Airport* addressed by this *ALUCP* and are presented in **Chapters 4** and **5**.

2.1.11 *ALUCP/Compatibility Plan:* This document, the *Napa Countywide Airport Land Use Compatibility Plan,* which includes the individual *ALUCPs* for Angwin Airport – Parrett Field and Napa County Airport.

2.1.12 *Aviation-Related Use:* Any facility or activity directly associated with the air transportation of persons or cargo or the operation, storage, or maintenance of aircraft at an *Airport,* heliport, or vertiport. Such uses specifically include, but are not limited to, runways, taxiways, and their associated protection areas defined by the Federal Aviation Administration (FAA), together with aircraft aprons, hangars, fixed base operations facilities, terminal buildings, etc. Hotels or other commercial/industrial facilities on *Airport* property do not qualify as an *Aviation-Related Use*.

2.1.13 *Avigation Easement:* An easement that conveys rights associated with aircraft overflight of a property including, but not limited to, creation of noise and limits on the height of structures and trees, etc. (see Policy 3.7.1).

2.1.14 *Building Regulations:* Terminology used in state *ALUC* statutes. Also known as "building codes," a set of rules that specify the standards for constructed objects such as buildings and nonbuilding structures.

2.1.15 *Code of Federal Regulations Part 77 (CFR Part 77):* The part of Federal Aviation Regulations as set forth in Title 14, Code of Federal Regulations, Part 77, *Safe, Efficient Use and Preservation of the Navigable Airspace (CFR Part 77)*, that deals with objects affecting navigable airspace in the vicinity of airports. Objects that exceed the *CFR Part 77* height limits constitute airspace obstructions (see Section 3.5).

[18] *See Policy 2.1.15.*

CFR Part 77 establishes standards for identifying obstructions to navigable airspace, sets forth requirements for notice to the FAA of certain proposed construction or alteration, and provides for aeronautical studies of obstructions to determine their effect on the safe and efficient use of airspace. (See **Appendix B** of this *ALUCP* for the text of *CFR Part 77*; also see **Appendix G**, *Glossary*).

2.1.16 *Community Noise Equivalent Level (CNEL):* The noise metric adopted by the State of California for land use planning purposes, including describing *Airport* noise impacts. The noise impacts are typically depicted by a set of contours, each of which represents points having the same *CNEL* value (see Section 3.3 for policies regarding maximum acceptable *CNELs* for new development near *Airports*).

2.1.17 *Compatibility Zone:* Any of the zones depicted in the *Compatibility Policy Map* for each *Airport* in **Chapters 4** and **5** for the purposes of assessing land use compatibility within an *Airport Influence Area* defined herein (see Policy 3.2.3).

2.1.18 *Density:* The number of dwelling units per acre. *Density* is used in this *ALUCP* as the measure by which proposed residential development is evaluated for compliance with noise and safety compatibility criteria (compare *Intensity*). *Density* is calculated on the basis of the overall site size (i.e., total acreage of the site).

2.1.19 *Existing Land Use:* A land use that, as of the effective date of this *ALUCP* (see Policy 2.2.4), either physically exists or for which *Local Agency* commitments to the proposal have been obtained, entitling the *Project* to move forward (see Policy 2.7.3).

2.1.20 *Existing Nonconforming Use:* An *Existing Land Use* that does not comply with the compatibility criteria set forth in this *ALUCP*. See Policies 2.7.3(c) and 3.7.3 for criteria applicable to *Land Use Actions* involving *Nonconforming Uses*.

2.1.21 *Floor Area Ratio (FAR):* The total floor area of a *Project* in square feet divided by the square footage of the site. For multi-floor buildings, the square footage of all floors is counted. The floor area ratio methodology is intended as an aid in calculating the usage *Intensity* of nonresidential uses, as indicated in Policy 3.4.3(a).

2.1.22 *Handbook:* The *California Airport Land Use Planning Handbook (Handbook)* published by California Department of Transportation (Caltrans), Division of Aeronautics [19]. The *Handbook* provides guidance to *ALUCs* for the preparation, adoption, and amendment of *ALUCPs*.

2.1.23 *Infill:* Development of vacant or underutilized land (e.g., redevelopment or expansion of existing facilities) within areas that are already largely developed or used more intensively. See Policy 3.7.2 for criteria used to identify *Infill* areas for the purposes of this *ALUCP*.

2.1.24 *Intensity:* The number of people per acre. *Intensity* is used in this *ALUCP* as the measure by which most proposed nonresidential development is evaluated for compliance with safety compatibility criteria (compare *Density*). Sitewide average *Intensity* is calculated on the basis of the overall site size (i.e., total acreage of the site).

[19] *As of the adoption date of this ALUCP, the latest edition of the Handbook is the October 2011 edition.*

2.1.25 *Local Agency:* Any county, city, or other local governmental entity, such as a special district, school district, or community college district—including any future city or district—having any jurisdictional territory lying within an *Airport Influence Area* as defined herein for the *Airports* covered by this *ALUCP*. These entities are subject to the provisions of this *ALUCP* (see Policy 2.2.6).

2.1.26 *Major Land Use Action: Actions* related to proposed land uses for which compatibility with *Airport* activity is a particular concern, but for which *ALUC* review is not always mandatory under state law. These types of *Actions* are listed in Policy 2.5.2.

2.1.27 *Mandatory Land Use Action: Actions* that require mandatory review by the *ALUC*. Pursuant to State law, these types of *Actions* include General Plan Amendments, Zoning Amendments, Specific Plans, Special District Facility Master Plans, Building Code changes, and airport planning projects (i.e., Airport Master Plans). A complete list of these types of *Actions* is located in Policy 2.4.1.

2.1.28 *Minor Land Use Actions: Actions* that involve a discretionary entitlement but are not defined as a *Mandatory* or *Major Land Use Action*. These types of *Actions* do not require *ALUC* review unless submitted to the *ALUC* on a voluntary basis as indicated in Policy 2.6.1(b).

2.1.29 *Noise Impact Area:* The area within which the noise impacts (measured in terms of *CNEL*) generated by an *Airport* may represent a land use compatibility concern. The noise impact areas for Angwin Airport – Parrett Field and Napa County Airport are presented in **Chapters 4** and **5**, respectively.

2.1.30 *Noise-Sensitive Land Uses:* Land uses for which the associated primary activities, whether indoor or outdoor, are susceptible to disruption by loud noise events. The most common types of noise sensitive land uses include, but are not limited to: residential, hospitals, nursing facilities, intermediate care facilities, educational facilities, libraries, museums, places of worship, child-care facilities, and certain types of passive recreational parks and open space.

2.1.31 *Object Free Area (OFA):* An area on the ground surrounding an airport runway within which the FAA prohibits all objects except certain ones necessary for aircraft navigation or maneuvering. The *OFA* dimensions to be applied for the purposes of this *ALUCP* are as established by the FAA.

2.1.32 *Occupancy Load Factor:* The average number of square feet of building floor area occupied per person under typical peak-period usage. These numbers are used in **Exhibit 4-1** and **Exhibit 5-1** to aid in determining the *Intensity* of various land uses.

2.1.33 *Overrule:* An *Action* that a *Local Agency* can take in accordance with provisions of state law if the *Local Agency* wishes to proceed with an *Action* [20] in spite of an *ALUC* finding that the *Action* is inconsistent with this *ALUCP*. See Section 2.12 for the process required to *Overrule* the *ALUC*.

2.1.34 *Reconstruction*: The rebuilding of an *Existing Nonconforming* structure that has been fully or partially destroyed as a result of a calamity (not planned *Redevelopment*). See Policy 3.7.4.

[20] *Public Utilities Code Sections 21676(a), (b), and (c); and 21676.5(a).*

2.1.35 *Recorded Overflight Notification:* A form of buyer awareness documentation recorded in the chain of title of a property stating that the property may be subject to annoyances and inconveniences associated with the flight of aircraft to, from, and around a nearby airport. Unlike an *Avigation Easement* (see Policy 2.1.13), a *Recorded Overflight Notification* does not convey property rights from the property owner to the *Airport* and does not restrict the height of objects. See Policy 3.6.1 for applicability. Also see Policy 3.6.2 for a related buyer awareness tool, *Airport Proximity Disclosure*.

2.1.36 *Redevelopment:* Any new construction that replaces the existing structures or use of a site, particularly at a *Density* or *Intensity* greater than that of the *Existing Land Use*. *Redevelopment Projects* are subject to the provisions of this *ALUCP* to the same extent as other forms of proposed development. *Redevelopment* differs from *Reconstruction* that is not subject to this *ALUCP* (see Policy 2.1.34).

2.1.37 *Risk-Sensitive Land Uses:* Land uses that represent special safety concerns irrespective of the number of people associated with the use (see Policy 3.4.9), specifically uses with vulnerable occupants, hazardous materials storage, or critical community infrastructure.

2.1.38 *Vertiport/Vertistop:* A facility intended to accommodate one or more landing pads and parking stalls for vertical take-off and land (VTOL) aircraft.

2.1.39 *Wildlife Attractant:* Any human-made structure, land-use practice, or human-made or natural geographic feature that can attract or sustain potentially hazardous wildlife within the approach or departure airspace or an *Airport's* air operations area.

2.1.40 *Wildlife Hazard:* A land use feature and location that creates the potential to attract wildlife that may collide with aircraft or cause aircraft damage, injuries to passersby, or loss of human life.

2.1.41 *Wildlife Hazard Critical Zone:* The recommended separation area between air operations areas and potential wildlife hazard attractants as defined in the *ALUCP* based on airport-specific conditions and FAA guidance (see Policy 3.5.3).

2.2 GENERAL APPLICABILITY

2.2.1 *Napa County ALUC*: The five Napa County Planning Commissioners together with two at-large members with aviation expertise, both appointed by the Board of Supervisors, serve as the Napa County Airport Land Use Commission.

2.2.2 *ALUCPs for Individual Airports in Napa County:* With limited exceptions, California law requires an *ALUCP* for each public-use and military airport in the state. This document, the *Napa Countywide Airport Land Use Compatibility Plan (ALUCP)*, contains the individual *ALUCPs* for the two existing public-use *Airports* located in Napa County.

(a) The two public-use general aviation airports covered by this *ALUCP* are:

(1) Angwin Airport – Parrett Field, privately owned and operated by Pacific Union College.

(2) Napa County Airport, owned by Napa County and operated by the County's Department of Public Works.

(b) The policies in this document are divided into four chapters. The policies in **Chapters 2** and **3** together with the respective airport-specific policies in **Chapters 4** and **5** comprise the *ALUCP* for each *Airport*.

(1) **Chapter 2** prescribes the procedures that the *ALUC* and *Local Agencies* within Napa County will follow in addressing airport land use compatibility matters.

(2) **Chapter 3** contains compatibility criteria and policies applicable uniformly to both *Airports*.

(3) **Chapter 4** provides airport-specific land use compatibility policies for Angwin Airport – Parrett Field. The policies in this chapter consist of two maps plus compatibility criteria unique to the airport.

(4) **Chapter 5** provides airport-specific land use compatibility policies for Napa County Airport. The policies in this chapter consist of two maps plus compatibility criteria unique to the airport.

(c) This *ALUCP* also provides procedures by which the *ALUC* shall review proposals for new airports, heliports, or vertiports (see Sections 2.11 and 3.9).

(d) There are no military airports in Napa County.

2.2.3 *Basic Purpose:* The basic purpose of this *ALUCP* is to establish procedures and criteria applicable to airport land use planning in the vicinity of the airports under jurisdiction of the *ALUC*. The *ALUCP* is prepared in accordance with the requirements of the *Aeronautics Act* and guidance provided in the *Handbook* published by the California Department of Transportation (Caltrans) Division of Aeronautics in October 2011. [21]

2.2.4 *Effective Date:* The policies herein are effective as of the date that the *ALUC* adopts the *ALUCP* for each *Airport*.

(a) The effective date of the respective *ALUCP* for each *Airport* is:

(1) **Chapters 2**, **3**, and **4** for Angwin Airport – Parrett Field: December 4, 2024.

(2) **Chapters 2**, **3**, and **5** for Napa County Airport: December 4, 2024.

(b) The previous *ALUCPs* for the two *Airports* addressed by this *ALUCP* were contained in the document entitled *Napa County Airport Land Use Commission Airport Land Use Compatibility Plan*, which was adopted by the *ALUC* on April 22, 1991, and revised on December 15, 1999 (1999 *ALUCP*).

(1) The 1999 *ALUCP* for each *Airport* shall remain in effect until the *ALUC* adopts the respective *ALUCP* for each *Airport* contained in this document.

(2) If the *ALUCP* for one or more individual *Airports* should be invalidated by court action, the preceding plan for the affected *Airport(s)* shall again become effective. The *ALUCP* for each unaffected *Airport*, as contained within this document, shall remain in effect.

(3) The Calistoga Gliderport, policies for which are also contained in the 1999 *ALUCP*, is no longer in operation and thus neither the former *ALUCP* nor the policies in this document are applicable.

[21] *Public Utilities Code Section 21670 et seq.*

(c) Any *Project* or phase of a *Project* that has received *Local Agency* approvals sufficient to qualify it as an *Existing Land Use* (see Policies 2.1.19 and 2.7.3) prior to the date of the *ALUC's* adoption of the respective *ALUCP* shall not be required to comply with the policies herein. Rather, the policies of the 1999 *ALUCP* shall apply.

2.2.5 *Use by ALUC:* The *ALUC* shall:

(a) Formally adopt this *ALUCP* [22] and amend it as necessary to reflect current *Airport* plans. [23]

(b) When a *Land Use Action* or *Airport Action* is referred for review as provided by Sections 2.4 and 2.5, make a determination as to whether such *Action* is consistent with the criteria set forth in this *ALUCP*.

2.2.6 *Use by Affected Local Agencies:*

(a) The policies of this *ALUCP* shall apply to each of the following affected *Local Agencies* (see Policy 2.1.25) in Napa County having jurisdiction over lands within all or parts of an *Airport Influence Area* defined by this *ALUCP,* specifically:

(1) The County of Napa.

(2) The City of Napa.

(3) The City of American Canyon.

(4) Any future city within Napa County that may be incorporated and have territory within an *Airport Influence Area*.

(5) Any existing or future special districts, school districts, or community college districts within Napa County to the extent that the district boundaries extend into an *Airport Influence Area*.

(b) The County of Napa, each of the affected cities, and any future city shall:

(1) Modify its respective general plan, applicable specific plan(s), zoning ordinance and building regulations to be consistent with the policies in the *ALUCP*. [24]

(2) Utilize the *ALUCP*, either directly or as reflected in the appropriately modified general plan, specific plan, and zoning ordinance, when making planning decisions regarding proposed development of lands with an *Airport Influence Area*.

(3) Refer proposed *Land Use Actions* for review by the *ALUC* as specified by Policies 2.4.1 and 2.5.1 herein.

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[22] *In accordance with Public Utilities Code Section 21674(c).*

[23] *In accordance with Public Utilities Code Section 21675(a).*

[24] *Public Utilities Code Section 21676(a) specifically requires general plan consistency. Because specific plans and zoning ordinances are also subject to ALUC review, the consistency requirement also extends to them. Also, Government Code Section 65302.3(a) requires that "The general plan, and any applicable specific plan, shall be amended, as necessary, within 180 days of any amendment to the plan required under Section 21675 of the Public Utilities Code." Discussion regarding practical aspects of this time limit can be found in the 2011 Caltrans Handbook on page 6-2.*

(c) As owners of a public-use *Airport*, Pacific Union College and the County of Napa shall refer proposed airport master plans, airport layout plans, and other airport improvement plans for their respective airports to the *ALUC* for review (see Policy 2.4.1(b)).

(d) Special districts, school districts, and community college districts shall:

(1) Apply the policies of this *ALUCP* when creating facility master plans and making other planning decisions regarding the proposed development of lands under their control within an *Airport Influence Area*.

(2) Refer proposed *Land Use Actions* for review by the *ALUC* as specified by Policies 2.4.1 and 2.5.1 herein.

(e) Entities proposing construction of a new public or private airport, heliport, or vertiport for which a State Airport Permit is required must submit the proposed plans to the *ALUC* for land use compatibility review (see Policy 2.4.1(b)(3)). [25]

(f) All affected *Local Agencies* preparing an environmental document for any project within an *Airport Influence Area* shall address the compatibility criteria contained in this *ALUCP* in addition to referencing guidance from the *Handbook*. [26]

2.2.7 *Fees:* Fees shall be established by the *ALUC* for the purpose of defraying costs of providing *ALUC* services. Any fees established by the *ALUC* may be reviewed annually by the *ALUC* or upon recommendation of the *ALUC Executive Officer* and adjusted as necessary. Projects subject to *ALUC* review shall be assessed per the current *ALUC* fee schedule. [27]

2.2.8 *Examples:* Where an example is used in this *ALUCP*, such example or examples are provided for purposes of illustration only and any such example or set of examples are not intended nor shall such be construed as an exhaustive list of the subject matter to which it corresponds.

2.2.9 *Inter-Agency Coordination in Napa County*: The *ALUC* encourages the *Local Agencies* in Napa County to coordinate with each other on airport land use compatibility matters. Specifically:

(a) Each entity owning an *Airport* in Napa County is advised to notify the *ALUC* and affected *Local Agencies* in Napa County when preparing or amending *Airport* plans and development activities.

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[25] *Required by Public Utilities Code Sections 21661.5, 21664.5, and 21676(c) and California Code of Regulations Title 21 Sections 3525 et seq. This requirement applies to special-use airports and heliports such as hospital heliports. Agricultural airports, most personal-use airports in unincorporated areas, and certain other airports are exempt as specified in Code of Regulations Section 3533. The code defines a special-use airport or heliport as one that is "not open to the general public, access to which is controlled by the owner in support of commercial activities, public service operations and/or personal use." A personal-use airport or heliport is one that is "limited to the noncommercial activities of an individual owner or family and occasional invited guests."*

[26] *The California Environmental Quality Act (CEQA) requires environmental documents for projects situated within an Airport Influence Area to evaluate whether the project would expose people residing or working in the project area to excessive levels of airport-related noise or to airport-related safety hazards (Public Resources Code Section 21096). In the preparation of such environmental documents, the law specifically requires that the California Airport Land Use Planning Handbook published by the California Division of Aeronautic be utilized as a technical resource.*

[27] *Public Utilities Code Section 21671.5(f) allows for ALUCs to charge fees for project reviews. Resolution No. 21-45, which was passed on December 1, 2021, updates the fee schedule for the Napa County Airport Land Use Commission originally approved by Resolution No. 2019-70.*

(b) The *Local Agencies* in Napa County are advised to notify the *ALUC* and the entity owning an affected *Airport* regarding *Land Use Actions* that may impact *Airport* operations.

(c) The *ALUC* shall notify the affected *Local Agencies* in Napa County when updating the *ALUCP*.

2.3 GEOGRAPHIC SCOPE

2.3.1 *Airport Influence Area*: The influence area of each *Airport* established by this *ALUCP* encompasses all lands on which the uses could be negatively affected by current or future aircraft operations at the *Airport* as well as lands on which the uses could negatively affect *Airport* usage and thus necessitate restriction on those uses. [28]

(a) In delineating the *Airport Influence Area* for each *Airport*, the geographic extents of four types of compatibility concerns are considered. The *Compatibility Zones* depicted in the *Compatibility Policy Maps* presented in **Chapters 4** and **5** for Angwin Airport – Parrett Field and Napa County Airport, respectively, consider all four compatibility factors in a composite manner.

(1) Noise: Locations exposed to potentially disruptive levels of aircraft noise.

(2) Safety: Areas where the risk of an aircraft accident poses heightened safety concerns for people and property on the ground.

(3) Airspace Protection: Places where height and various other land use characteristics need to be restricted in order to prevent creation of physical, visual, or electronic hazards to flight within the airspace required for operation of aircraft to and from the *Airport*.

(4) Overflight: Locations where aircraft overflying can be intrusive and annoying to many people.

(b) Other impacts sometimes created by airports (e.g., air pollution, automobile traffic, etc.) are not addressed herein and are not factors that the *ALUC* shall consider in reviewing land use projects.

2.3.2 *Airport Growth Assumptions:* The *Airport Influence Area* for each *Airport* covered by this *ALUCP* reflects the existing configuration of the *Airport*, planned airfield improvements, and projected aircraft activity covering the requisite 20-year planning horizon. [29] **Chapters 6** and **7** document the aeronautical assumptions for each *Airport* upon which this *ALUCP* is based.

2.3.3 *Referral Areas:* The *Airport Influence Area* for each *Airport* covered by this *ALUCP* constitutes the *Referral Area* within which certain *Land Use Actions* and *Airport Actions* are subject to *ALUC* review to determine consistency with the *ALUCP*. See Sections 2.4 and 2.5 for the types of *Actions* subject to *ALUC* review.

[28] *The basis for delineating the Airport Influence Area is set by state law in Business and Professions Code Section 11010.*

[29] *Public Utilities Code Section 21675(a).*

2.4 ACTIONS ALWAYS SUBJECT TO *ALUC* REVIEW

2.4.1 *Mandatory Referral of Local Agency Actions:* Prior to approving the types of *Actions* indicated in Paragraphs (a) and (b), the *Local Agency* always must refer the *Action* to the *ALUC* for determination of consistency with this *ALUCP*. [30]

(a) *Land Use Actions* always requiring *ALUC* review include:

(1) *Local Agency* adoption or approval of any new general plan, specific plan, or facility master plan, or any amendment thereto, that affects lands within an *Airport Influence Area*. This includes actions that are applicable throughout a land use jurisdiction as well as for development proposals for an individual site.

(2) *Local Agency* adoption or approval of a zoning ordinance or building regulation, including any proposed change or variance to any such ordinance or regulation, that (1) affects land within an *Airport Influence Area* and (2) involves the types of airport impact concerns listed in Policy 2.3.1(a).

(3) *Land Use Actions* for which a Special Conditions Exception is being sought under Policy 3.2.4.

(b) *Airport Actions* always requiring *ALUC* review:

(1) Adoption or modification of a master plan (see Sections 2.11 and 3.8). [31]

(2) Any proposal for "expansion" of an *Airport* covered by this *ALUCP* if such expansion will require an amended Airport Permit from the State of California (see Sections 2.11 and 3.8). As used in the statutes, "expansion" primarily includes construction of a new runway, extension or realignment of an existing runway, or related acquisition of land. [32]

(3) Any proposal for a new airport, heliport, or vertiport, whether for public use, special use, or personal use, must be submitted for *ALUC* review if the facility requires a State Airport Permit (see Sections 2.11 and 3.9). [33]

2.5 ACTIONS SUBJECT TO *ALUC* REVIEW BEFORE LOCAL AGENCY ATTAINS GENERAL PLAN CONSISTENCY

2.5.1 *Interim Mandatory Referral of Major Land Use Actions:* Before a *Local Agency* either makes its general plan, specific plans, zoning ordinance, or district facilities master plan consistent with the *ALUCP* or *Overrules* the *ALUC's* adoption of the *ALUCP* or consistency determination on a *Land Use Action* for which referral to the *ALUC* is required as enabled by law, the *Local Agency* must refer all *Major Land Use Actions* (see list in Policy 2.5.2) to the *ALUC* for review.

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[30] *Public Utilities Code Section 21676(b).*

[31] *Public Utilities Code Section 21676(c).*

[32] *Public Utilities Code Section 21664.5 defines "airport expansion" as being "construction of a new runway," "extension or realignment of an existing runway," "acquisition of clear zones [runway protection zones] or of any interest in land for the purpose of [either of the above]," or "any other expansion of the airport's physical facilities for the purpose of accomplishing or which are related to the purpose of [any of the above]."*

[33] *See Footnote 25.*

2.5.2 *Major Land Use Actions:* Under the conditions indicated in Policy 2.5.1, state law allows *ALUC*s to require *Local Agencies* to refer all actions, regulations, and permits involving land within an *Airport Influence Area* to the *ALUC* for review. [34] Rather than reviewing "all actions, regulations, and permits," the *ALUC* has opted only to review a select list of *Major Land Use Actions*:

(a) Any of the following types of *Land Use Actions* proposed for land within *Compatibility Zones A, B, C, D1* and *D2* for Angwin Airport – Parrett Field and *Compatibility Zones A, B1, B2, B3, C, D1* and *D2* for Napa County Airport:

(1) Any action by a *Local Agency* seeking to expand its sphere of influence within an *Airport Influence Area* if the expansion includes or supports future land use development and does not merely extend service to existing land uses. [35]

(2) Pre-zoning associated with future annexation of land to a city.

(3) Infrastructure or other capital improvements (e.g., water, sewer, or roads) that would promote urban uses in undeveloped or agricultural areas to the extent that such uses are not reflected in a previously reviewed general plan or specific plan.

(4) Land acquisition by a *Local Agency* for any building intended to accommodate the public (e.g., a school or hospital).

(5) Development agreements or amendments to such agreements if they involve 1) lands within said *Compatibility Zones* and 2) the types of airport impact concerns listed in Policy 2.3.1(a).

(6) Nonaviation use of land within *Compatibility Zone A* (see Policy 2.1.12 for definition of an *Aviation-Related Use).*

(7) Residential development, including land divisions, consisting of 5 or more dwelling units or parcels.

(8) Nonresidential development having a building floor area of 10,000 square feet or greater.

(9) Development of a *Project* (permanent or temporary) expected to attract a congregation of people (including employees, customers/visitors) to outdoor activities at the project site.

For the purposes of this policy, a congregation of people is deemed to occur if, during a typical busy period, there would be more people present on the site than the number of people indicated as the maximum sitewide average intensity (people/acre) established for each *Compatibility Zone* at each *Airport* (see Basic Compatibility Criteria **Exhibit 4-1** and **Exhibit 5-1**). *Redevelopment* (see Policy 2.1.36) if the *Project* is of a type listed in Paragraphs (1) through (9) of this policy.

(10) *Infill* development proposed for an individual site not previously approved by the *ALUC* (see Policy 3.7.2(d).

(b) Any of the following types of *Land Use Actions* proposed for land anywhere within an *Airport Influence Area*:

[34] *Public Utilities Code Section 21676.5(a).*

[35] *A Local Agency Formation Commission (LAFCO) is not subject to ALUC compatibility review.*

(1) Objects (including buildings, antennas, and other structures) that receive a determination of anything other than "not a hazard to air navigation" by the Federal Aviation Administration in accordance with *CFR Part 77* of the Federal Aviation Regulations (see **Appendix B**).

(2) Objects having the potential to create a physical airspace hazard (heights listed below are not absolute limitations, they are only thresholds for review) including:

- Any object within *Compatibility Zone A* or the *Airspace Critical Protection Zone* for either Airport;
- An object having a height of more than 35 feet within the *Airspace High Terrain Zone* for either *Airport;* or
- An object having a height of more than 150 feet within the *CFR Part 77* airspace protection surfaces lying outside of the *Airspace Critical Protection Zone* for either *Airport*.

(3) *Projects* having the potential to create electrical or visual hazards to aircraft in flight, including:

- Electrical interference with radio communications or navigational signals;
- Lighting that could be mistaken for *Airport* lighting;
- Glare in the eyes of pilots of aircraft using an *Airport*; and
- Impaired visibility (such as from sources of dust, steam, or smoke) near an *Airport*.

(4) *Projects* having the potential to create a thermal plume extending to an altitude where aircraft fly.

(5) *Projects* having the potential to cause an increase in the attraction of birds or other wildlife that can be hazardous to aircraft operations in the vicinity of an *Airport* or protected airspace in the *Airport* vicinity and plans having the potential to foster such conditions. Examples of proposed land use *Projects* or *Project* features that are attractive to potentially hazardous wildlife are identified in Policy 3.5.3.

(c) Any proposed nonaviation development of *Airport* property if such development has not previously been included in an airport master plan or community general plan reviewed by the *ALUC* (see Policy 2.1.12 for definition of *Aviation-Related Use*).

(d) Any proposed construction or alteration of an object resulting in a height of greater than 200 feet above ground level regardless of location within Napa County. [36]

(e) Any other proposed *Land Use Action* or *Airport Action* not listed above as a *Major Land Use Action* which, as determined by the *Local Agency*, involves a question of compatibility with *Airport* activities (e.g., a design review).

[36] *Project proponents are responsible for also notifying the FAA regarding these proposals. See Policy 3.5.5(b).*

2.6 REFERRAL PROCESS AFTER LOCAL AGENCY ATTAINS GENERAL PLAN CONSISTENCY

2.6.1 *Voluntary Referral of Major Land Use Actions:* After a *Local Agency* has revised its general plan, specific plans, zoning ordinance, or facilities master plan to be consistent with this *ALUCP* or has *Overruled* the *ALUC*, referral of *Major Land Use Actions* for *ALUC* review is voluntary. [37]

(a) The scope or character of certain *Major Land Use Actions,* as listed above in Policy 2.5.2, is such that their compatibility with *Airport* activity is a potential concern. Even though these *Major Land Use Actions* may be basically consistent with the local general plan or specific plan, sufficient detail may not be known to enable a full airport compatibility evaluation at the time that the general plan or specific plan is reviewed. To enable better assessment of compliance with the compatibility criteria set forth herein, the *ALUC* requests *Local Agencies* to continue to voluntarily refer *Major Land Use Actions* as listed in Policy 2.5.2 for informal review and comment. *ALUC* review of these types of *Projects* can serve to enhance their compatibility with *Airport* activity.

(b) *Minor Land Use Actions* that are discretionary but not included on the *Major Land Use Actions* list may also be referred on a voluntary basis.

(c) The *ALUC Executive Officer* is authorized on behalf of the *ALUC* to provide comments on all *Actions* referred to the *ALUC* on a voluntary basis. The *ALUC Executive Officer* has the right to refer voluntary submittals to the *ALUC* for comment.

(d) Because *ALUC* reviews of *Actions* referred on a voluntary basis do not represent formal consistency determinations, as is the case with *Actions* referred under Policies 2.4.1 and 2.5.1, *Local Agencies* are not required to adhere to the overruling process if they elect to approve a *Project* without incorporating design changes or conditions recommended by the *ALUC* or *ALUC Executive Officer*.

2.6.2 *Submittal of Environmental Documents:* The *ALUC* does not have a formal responsibility to review the environmental document associated with *Land Use Actions* or *Airport Actions* referred to it for review.

(a) Nevertheless, the *ALUC* authorizes the *ALUC Executive Officer* to provide comments on environmental documents submitted to the *ALUC* for comment.

(b) If an environmental document has been prepared at the time that a *Land Use Actio*n or *Airport Action* is referred for review and the document contains information pertinent to the review, then a copy should be included with the referral (see Policy 2.9.1).

[37] *Once a Local Agency either makes its general plan, specific plans, zoning ordinance or facilities master plan consistent with the ALUCP or Overrules the ALUC as enabled by law, the ALUC no longer has authority under state law to require that all actions, regulations, and permits be referred for review. However, the ALUC and the Local Agency can agree that the ALUC should continue to receive, review, and comment upon individual Projects.*

2.7 LIMITATIONS OF THIS *ALUCP*

2.7.1 *Airport Operations:* In general, neither the *ALUC* nor this *ALUCP* have authority over the planning and design of on-airport facilities or over *Airport* operations, including where and when aircraft fly, the types of aircraft flown, and other aspects of aviation. [38] Exceptions to this limitation are as follows:

(a) In accordance with state law, *ALUC* review is required for airport master plans and certain development plans to the extent that future *Aviation-Related Uses* (see Policy 2.1.12), facilities, or activities could have off-airport land use compatibility implications (see Policy 2.4.1(b)). [39]

(b) Nonaviation development of *Airport* property is subject to *ALUC* review in the same manner that *ALUC* review is required for *Land Use Development Actions* off *Airport* property (see Policy 2.5.2(c)). The review may take place as part of an airport master plan or on an individual development project basis (see Policy 2.4.1(b)).

2.7.2 *Federal, State, and Tribal Entities:* Lands controlled (i.e., owned, leased, or in trust) by federal or state agencies or by Native American tribes are not subject to the provisions of the state *ALUC* statutes or this *ALUCP*. However, the compatibility criteria included herein are intended as recommendations to these agencies.

2.7.3 *Existing Land Uses:* The policies of this *ALUCP* do not apply to *Existing Land Uses*. [40] A land use is considered to be "existing" if it physically exists or when one or more of the below conditions has been met prior to the effective date (see Policy 2.2.4) of this *ALUCP*.

(a) Qualifying Criteria: An *Existing Land Use* is one that either physically exists or for which *Local Agency* commitments to the proposal have been obtained in one or more of the following manners and is considered by the *ALUC* to have a vested right: [41]

(1) A valid building permit has been issued and not yet expired or a Use Determination has been made by the County or City, as applicable; [42]

(2) A use permit (e.g., conditional use permit) has been approved and not yet expired;

(3) Other discretionary entitlement has been approved and not yet expired, including the following: [43]

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[38] *This is an explicit limitation of state law under Public Utilities Code Section 21674(e).*

[39] *Public Utilities Code Sections 21676(c) and 21664.5.*

[40] *This is an explicit limitation of Public Utilities Code Sections 21670(a) and 21674(a).*

[41] *Vested means "the irrevocable right to complete construction notwithstanding an intervening change in the law that would otherwise preclude it." ([McCarthy v. California Tahoe Regional Planning Agency, (1982) 129 Cal.App.3d 222, 230 (1982).)].*

[42] *A Use Determination recognizes existing entitlements, including the type of permit obtained. It does not confer any property rights.*

[43] *According to the California Supreme Court, the right to develop becomes vested when all discretionary approvals for a project have been obtained and only ministerial (administrative) approvals remain [AVCO Community Developers, Inc. v. South Coast Commission, 17 Cal.3d 785, 791 (1976)]. Determination of what is a ministerial action varies by Local Agency.*

- A tentative parcel, large lot, or subdivision map;
- A vesting tentative parcel or subdivision map;
- A development agreement; or
- A recorded final subdivision map.

(b) Expiration of *Local Agency* Commitment: If a *Local Agency*'s commitment to a development proposal, as set forth in Paragraph (a) of this policy, expires, the proposal will no longer qualify as an *Existing Land Use*. As such, the proposal shall be subject to the policies of this *ALUCP*.

(1) Filing of a new or revised version of any of the approval documents listed in Paragraph (a) of this policy means that the use no longer qualifies as an *Existing Land Use* and, therefore, is subject to *ALUC* review in accordance with the policies of Sections 2.4 and 2.5.

(2) However, if the *Local Agency* extends the commitment prior to its expiration and without making substantive changes to the commitment, then the status of the proposal as an *Existing Land Use* shall remain in effect. Refer to Policy 2.10.6 for a list of *Actions* that qualify as substantive changes.

(c) *Existing Nonconforming Uses*: Pre-existing lots or structures that were legally created or built but would now be prohibited or restricted under this *ALUCP* are called "legal nonconforming uses." The *ALUC* has no ability to reduce or remove *Nonconforming* or otherwise incompatible *Existing Land Uses* from the *Airport* environs. Further, this *ALUCP* is not intended to compel *Local Agency* action to reduce or remove nonconforming or otherwise incompatible *Existing Land Uses* from the *Airport* environs.

(1) Proposed changes to uses within existing structures are not subject to *ALUC* review unless the changes would require a use permit or other form of approval from the *Local Agency* and result in an increased nonconformity with the compatibility criteria (see Policy 3.7.3). Refer to Policy 2.10.6 for a list of *Actions* that qualify as substantive changes.

(2) Proposed *Redevelopment* (see definition in Policy 2.1.36) is, however, subject to *ALUC* review and conformance with the same compatibility criteria as new development.

(d) Determination: The *ALUC* shall make the determination as to whether a specific *Project* meets the qualifying criteria set forth in Paragraph (a) of this policy. Once the *ALUC* finds that a *Local Agency's* general plan is consistent with the *ALUCP*, this determination shall be made by the *Local Agency*.

2.7.4 *Development by Right*: This *ALUCP* acknowledges that certain types of development are allowed by right under state law and, therefore, are not subject to this *ALUCP* under the following conditions:

(a) Except within *Compatibility Zone A*, the following uses are permitted by right:

(1) Construction of a single-family home on a legal lot of record as of the effective date of this *ALUCP* if the use is permitted by local land use regulations.

(2) Construction of no more than two residential units on a parcel within a single-family residential zone as defined by state law and local regulations. [44]

(3) Construction of a single accessory dwelling unit on a legal lot of record in an area zoned for single-family residential, multifamily, or mixed-use as defined by state law and local regulations. [45]

(4) Construction of a single junior accessory dwelling unit on a legal lot of record in an area zoned for single-family residential as defined by state law and local regulations. [46]

(5) Construction or establishment of a family day care home serving 14 or fewer children either in an existing dwelling or in a new dwelling permitted by the policies of this *ALUCP*. [47]

(6) One caretaker unit is allowed on a property where the principal use is nonresidential (e.g., a mini-storage facility).

(b) Except in *Compatibility Zones A* through *C,* construction or establishment of an ancillary day care center serving no more than 14 children and associated with a business wherein a parent and/or legal guardian of every child present at the daycare is an employee of the primary use or the ancillary daycare center. The total number of people on site must comply with the associated intensity criteria. [48]

(c) Except within *Compatibility Zones A* and *B* for Angwin Airport – Parrett Field and *Compatibility Zones A, B1, B2,* and *B3* for Napa County Airport, farmworker housing is permitted where allowed by state law and local regulations. [49]

(d) Except within *Compatibility Zones A, B, C,* and *D1* for Angwin Airport – Parrett Field and *Compatibility Zones A, B1, B2, B3,* and *C,* for Napa County Airport, affordable housing developments, including workforce housing as indicated in

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[44] *Government Code, Section 65852.21. This law implements Senate Bill (SB9) and allows for the creation of up to two residential units on a parcel within a single-family residential zone as a ministerial action, if the proposed housing development meets certain qualifications (e.g., located within a city or urban area). A Local Agency may not preclude the development of up to two units on a residentially zoned parcel or physically limit either of the two units to a size of less than 800 square feet.*

[45] *Government Code, Section 66333. The law allows for the creation of accessory dwelling units (ADUs) in areas zoned for single-family residential, multifamily residential, or mixed-use. The law allows a Local Agency to impose conditions, such as a maximum square footage, on attached or detached ADUs. In accordance with the provisions of Section 65852.21, a Local Agency is not obligated to allow an accessory dwelling unit or a junior accessory dwelling unit on parcels where the property owner is using the provisions of that Section.*

[46] *Government Code, Section 66314. The law defines a junior accessory dwelling unit as a unit that is no more than 500 square feet in size and contained entirely within a single-family residence, including an attached garage. In accordance with the provisions of Section 65852.21, a Local Agency is not obligated to allow an accessory dwelling unit or a junior accessory dwelling unit on parcels where the property owner is using the provisions of that Section.*

[47] *Health and Safety Code, Sections 1597.42, 1597.43,* and *1597.465 (definitions). The law states that family day care homes operated under the standards of state law constitute accessory uses of residentially zoned and occupied properties and do not fundamentally alter the nature of the underlying residential uses.*

[48] *Napa County Code of Ordinances, Section 18.08.040, "Airport Compatibility Combination District. Ancillary day care centers associated with a business wherein a parent and/or legal guardian of every child present at the daycare is an employee of the primary use or the ancillary daycare center and the daycare does not exceed fifteen children."*

[49] *Government Code, Section 65589.5.*

Paragraph (e) below, in commercial zones or mixed-income housing developments along commercial corridors as defined by state law and local regulations. [50]

(e) Except in *Compatibility Zones A* through *C*, construction or establishment of ancillary workforce housing associated with a primary nonresidential use (e.g., Industrial) wherein at least one adult in each residence is an employee of an onsite business associated with the primary use. The total number of occupants in residential uses at who are not working at a given time must be considered in the intensity calculations for the site.

(f) Lot line adjustments, provided that new developable parcels would not be created and the resulting *Density* or *Intensity* of the affected property would not exceed the applicable *Density* or *Intensity* limits indicated in the *Basic Compatibility Criteria* tables for each *Airport*. [51]

2.8 GENERAL *ALUC* REVIEW PROCESS

2.8.1 *Timing of Referral:* The precise timing of the *ALUC*'s or *ALUC Executive Officer's* review of a proposed *Land Use Planning Action, Major Land Use Action,* or *Airport Action* may vary depending upon the nature of the specific *Project*.

(a) Referrals to the *ALUC* should be made at the earliest reasonable point in time so that the *ALUC*'s review can be duly considered by the *Local Agency* prior to when the agency formalizes its *Actions*. Depending upon the type of *Action* and the normal scheduling of meetings, *ALUC* review can be completed before, after, or concurrently with review by the local planning commission and other advisory bodies but *must* be accomplished before final action by the *Local Agency*.

(b) Completion of a formal application with the *Local Agency* is not required prior to a *Local Agency*'s referral of a proposed *Land Use Action* or *Airport Action* to the *ALUC*. Rather, a *Project* applicant may request, and the *Local Agency* may refer, a proposed *Action* to the *ALUC* for early consistency determination, so long as the *Local Agency* or *Project* applicant is able to provide the *ALUC* with the required submittal information for the proposed *Action*, as specified and required in Policies 2.9.1, 2.10.1, and 2.11.1. *ALUC* reviews are subject to applicable fees as indicated in Policy 2.8.4.

2.8.2 *Responsibilities for Consistency Analysis:* The *ALUC* and *Local Agencies* each have responsibilities for analyzing a proposed *Land Use Action* or *Airport Action* for compliance with the compatibility criteria set forth in this *ALUCP*.

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[50] *Government Code, Sections 65852.24, 65589, 65912.110 – 65912.114, and 65912.120 – 65912.123. Affordable housing/mixed-income housing developments must satisfy specific eligibility criteria such as siting criteria (e.g., located within urban areas with zoning where office, retail or parking are a principally permitted use); affordability criteria (e.g., where percentage of units are provided for lower income households); and development standards (e.g., multifamily housing developments at specified densities ranging from 20-80 dwelling units per acre). In accordance with the provisions of Section 65912.120 – 65912.1233, a Local Agency can preclude sites within a high fire hazard severity zone, a coastal zone, or area exposed to significant hazards.*

[51] *Government Code, Section 66412.*

(a) *Local Agency* staff may choose to initially evaluate proposed *Actions* and work with the *Local Agency/Project* applicant to bring the proposal into compliance with *ALUCP* criteria. The *ALUC Executive Officer* will provide informal input at this stage if requested.

(b) When a proposed *Action* is formally referred to the *ALUC*, the *ALUC Executive Officer* shall review the proposal to determine if it is consistent with the *ALUCP* policies. *Actions* of a type that require a formal consistency determination by the *ALUC* (those listed in Policy 2.4.1) will be placed on the *ALUC* agenda for action.

(c) Subsequent to when a *Local Agency*'s general plan and applicable specific plans have been determined by the *ALUC* to be consistent with the *ALUCP*, the *Local Agency* and its staff are responsible for the consistency analysis of *Major Land Use Actions*. The *ALUC Executive Officer* will provide informal input if requested or if the *Local Agency* voluntarily refers the *Major Land Use Action* to the *ALUC* for a consistency determination.

(d) *Land Use* and *Airport Actions* for which referral to the *ALUC* is mandatory, regardless of the general plan and specific plan consistency status (*Actions* listed in Policy 2.4.1), must continue to always be referred for a formal consistency determination by the *ALUC*.

(e) The *Local Agency* and its staff are responsible for ensuring that a development continues to comply with *ALUCP* criteria on an on-going basis following completion of the *Project* (e.g., usage *Intensity* and height limitations in particular). This requirement also applies with regard to any conditions attached to the *Project* by the *ALUC* in accordance with Policies 2.9.5(b), 2.10.4(b), or 2.11.2(b).

2.8.3 *Public Input:* Where applicable, the *ALUC* shall provide public notice and obtain public input before acting on any plan, regulation, or other land use proposal under consideration. [52]

2.8.4 *Fees:* Any applicable review fees as established by the *ALUC* shall accompany the submittal of *Actions* for *ALUC* or *ALUC Executive Officer* review (see Policy 2.2.7). [53]

2.9 REVIEW PROCESS FOR GENERAL PLANS, SPECIFIC PLANS, ZONING ORDINANCES, AND BUILDING REGULATIONS

2.9.1 *Required Submittal Information:* Copies of the complete text and maps of the plan, ordinance, or regulation proposed for adoption or amendment shall be submitted to the *ALUC*. Any supporting material, such as environmental documents, assessing the proposal's consistency with the *ALUCP* should be included. If the amendment is required as part of a proposed *Major Land Use Action*, then the information listed in Policy 2.10.1 shall also be included to the extent applicable.

[52] *Public Utilities Code Section 21675.2(d).*

[53] *Public Utilities Code Section21671.5(f) allows for ALUCs to charge fees for project reviews.*

2.9.2 *Initial ALUC Review of General Plan Consistency:* In conjunction with adoption or amendment of this *ALUCP*, the *ALUC* shall review the general plans and specific plans of affected *Local Agencies* to determine their consistency with the *ALUC*'s policies. Inconsistencies, if any, shall be identified.

(a) State law [54] requires that, within 180 days of the *ALUC*'s adoption or amendment of this *ALUCP*, each *Local Agency* affected by the plan must amend its general plan and any applicable specific plan(s) to be consistent with the *ALUC*'s *ALUCP* or, alternatively, provide required notice, adopt findings, and *Overrule* the *ALUC* in accordance with statutory requirements. [55]

(b) Prior to taking final action on a proposed amendment of a general plan or specific plan as necessitated by Paragraph (a) of this policy, the *Local Agency* must submit a draft of the proposal to the *ALUC* for review and approval.

2.9.3 *Subsequent Reviews of Related Major Land Use Actions:* Once a *Local Agency*'s general plan and applicable specific plans have been made consistent with this *ALUCP*, or the *Local Agency* has *Overruled* an *ALUC* finding of inconsistency regarding those plans, subsequent *Land Use Development Actions* that are consistent both with those local plans and with any related ordinances and regulations also previously reviewed by the *ALUC* are subject to *ALUC* review only under the conditions indicated in Policies 2.4.1 and 2.5.1.

2.9.4 *Identification of Infill Areas:* If a *Local Agency* wishes to have its general plan show locations for *Infill* development as indicated in Policy 3.7.2, the *Local Agency* must provide the *ALUC* a map along with supporting documentation identifying the areas it requests the *ALUC* to consider as *Infill*. This may be done in conjunction with referral of a general plan or specific plan amendment to the *ALUC* in response to the requirements of Policy 2.9.2, as part of a later update in accordance with Policy 2.9.3, or on an individual *Project* basis in accordance with Policy 3.7.2. The *ALUC* shall include a determination on the *Infill* locations as part of its consistency determination regarding the general plan and/or applicable specific plan(s).

2.9.5 *ALUC Action Choices:* When reviewing a general plan, specific plan, zoning ordinance, or building regulation for consistency with the *ALUCP*, the *ALUC* has three choices of action (see **Appendix F** flowcharts):

(a) Determine the plan, ordinance, or regulation consistent with the *ALUCP*. To make such a finding with regard to a general plan, the conditions identified in Section 3.1 must be met.

(b) Determine the plan, ordinance, or regulation consistent with the *ALUCP*, subject to conditions and/or modifications that the *ALUC* may require. Any such conditions should be limited in scope and described in a manner that allows compliance to be clearly assessed.

(c) Determine the plan, ordinance, or regulation inconsistent with the *ALUCP*. In making a determination of inconsistency, the *ALUC* shall note the specific conflicts or shortcomings upon which its determination is based.

[54] *Government Code Section 65302.3.*

[55] *Public Utilities Code Section 21676(b).*

2.9.6 *Response Time:* The *ALUC* must respond to a *Local Agency*'s request for a consistency determination on a general plan, specific plan, zoning ordinance, or building regulation within 60 days from the date of referral. [56]

(a) The date of referral is deemed to be the date on which all applicable *Project* information, as specified in Policy 2.9.1, is received by the *ALUC Executive Officer* and the *ALUC Executive Officer* determines that the application for a consistency determination is complete (see **Appendix F** for a copy of the *ALUC* Referral Form).

(b) If the *ALUC* fails to make a determination within the 60-day period, the proposed *Land Use Planning Action* shall be deemed consistent with the *ALUCP*.

(c) The 60-day review period may be extended if the referring *Local Agency* or *Project* applicant agrees in writing or so states at a *ALUC* public hearing on the *Land Use Action*.

(d) Regardless of *ALUC* action or failure to act, the proposed *Land Use Action* must comply with other applicable local, state, and federal regulations and laws.

(e) The referring *Local Agency* shall be notified of the *ALUC*'s action in writing.

2.10 REVIEW PROCESS FOR MAJOR LAND USE ACTIONS

2.10.1 *Required Submittal Information:* A proposed *Major Land Use Action* referred for *ALUC* (or *ALUC Executive Officer*) review shall include the following information to the extent applicable:

(a) A completed *ALUC* Referral Form, as provided in **Appendix F** of this *ALUCP*.

(b) Property location data (assessor's parcel number, street address, and subdivision lot number).

(c) An accurately scaled map depicting the *Project* site location in relationship to the *Airport* boundary and runway.

(d) A description of the proposed use(s), current general plan and zoning designations, and the type of *Major Land Use Action* being sought from the *Local Agency* (e.g., zoning variance, special use permit, building permit).

(e) A detailed site plan and supporting data showing site boundaries and size; existing uses that will remain; location of existing and proposed structures, rooftop structures, landscaped areas, open spaces, and water bodies; ground elevations (above mean sea level); and elevations of tops of structures and trees. Additionally:

(1) For residential uses, an indication of the proposed number of dwelling units per acre (separately indicating any accessory dwelling units as defined by state law and local regulations).

[56] *Public Utilities Code Section 21676(d).*

(2) For nonresidential uses, the total floor area for each type of proposed use, the number of auto parking spaces, and the maximum number of people (employees, visitors/customers) potentially occupying the total site or portions thereof at any one time.

(f) Identification of any features, during or following construction, that would increase the attraction of birds or cause other wildlife hazards to aircraft operations at an *Airport* or in its environs (see Policy 3.5.3). Such features include, but are not limited to the following:

(1) Open water areas.

(2) Sediment ponds, retention basins.

(3) Detention basins that hold water for more than 48 hours.

(4) Artificial wetlands.

(5) Landscaping that provides wildlife shelter and food sources.

(g) Identification of any characteristics that could create electrical interference, confusing or bright lights, glare, smoke, or other electrical or visual hazards to aircraft flight.

(h) Any environmental document (initial study, draft environmental impact report, etc.) that may have been prepared for the *Project*.

(i) Staff reports regarding the *Project*.

(j) Other relevant information that the *ALUC* or *ALUC Executive Officer* determines to be necessary to enable a comprehensive review of the proposed *Major Land Use Action*.

2.10.2 *Review by ALUC Executive Officer:* The *ALUC* delegates to the *ALUC Executive Officer* the review and decision regarding *Major Land Use Actions* referred on a voluntary basis under Policy 2.6.1. All land use or airport actions for which referral to the *ALUC* is mandatory will be given to the *ALUC* for decision.

(a) The *ALUC Executive Officer* shall consult with the manager of the involved *Airport* regarding these *Actions*.

(b) In reviewing these *Actions*, the *ALUC Executive Officer* has three choices of action:

(1) Find that the proposed *Project* does not contain characteristics likely to result in inconsistencies with the compatibility criteria set forth in this *ALUCP*.

(2) Find that, subject to compliance with such conditions as the *ALUC Executive Officer* may specify, the *Project* would not contain characteristics likely to result in inconsistencies with the compatibility criteria set forth in this *ALUCP*. Any such conditions should be limited in scope and described in a manner that allows compliance to be clearly assessed (e.g., the height of a structure).

(3) Find that the proposed *Project* contains characteristics that are or may be in conflict with *ALUCP* criteria. The *ALUC Executive Officer* may reject any such *Project* or may forward it to the *ALUC* for a formal consistency determination.

(c) The *ALUC Executive Officer* is authorized to make written findings of *ALUCP* compliance on *Projects* under Paragraphs (b)(1) and (b)(2) above on behalf of the *ALUC*. The *ALUC Executive Officer* shall provide to the *ALUC* at its next scheduled meeting a list of all such *Actions* reviewed.

2.10.3 *Appeal of ALUC Executive Officer's Action:* The affected *Local Agency*, *Project* applicant, *Airport* owner, or other interested party may appeal to the *ALUC* a finding made by the *ALUC Executive Officer* on a *Major Land Use Action* reviewed in accordance with Policy 2.10.2. The *ALUC* shall then review the proposed *Major Land Use Action*, the *ALUC Executive Officer's* finding, and information supporting the appeal and make a final determination regarding the proposed *Major Land Use Action*'s consistency with the *ALUCP*. Any appeal of the *ALUC Executive Officer*'s finding must be submitted, together with applicable fees, within 10 days of the date when the finding was issued.

2.10.4 *ALUC Action Choices:* The *ALUC* has three choices of action when making consistency determinations on *Major Land Use Actions* reviewed in accordance with Policies 2.5.1 or 2.10.3:

(a) Determine the *Project* consistent with the *ALUCP*.

(b) Determine the *Project* consistent with the *ALUCP*, subject to compliance with such conditions as the *ALUC* may specify. Any such conditions should be limited in scope and described in a manner that allows compliance to be clearly assessed (e.g., the height of a structure).

(c) Determine the *Project* inconsistent with the *ALUCP*. In making a determination of inconsistency, the *ALUC* shall note the specific conflicts upon which the determination is based.

2.10.5 *Response Time:* In responding to *Major Land Use Actions* referred for review, the policy of the *ALUC* is that:

(a) When a *Major Land Use Action* is referred for review on a mandatory basis as required by Policy 2.5.1:

(1) The date of referral is deemed to be the date on which all applicable *Project* information as specified in Policy 2.10.1 is received by *ALUC Executive Officer*, required fees have been paid, and the *ALUC Executive Officer* determines that the application for a consistency determination is complete (see **Appendix F** for a copy of the *ALUC* Referral Form).

(2) The *ALUC Executive Officer* shall, within 21 days of the date of referral, inform the referring *Local Agency* and/or the *Project* applicant whether information submitted is sufficient for making a consistency determination and, if not, what additional information is needed.

(3) The *ALUC* shall issue its determination on a *Project's* consistency within 60 days of the referral date, unless the timeframe is extended as provided under Policy 2.9.6(c). [57] *ALUC* Reviews of *Projects* forwarded or appealed to the *ALUC* for a consistency determination shall be completed within 60 days of the date of the appeal.

[57] *For Major Land Use Actions, this 60-day limit is not a statutory requirement, but is set by the ALUC to be consistent with Policy 2.9.6 and Public Utilities Code Section 21676(d) regarding general plans, specific plans, zoning ordinances, and building regulations.*

(4) If the *ALUC Executive Officer* or the *ALUC* fail to make a determination within the above time periods, the proposed *Major Land Use Action* shall be deemed consistent with the *ALUCP*.

(b) When a *Major Land Use Action* is referred on a voluntary basis in accordance with Policy 2.6.1, review by the *ALUC* and/or the *ALUC Executive Officer* should be completed in a timely manner enabling the comments to be considered by decision-making bodies of the referring *Local Agency*.

(c) Regardless of action or failure to act on the part of the *ALUC* or the *ALUC Executive Officer*, the proposed *Major Land Use Action* must comply with other applicable local, state, and federal laws and regulations.

(d) The referring *Local Agency* shall be notified of the *ALUC's* and/or the *ALUC Executive Officer*'s action in writing.

2.10.6 *Subsequent Reviews of Related Major Land Use Actions:* Once a *Project* has been found consistent with the *ALUCP*, it generally need not be referred for review at subsequent stages of the planning process (e.g., for a use permit after a zoning change has been reviewed). However, additional *ALUC* review is required if any of the following are true:

(a) At the time of the original *ALUC* review, the *Project* information available was only sufficient to determine consistency with compatibility criteria at a planning level of detail, not at the *Project* design level. For example, the proposed land use designation indicated in a general plan, specific plan, or zoning amendment may have been found consistent, but information on site layout, maximum *Intensity* limits, building heights, and other such factors that may also affect the consistency determination for a *Project* may not have yet been known.

(b) The design of the *Project* subsequently changes in a manner that affects previously considered compatibility issues and could raise questions as to the validity of the earlier finding of consistency. Proposed changes warranting a new review include, but are not limited to, the following:

(1) For residential uses, any increase in the number of dwelling units;

(2) For nonresidential uses, a change in the types of proposed uses, any increase in the total floor area, and/or a change in the allocation of floor area among different types of uses in a manner that could result in an increase in the *Intensity* of use (more people on the site) to a level exceeding the criteria set forth in this *ALUCP*;

(3) Any increase in the height of structures or other design features such that the height limits established herein would be exceeded or exceeded by a greater amount;

(4) Major site design changes (such as incorporation of clustering or modifications to the configuration of open land areas proposed for the site) if site design was a factor in the initial *Project* review;

(5) Any significant change to a proposed *Project* for which a special exception was granted in accordance with Policy 3.2.4;

(6) Any new design features that could create visual hazards (e.g., certain types of lights, solar panels, sources of glare, and sources of dust, steam, or smoke);

(7) Any new equipment or features that would create electronic hazards or cause interference with aircraft communications or navigation; and/or

(8) Addition of features that could attract wildlife that is potentially hazardous to aircraft operations.

(c) At the time of original *ALUC* review, conditions were placed on the *Project* that require subsequent *ALUC* review.

(d) The *Local Agency* concludes that further review is warranted.

2.11 REVIEW PROCESS FOR AIRPORT MASTER PLANS AND DEVELOPMENT PLANS

2.11.1 *Required Submittal Information for Airport Actions:* An airport master plan or development plan for an existing or new *Airport,* heliport, or vertiport referred to the *ALUC* for review shall contain sufficient information to enable the *ALUC* to adequately assess the noise, safety, airspace protection, and overflight impacts of *Airport* activity upon surrounding land uses.

(a) When a new or amended master plan is the subject of the *ALUC* review, the noise, safety, airspace protection, and overflight impacts should be addressed in the plan report and/or in an accompanying environmental document. Proposed changes in *Airport* facilities and usage that could have land use compatibility implications should be noted.

(b) For *Airport* development plans, the relationship to a previously adopted master plan or other approved plan for the *Airport* should be indicated—specifically, whether the proposed development implements an adopted/approved plan or represents an addition or change to any such previous plan. Any environmental document prepared for the *Project* should be included in the submittal.

(c) For either airport master plans or development plans, the following specific information should be included to the extent applicable:

(1) A layout plan drawing of the proposed facility or improvements showing the location of:

- Property boundaries;
- Runways, helipads, vertipads or other aircraft takeoff and landing areas;
- Runway, helipad, or vertipad protection zones; and
- Aircraft, helicopter, or other aerial vehicle approach/departure flight routes.

(2) A revised map of the *Airspace Protection Surfaces* as defined by *CFR Part 77* or related FAA regulations and guidance if the proposal would result in changes to these surfaces. Maps reflecting the current and future configurations of the *Airspace Protection Surfaces* for the *Airports* covered by this *ALUCP* are included in **Chapters 4** and **5**.

(3) Updated activity forecasts, including the number of operations by each type of aircraft proposed to use the facility, the percentage of day versus night operations, and the distribution of takeoffs and landings for each runway direction. The effects of the proposed development on the forecast *Airport* usage indicated in **Chapters 6** and **7** of this *ALUCP* should be described.

(4) Proposed flight track locations and projected noise contours. Differences from the flight track data and noise contours presented in **Chapters 6** and **7** of this *ALUCP* should be described.

(5) A map showing existing and planned land uses in the areas affected by aircraft activity associated with implementation of the proposed master plan or development plan.

(6) Identification and proposed mitigation of impacts on surrounding land uses to the extent that those impacts would be greater than indicated by the compatibility factors depicted in the *Airport* exhibits presented in **Chapters 6** and **7**.

2.11.2 *ALUC Action Choices for Plans of Existing Airports:* When reviewing a proposed new or revised airport master plan or new development plans for the *Airports* addressed by this *ALUCP*, the *ALUC* has three action choices (see Policy 3.8.1 for policies pertaining to the substance of the *ALUC* review of plans for existing *Airports*):

(a) Determine the *Airport* plan consistent with the *ALUCP* if the noise, safety, airspace protection, and overflight impacts do not increase or extend into new areas not covered by this *ALUCP*.

(b) Determine the *Airport* plan consistent with the *ALUCP,* as the plan adequately addresses the noise, safety, airspace protection, and overflight impacts of *Airport* proposals, with the condition that the *ALUCP* be modified to reflect the assumptions and proposals of the *Airport* plan.

(c) Determine the *Airport* plan inconsistent with the *ALUCP*. In making a determination of inconsistency, the *ALUC* shall note the specific conflicts upon which the determination is based.

2.11.3 *ALUC Action Choices for Plans of New Airports, Heliports, or Vertiports:* When reviewing proposals for new public-use or private-use airports, heliports, or vertiports the *ALUC* has two action choices (see Policy 3.9.1 for policies pertaining to the substance of the *ALUC* review of plans for new *Airports*):

(a) Approve the proposal as being consistent with the specific review criteria listed in Section 3.9 as the proposal adequately addresses the noise, safety, airspace protection, and overflight impacts of *Airport* proposals and, if required, either adopt an *ALUCP* for that facility or establish the intent to do so at a later date. State law requires adoption of an *ALUCP* if the airport, heliport, or vertiport will be a public-use facility. [58]

[58] *Public Utilities Code Section 21675(a).*

(b) Disapprove the proposal on the basis that the noise, safety, airspace protection, and overflight impacts it would have on surrounding land uses are not adequately mitigated.

2.11.4 *Response Time:* The *ALUC* must respond to the referral of an airport master plan or development plan within 60 days from the date of referral, unless the timeframe is extended as provided under Policy 2.9.6(c). [59]

(a) The date of referral is deemed to be the date on which all applicable project information as specified in Policy 2.11.1 is received by *ALUC Executive Officer* and the *ALUC Executive Officer* determines that the application for a consistency determination is complete (see **Appendix F** for a copy of the *ALUC* Referral Form).

(b) If the *ALUC* fails to make a determination within the specified period, the proposed *Airport Action* shall be deemed consistent with the *ALUCP*.

(c) Regardless of *ALUC* action or failure to act, the proposed *Airport Action* must comply with other applicable local, state, and federal regulations and laws.

(d) The *Airport* owner shall be notified of the *ALUC*'s action in writing.

2.12 PROCESS FOR OVERRULING THE *ALUC*

2.12.1 *ALUC Determination of "Inconsistent":* If the *ALUC* determines that a proposed *Land Use Action or Airport Action* is inconsistent with this *ALUCP*, the *ALUC* must notify the *Local Agency* in writing and shall indicate the reasons for the inconsistency determination.

2.12.2 *Overruling of ALUC by Local Agency:*

(a) If a *Local Agency* wishes to proceed with a proposed *Land Use Action* or *Airport Action* that the *ALUC* has determined to be inconsistent with the *ALUCP*, or if the *Local Agency* wishes to ignore a condition for consistency, the *Local Agency* must *Overrule* the *ALUC* determination in accordance with the provisions of state law. [60]

(b) The *Overruling* process applies only to determinations made by the *ALUC*, not ones made by the *ALUC Executive Officer* in accordance with Policy 2.10.2. Disagreements over determinations made by the *ALUC Executive Officer* are first to be appealed to the *ALUC* (see Policy 2.10.3).

2.12.3 *ALUC Comments on Proposed Overruling:* The *ALUC* may provide comments on a proposed overruling decision. The *ALUC* delegates to the *ALUC Executive Officer* the authority to provide comments.

[59] *Public Utilities Code Section 21676(d).*

[60] *See Public Utilities Code Section 21670(a), 21676 and 21676.5 for specific procedures for overruling an ALUC. Further guidance is provided in the California Airport Land Use Handbook published by the California Division of Aeronautics (see beginning on page 5-15 of the 2011 edition).* ***Chapter 1*** *of this ALUCP also summarizes the Overrule process to be followed by a Local Agencies in Napa County.*

3

Countywide Compatibility Policies

3.1 Criteria for Review of General Plans, Specific Plans, Zoning Ordinances, and Building Regulations

3.1.1 *Statutory Requirement:* State law requires that each *Local Agency* having territory within an *Airport Influence Area* modify its general plan and any applicable specific plan to be consistent with the compatibility plan for the particular airport unless it takes the steps required to *Overrule* the *ALUC*. In order for a general plan to be considered consistent with this *ALUCP*, the requirements listed in Policies 3.1.2 and 3.1.3 must be met. [61]

3.1.2 *Elimination of Conflicts:* No direct conflicts can exist between the *ALUCP* and the *Local Agency's* general plan or specific plan.

(a) Direct conflicts primarily involve general plan land use designations that do not meet the *Density* or *Intensity* criteria specified in the *Basic Compatibility Criteria* table for each *Airport*. In addition, conflicts with regard to other policies—height limitations in particular—may be found.

(b) A general plan cannot be found inconsistent with the *ALUCP* because of land use designations that reflect *Existing Land Uses* even if those designations conflict with the compatibility criteria of this *ALUCP*. General plan land use designations that merely echo the *Existing Land Uses* are exempt from requirements for general plan consistency with the *ALUCP*. [62]

(c) Proposed *Redevelopment* or other changes to *Existing Land Uses* are not exempt from compliance with this *ALUCP* and are subject to *ALUC* review in accordance with Policies 2.5.2(a)(9) and 2.7.3(c). To ensure that *Nonconforming Uses* do not become more nonconforming, general plans or implementing documents must include policies setting limitations on expansion and *Reconstruction* of *Nonconforming Uses* located within an *Airport Influence Area* consistent with Policies 3.7.3 and 3.7.4.

[61] *See* ***Chapter 1*** *and* ***Appendix E*** *for additional guidance.*

[62] *This exemption derives from state law which proscribes ALUC authority over Existing Land Uses.*

(d) To be consistent with the *ALUCP*, a general plan and/or implementing ordinance also must include provisions ensuring long-term compliance with the compatibility criteria. For example, future reuse of a building must not result in a usage *Intensity* that exceeds the applicable standard or other limit set by the *ALUC* (see Policy 3.4.5).

3.1.3 *Establishment of Review Process: Local Agencies* must define the process they will follow when reviewing proposed land use development within an *Airport Influence Area* to ensure that the development will be consistent with the policies set forth in this *ALUCP*.

(a) The process established must ensure that the proposed development is consistent with the land use or zoning designation indicated in the *Local Agency*'s general plan, specific plan(s), zoning ordinance, and/or other development regulations that the *ALUC* has previously found consistent with this *ALUCP* and that the development's subsequent use or reuse will remain consistent with the policies herein over time. Additionally, consistency with other applicable compatibility criteria—e.g., usage *Intensity*, height limitations, *Avigation Easement* dedication—must be assessed.

(b) The review process may be described either within the general plan or specific plan(s) themselves or in implementing ordinances. Local jurisdictions have the following choices for satisfying this review process requirement:

(1) Sufficient detail can be included in the general plan or specific plan(s) and/or referenced implementing ordinances and regulations to enable the local jurisdiction to assess whether a proposed development fully meets the compatibility criteria specified in the applicable *ALUCP* (this means both that the compatibility criteria be identified and that *Project* review procedures be described);

(2) The *ALUCP* can be adopted by reference (in this case, the *Project* review procedure must be described in a separate policy document or memorandum of understanding presented to and approved by the *ALUC*); and/or

(3) The general plan can indicate that all *Land Use Actions*, or a list of *Land Use Action* types agreed to by the *ALUC*, shall be submitted to the *ALUC* for review in accordance with the policies of Section 2.4.

3.1.4 *Land Use Conversion:* The compatibility of uses in the *Airport Influence Areas* shall be preserved to the maximum feasible extent. Particular emphasis should be placed on preservation of existing agricultural and open space uses. In *Compatibility Zone D2* for both *Airports*, general plan amendments (as well as other discretionary *Actions* such as rezoning, subdivision approvals, use permits, etc.) which would convert land to residential use or increase the density of residential uses should be subject to careful consideration of overflight impacts.

3.2 CRITERIA FOR REVIEW OF LAND USE ACTIONS

3.2.1 *Evaluating Compatibility of New Land Uses:* The compatibility of proposed land uses within an *Airport Influence Area* shall be evaluated in accordance with:

(a) The general policies set forth in Sections 3.3 through 3.7 of this Chapter addressing noise, safety, airspace protection, overflight impacts and special circumstances.

(b) The airport-specific policies provided for each *Airport* and presented in:
   (1) **Chapter 4**, Section 4.3 for Angwin Airport – Parrett Field; and
   (2) **Chapter 5**, Section 5.3 for Napa County Airport.

(c) The *Basic Compatibility Criteria* table provided for each *Airport*:
   (1) **Chapter 4**, **Exhibit 4-1** for Angwin Airport – Parrett Field; and
   (2) **Chapter 5**, **Exhibit 5-1** for Napa County Airport.

(d) The *Compatibility Policy Map* provided for each Airport:
   (1) **Chapter 4**, **Exhibit 4-2** for Angwin Airport – Parrett Field; and
   (2) **Chapter 5**, **Exhibit 5-2** for Napa County Airport.

(e) The *Airspace Protection Map* provided for each *Airport*:
   (1) **Chapter 4**, **Exhibit 4-3** for Angwin Airport – Parrett Field; and
   (2) **Chapter 5**, **Exhibit 5-3** for Napa County Airport.

3.2.2 *Compatibility Criteria Tables:* The *Basic Compatibility Criteria* table provided for each *Airport* lists general land use categories and indicates each use as being either "normally compatible," "conditional," or "incompatible" depending upon the *Compatibility Zone(s)* in which it is located.

(a) These terms are defined to mean the following:
   (1) "Normally Compatible" means that normal examples of the use are presumed to comply with the countywide noise, safety, airspace protection, and overflight criteria set forth in this Chapter and in **Chapters 4** and **5** for the individual *Airports*. Atypical examples of a use may require review to ensure compliance with usage *Intensity*, lot coverage, and height limit criteria.
   (2) "Conditional" means that the proposed land use is compatible if the indicated usage *Intensity* and other listed conditions are met. Complex *Projects* with this determination may require more detailed evaluation using the specific noise, safety, airspace protection, and overflight compatibility policies set forth in Sections 3.3 through 3.6 and criteria for special circumstances outlined in Section 3.7 of this Chapter. For the purposes of these criteria, "avoid" is intended as cautionary guidance, not a prohibition of the use.
   (3) "Incompatible" means that the use should not be permitted under any normal circumstances. Limited exceptions are possible for site-specific special circumstances (see Policy 3.2.3(b)).

(b) Land uses not specifically listed in the *Basic Compatibility Criteria* tables shall be evaluated using the criteria for similar listed uses. The *Occupancy Load Factor* (square feet per person) listed for many nonresidential uses can be used as a comparative guide in this regard. In all cases, proposed nonresidential uses must meet the *Intensity* criteria listed in the *Basic Compatibility Criteria* table header. *Project* proponents are encouraged to provide information regarding the land use category into which they intend their *Project* to belong as well as their calculations regarding the *Project's* expected total occupancy.

(c) Multiple land use categories and the compatibility criteria associated with them may apply to a *Project*.

(d) Each land use type in mixed-use developments shall individually comply with the criteria in the *Basic Compatibility Criteria* table for each *Airport*. Mixed-use developments shall be evaluated in accordance with Policies 3.3.4 and 3.4.8.

(e) For details regarding usage *Intensity* criteria indicated in the *Basic Compatibility Criteria* table for each *Airport,* see the safety compatibility criteria in Section 3.4.

3.2.3 *Compatibility Policy Map:* The *Compatibility Zones* depicted in the *Compatibility Policy Map* for each *Airport* take into account all four compatibility concerns in a composite manner—noise, safety, airspace protection, and overflight. The outer limits of the *Compatibility Zones* establish the *Airport Influence Area* boundary for each *Airport*.

(a) **Chapters 4** and **5** identify the relative contributions of noise, safety, airspace protection, and overflight factors to the delineation of each of the *Compatibility Zones*.

(b) The individual compatibility factors can be used to help assess how heavily each compatibility factor should be weighed when evaluating a proposed *Project* in a particular zone. It also can serve to suggest what types of modifications to the *Project* might make the proposal acceptable given the *Project's* degree of sensitivity to a particular compatibility factor (for example, knowing that a *Noise-Sensitive Land Use* is in a high-noise area may indicate a need for sound attenuation in the structure, whereas a safety-sensitive land use in a high-risk area may need to be altered to reduce the number of people present). **Chapters 6** and **7** depict the individual compatibility factors for each *Airport*.

3.2.4 *Special Conditions Exception:* The policies and criteria set forth in this *ALUCP* are intended to be applicable to all locations within an *Airport Influence Area*. However, there may be specific situations where a normally incompatible use can be considered compatible because of terrain, specific location, or other extraordinary factors or circumstances related to the site. After due consideration of all the factors involved in such situations and consultation with *Airport* management, the *ALUC* may find a normally incompatible use to be acceptable.

(a) In considering any such exceptions, the *ALUC* shall take into account the potential for the use of a building to change over time (see Policy 3.4.5). A building could have planned low-intensity use initially but later be converted to a higher-intensity use. *Local Agency* permit language or other mechanisms to ensure continued compliance with the usage *Intensity* criteria must be put in place.

(b) In considering any such exceptions, the *ALUC* shall also take into account the need for special measures to reduce the risks to building occupants in the event that the building is struck by an aircraft. In general, the risks to building occupants can be reduced by making the potential for a crashing aircraft to intrude into the building less likely, enhancing the building's fire control measures, and/or enabling faster egress from the building in the event of an aircraft crash.

(1) Such measures must provide a clear, demonstrable, and permanent overall improvement in safety.

(2) To the extent not otherwise required by applicable building codes, added building design features that may enhance safety include, but are not limited to, the following:

- Using concrete walls,
- Limiting the number and size of windows,
- Upgrading the strength of the building roof,
- Avoiding skylights,
- Enhancing the fire sprinkler system (e.g., dividing fire sprinkler system into zones so that if one zone is compromised the others are functional),
- Limiting buildings to a single story to enable faster evacuation of buildings, and
- Increasing the number of emergency exits.

(3) The *Project* applicant must provide documentation describing which of these features are proposed to be added in the building design and how these additional features differ from the otherwise applicable building codes.

(4) If a requested Special Conditions Exception seeks to allow an increase in the number of building occupants beyond the limits set by this *ALUCP*, an emergency evacuation plan, reviewed and endorsed by the local Fire Marshall, shall be established and included with the documentation submitted to the *ALUC*.

(c) In reaching a decision, the *ALUC* shall make specific findings as to why the exception is being made and that the land use will neither create a safety hazard to people on the ground or aircraft in flight nor result in excessive noise exposure for the proposed use. Findings also shall be made as to the nature of the extraordinary circumstances that warrant the policy exception.

(d) The burden for demonstrating that special conditions apply to a particular development proposal rests with the *Project* proponent and/or referring *Local Agency*, not with the *ALUC*.

(e) The granting of a Special Conditions Exception shall be considered site specific and shall not be generalized to include other sites.

(f) Approval of a special site conditions exception shall require a 2/3 approval of the *ALUC* members present and voting on the matter.

(g) Airport-Specific Special Conditions Policies:

(1) Special conditions are acknowledged by the *ALUC* in the adoption of this *ALUCP* for the two airports in Napa County:

- Angwin Airport – Parrett Field (see Section 4.3)
- Napa County Airport (see Section 5.3)

(2) These special conditions for a *Project* at one of the *Airports* in Napa County result in establishment of *Compatibility Zone* boundaries and/or compatibility criteria different in character from the zones and criteria applicable to the other *Airport* in the county.

These special policies are not to be generalized or considered as precedent applicable to other locations near the same *Airport* or to the environs of the other *Airport* addressed by this *ALUCP*.

3.2.5 *Rare Special Events Exception:* The *ALUC*, *ALUC Executive Officer*, or the involved *Local Agency* (once its general plan, applicable specific plans, and zoning ordinance have been made consistent with the *ALUCP)* may make exceptions for "Conditional" or "Incompatible" land uses associated with rare special events (e.g., an air show at the airport, street fair, golf tournament) for which a facility is not designed and normally not used and for which extra safety precautions such as those listed in Policy 3.2.4 can be taken as appropriate.

3.3 NOISE COMPATIBILITY POLICIES

NOISE COMPATIBILITY POLICIES BACKGROUND INFORMATION

The following Noise Compatibility Policies Background Information has been considered in formulating the noise compatibility criteria in this section but is provided for informational purposes only and does not itself constitute *ALUCP* policy.

Policy Objective

The purpose of noise compatibility policies is to avoid establishment of *Noise-Sensitive Land Uses* in the portions of the airport environs that are exposed to significant levels of aircraft noise.

Measures of Noise Exposure

As is standard practice in California, this *ALUCP* uses the *Community Noise Equivalent Level* (*CNEL*) metric as the primary basis for evaluating the degree to which lands around the county's airports are exposed to airport-related noise. *CNEL* is a cumulative noise metric in that it takes into account not just the loudness of individual noise events, but also the number of events over time. Cumulative exposure to aircraft noise is depicted by a set of contours, each of which represents points having the same *CNEL* value.

The noise contours for each *Airport* covered by this *ALUCP* are presented in **Chapters 6** and **7** and reflect the airport activity levels documented in these chapters. The noise contours represent the greatest annualized noise impact, measured in terms of *CNEL*, which is anticipated to be generated by the aircraft operating at the airport over the planning time frame.

Factors Considered in Setting Noise Compatibility Policies

Factors considered in setting the policies in this section include the following:

- Established state regulations and guidelines, including noise compatibility recommendations in the *California Airport Land Use Planning Handbook* (2011).
- FAA guidance regarding noise effects on people (see https://www.faa.gov/noise/).
- Ambient noise levels in the community, as well as noise from other transportation noise sources. Ambient noise levels influence the potential intrusiveness of aircraft noise upon a particular land use and vary greatly between rural, suburban, and urban communities.
- The extent to which noise would intrude upon and interrupt the activity associated with a particular use. Susceptibility to speech interference or sleep disturbance as a result of single-event noise levels is a factor in this regard. Noise levels above approximately 65 dBA are sufficient to cause speech interference. Highly *Noise-Sensitive Land Uses* include residences, schools, libraries, and outdoor theaters.
- The extent to which the land use activity itself generates noise.
- The extent of outdoor activity, particularly noise-sensitive activities, associated with a particular land use.
- The extent to which indoor uses associated with a particular land use may be made compatible with application of sound attenuation (typical new building construction provides sufficient insulation to attenuate outdoor-to-indoor noise by at least 20 dB).

3.3.1 *Maximum Acceptable Exterior Noise Exposure:* To minimize *Noise-Sensitive* development in noisy areas around an *Airport*, new land use development shall be restricted in accordance with the following.

(a) The maximum *CNEL* considered normally acceptable for residential uses in the vicinity of an *Airport* is 60 dB. The *CNEL* 60 dB contour is one of the factors considered in establishing the *Compatibility Zone* boundaries and residential *Density* criteria. For the purposes of implementing this policy:

(1) No new dwelling shall be permitted within *Compatibility Zone A*.

(2) Except as allowed by right in accordance with Policy 2.7.4, no new dwelling shall be permitted within *Compatibility Zones A, B, C,* and *D1* for Angwin Airport – Parrett Field and *Compatibility Zones A, B1, B2, B3, C,* and *D1* for Napa County Airport.

(3) Except as allowed by right in accordance with Policy 2.7.4, the maximum *Density* of residential uses in *Compatibility Zone D2* for each *Airport* shall be as indicated in **Chapter 4, Exhibit 4-1**, *Basic Compatibility Criteria* for Angwin Airport – Parrett Field; and **Chapter 5, Exhibit 5-1**, *Basic Compatibility Criteria* for Napa County Airport.

(4) Within *Compatibility Zone E*, the *Density* of new residential development is not limited.

(5) A parcel on which residential uses are permitted by right in accordance with Policy 2.7.4 and by local land use regulations within *Compatibility Zones B* and *C* for Angwin Airport – Parrett Field and *Compatibility Zones B1, B2, B3,* and *C* for Napa County Airport shall locate the dwelling outside of the zones when feasible or locate the dwelling a maximum distance from the extended runway centerline.

(b) New nonresidential development shall be deemed incompatible in locations where the airport-related noise exposure would be highly disruptive to the specific land use.

(1) Highly *Noise-Sensitive Land Uses* are flagged with a symbol (✈) in the *Basic Compatibility Criteria* table for each *Airport*.

(2) Caution must be exercised with regard to approval of outdoor uses—the potential for aircraft noise to disrupt the activity shall be taken into account.

(3) Uses that are primarily indoor are acceptable if sound attenuation is provided in accordance with Policy 3.3.2 and as noted in the *Basic Compatibility Criteria* table for each *Airport*.

3.3.2 *Maximum Acceptable Interior Noise Levels:* To minimize disruption of indoor activities by aircraft noise, new structures within *Compatibility Zones B* and *C* for Angwin Airport – Parrett Field and *Compatibility Zones B1, B2, B3,* and *C* for Napa County Airport shall incorporate sound attenuation design features sufficient to meet the interior noise level criteria specified by this policy.

All future structures outside of these *Compatibility Zones* are presumed to meet the interior noise level requirement with no special added construction techniques. [63]

(a) For the following land uses, the aircraft-related interior noise level shall be no greater than *CNEL* 45 dB.

(1) Any habitable room of single or multi-family residences (including family day care homes with 14 or fewer children);

(2) Hotels, motels, and other long-term and short-term lodging;

(3) Hospitals, nursing homes and other congregate care facilities;

(4) Places of worship, meeting halls, theaters, and mortuaries; and

(5) Schools, libraries, and museums.

(b) When structures are part of a proposed *Land Use Action*, evidence that the proposed structures will be designed to comply with the criteria in Paragraph (a) of this policy shall be submitted to the involved *Local Agency* as part of the building permit process. The calculations should assume that windows are closed. The *Local Agency* shall be responsible for assuring compliance.

(c) Exceptions to the interior noise level criteria in Paragraphs (a) and (b) of this Policy may be allowed where evidence is provided that the indoor noise generated by the use itself exceeds the listed criteria.

3.3.3 *Noise-Sensitive Land Uses*: Single-event noise levels should be considered when evaluating the compatibility of highly *Noise-Sensitive Land Uses* such as residences, schools, libraries, and outdoor theaters (see Policy 2.1.29). Susceptibility to speech interference and sleep disturbance are among the factors that make certain land uses noise sensitive. The compatibility evaluations in the *Basic Compatibility Criteria* table for each *Airport* take into account single-event noise concerns.

(a) The *ALUC* may require acoustical studies or on-site noise measurements to assist in determining the compatibility of *Land Use Actions* involving *Noise-Sensitive Land Uses*.

(b) Single-event noise levels are especially important in areas that are regularly overflown by aircraft, but that do not produce significant *CNEL* contours (helicopter overflight areas are a particular example). Flight patterns for the involved *Airport* should be considered in the review process including in locations beyond the mapped noise contours. The flight patterns for each *Airport* covered by this *ALUCP* are provided in **Chapters 6** and **7**.

3.3.4 *Noise Criteria for Mixed-Use Development:* The residential and nonresidential components of a mixed-use development shall individually satisfy the noise criteria set forth in Policies 3.3.1, 3.3.2, and 3.3.3 if the development contains *Noise-Sensitive Land Uses*. See Policy 3.4.8 for applicable safety criteria.

[63] *A typical mobile home has an exterior-to-interior noise level reduction (NLR) of at least 15 dB with windows closed. Wood frame buildings constructed to meet current standards for energy efficiency typically have an NLR of at least 20 dB with windows closed.*

3.4 SAFETY COMPATIBILITY POLICIES

SAFETY COMPATIBILITY POLICIES BACKGROUND INFORMATION

The following Safety Compatibility Policies Background Information has been considered in formulating the safety compatibility criteria in this section but is provided for informational purposes only and does not itself constitute *ALUCP* policy.

Policy Objective

The intent of land use safety compatibility policies is to minimize the risks associated with an off-airport aircraft accident or emergency landing. The policies focus on reducing the potential consequences of such events should they occur. Risks both to people and property in the vicinity of an *Airport* and to people on board the aircraft are considered (land use features that can be the *cause* of an aircraft accident are addressed under Airspace Protection, Section 3.5.)

Measures of Risk Exposure

This *ALUCP* evaluates the risks that potential aircraft accidents pose to lands and people around the *Airport* in terms of two parameters: where aircraft accidents are most likely to occur near the *Airport*; and the potential consequences if an accident occurs in one of those locations.

- The accident likelihood is measured in terms of the geographic distribution of where accidents have historically occurred around other airports having similar types of activity. Because aircraft accidents are infrequent occurrences, the pattern of accidents at any one airport cannot be used to predict where future accidents are most likely to happen around that airport. Reliance must be placed on data about aircraft accident locations at comparable airports nationally, refined with respect to information about the characteristics of aircraft use at the individual airport.
- The consequences component of the risk considers the number of people in harm's way and their ability to escape harm. For most nonresidential development, potential consequences are measured in terms of the usage *Intensity*—the number of people per acre on the site. Local development standards (e.g., floor area ratios, parking requirements) and building code occupancies can be used to calculate nonresidential usage *Intensities*. For residential development, *Density*—the number of dwelling units per acre—is substituted for *Intensity*. Additional criteria are applicable to specific types of uses.

Factors Considered in Setting Safety Compatibility Policies

Factors considered in setting the policies in this section include the following:

- The runway length, approach categories, normal flight patterns, and aircraft fleet mix at the *Airport*. These factors are reflected in the *Compatibility Zones* shapes and sizes.
- The locations, delineated with respect to each *Airport's* runway, where aircraft accidents typically occur near airports, and the relative concentration of accidents within these locations. The most stringent land use controls are applied to the areas with the greatest potential accident exposure. The risk information utilized is the general aviation accident data and analyses contained in the *California Airport Land Use Planning Handbook*. The *Handbook* guidance regarding safety compatibility forms the basis for the safety component of the composite *Compatibility Zones* established for each *Airport* and the maximum usage intensities (people per acre) criteria indicated in Policy 3.4.2 and in the *Basic Compatibility Criteria* table for each *Airport*.
- Nonresidential intensities are limited in terms of both the average number of people on a site and the congregation of people in a 1.0-acre area. The average acre limit reduces the overall number of people in areas of risk, whereas the 1.0-acre limit protects against the consequences of an out-of-control aircraft striking where people are closely gathered. See further discussion in 2011 *Handbook*, page 4-27.
- *Handbook* guidance regarding residential densities in rural and suburban areas. Residential *Density* limitations cannot be equated to the usage *Intensity* limitations for nonresidential uses. Consistent with pervasive societal views and as suggested by the *Handbook* guidelines, a greater degree of protection is warranted for residential uses.
- The presence of certain land use characteristics that represent safety concerns regardless of the number of people present, specifically vulnerable occupants (children, elderly, disabled), hazardous materials, and critical community infrastructure.
- The extent to which development covers the ground and thus limits the options of where the pilot of an aircraft in distress can attempt an emergency landing.
- The extent to which the occupied parts of a *Project* site are concentrated in a small area. Concentrated high intensities heighten the risk to occupants if an aircraft should it strike the location where the development is concentrated. To guard against this risk, limitations on the maximum concentrations of dwellings or people in a small area of a large *Project* site are appropriate.

3.4.1 *Residential Development Density Criteria:* Proposed residential development shall be evaluated in accordance with the following criteria:

(a) Residential *Density* shall be measured in terms of dwelling units per acre (du/ac).

(1) All residential uses must comply with the "sitewide average" usage *Density* limits indicated for each *Compatibility Zone*.

(2) The "sitewide average" *Density* equals the total number of dwelling units divided by the site size in acres (i.e., the total acreage of the *Project* site) which may include multiple parcels.

(3) "Single-acre" *Density* is not limited.

(b) The maximum allowable "sitewide average" residential *Density* within each *Compatibility Zone* shall be as indicated in:

(1) **Exhibit 4-1**, *Basic Compatibility Criteria,* Angwin Airport – Parrett Field (see **Chapter 4**); and

(2) **Exhibit 5-1**, *Basic Compatibility Criteria,* Napa County Airport (see **Chapter 5**).

(c) See Policy 3.4.8 with regard to calculating the *Density* of mixed-use development.

(d) *Density* bonuses and other bonuses or allowances that *Local Agencies* may provide for affordable housing developed in accordance with the provisions of state and/or local law or regulation shall be included when calculating residential densities. The overall *Density* of a development *Project*, including any bonuses or allowances, must comply with the allowable *Density* criteria of this *ALUCP*.

(e) Accessory dwelling units, as defined by state law and local regulations, shall be excluded from *Density* calculations.

(f) See Policy 2.7.4 regarding development by right for exceptions to *Density* criteria.

3.4.2 *Nonresidential Development Intensity Criteria:* Nonresidential development shall be evaluated in accordance with the following criteria:

(a) The usage *Intensity* (people per acre) limit indicated in the *Basic Compatibility Criteria* table for each *Compatibility Zone* is the fundamental criterion against which the safety compatibility of most nonresidential land uses shall be measured. Other criteria may be applicable to *Risk-Sensitive Land Uses* (see Policy 3.4.9).

(b) The maximum allowable nonresidential *Intensity* within each *Compatibility Zone* shall be as indicated in:

(1) **Exhibit 4-1**, *Basic Compatibility Criteria,* Angwin Airport – Parrett Field (see **Chapter 4**); and

(2) **Exhibit 5-1**, *Basic Compatibility Criteria*, Napa County Airport (see **Chapter 5**).

(c) All nonresidential uses must comply with both the "sitewide average" and "single-acre" usage *Intensity* limits indicated for each *Compatibility Zone* in the above tables.

(1) The "sitewide average" *Intensity* equals the total number of people expected to be on the entire site divided by the site size in acres (i.e., the total acreage of the *Project* site) which may include multiple parcels (see Policy 3.4.3 for calculation methodology).

(2) The "single-acre" *Intensity* equals the number of people expected to occupy the most intensively used 1.0-acre area(s) of the site (see Policy 3.4.4 for calculation methodology).

(d) Usage *Intensity* calculations shall include all people (e.g., employees, customers/visitors) who may be on the property at any single point in time, whether indoors or outdoors. For uses without fixed seating, the usage *Intensity* criteria of this *ALUCP* are based upon a normal busy-period occupancy, not on the highest attainable occupancy. [64]

(e) Each component use within a nonresidential development that has multiple types of uses shall comply with the usage *Intensity* criteria in the *Basic Compatibility Criteria* tables for each *Airport*.

(f) For *Intensity* criteria pertaining to mixed-use projects having both residential and nonresidential components, see Policy 3.4.8.

(g) No new structures intended to be regularly occupied are allowed in *Compatibility Zone* A.

(h) The need to calculate the usage *Intensity* of a particular proposed *Project* for compliance with the *Intensity* criteria is to be governed by the following:

(1) Land use categories indicated as "Normally Compatible" for a particular *Compatibility Zone* are presumed to meet the *Intensity* criteria indicated for the *Compatibility Zone*. Calculation of the usage *Intensity* is not required unless the particular *Project* proposal represents an atypical example of the usage type.

(2) Calculation of the usage *Intensity* must be done for all proposed *Projects* where the land use category for the particular *Compatibility Zone* is indicated as "Conditional" and the additional criteria column says, "Ensure *Intensity* criteria met."

(3) For land use categories indicated as "Conditional" for the particular *Compatibility Zone*, but the criteria are other than "Ensure *Intensity* criteria met," calculation of the usage *Intensity* is not necessary for typical examples of the use. However, the proposed *Project* must comply with the other criteria listed for the applicable land use category.

3.4.3 *Methodology for Calculation of Sitewide Nonresidential Average Intensity:* Various methods are available by which usage *Intensities* may be calculated (additional guidance is found in **Appendix C**).

(a) Calculation Using Floor Area Ratio (FAR). [65] The floor area ratio methodology is intended as an aid in calculating the usage *Intensity* of nonresidential uses. The indicated floor area ratios do not take precedence over the requirement for all *Projects* to comply with the *Intensity* limit stated for the respective *Compatibility Zones*.

(1) Basis of FAR criteria.

[64] *This number will typically be lower than the absolute maximum number of occupants the facility can accommodate (such as would be used in determining compliance with building and fire codes).*

[65] *Floor Area Ratio equals the total floor area of a project in square feet divided by the square footage of the site. For multi-floor buildings the square footage of all floors is counted.*

- The maximum acceptable floor area ratio for most nonresidential land use categories is listed for *Compatibility Zones* where the acceptability of the use is "Conditional."
- The floor area ratio limit listed for each use category directly corresponds with the maximum acceptable usage *Intensity* for the zone and the indicated typical Occupancy Load Factor (floor area square footage per person) for the use during a typical busy period. The allowable floor area ratio in a particular *Compatibility Zone* thus varies from one land use category to another.
- If a higher or lower Occupancy Load Factor can be documented for a particular *Project*, then the allowable floor area ratio would be correspondingly lower or higher.

(2) Application of FAR criteria:

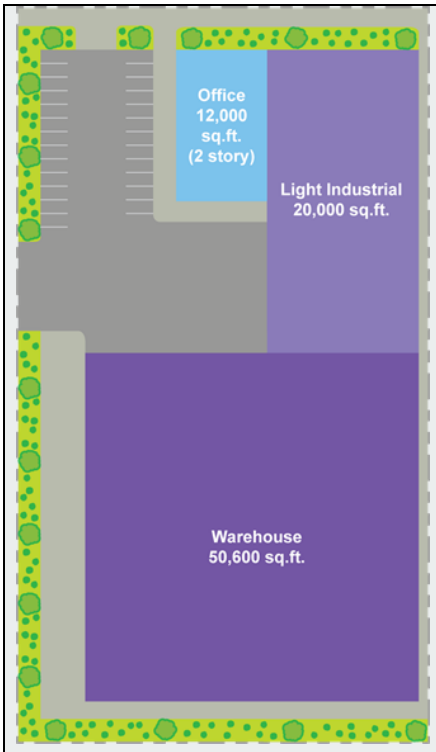
- For single-use *Projects* (e.g., industrial facility), a *Project* may be tested for compliance by directly comparing the proposed floor area ratio of the *Project* with the maximum floor area ratio limit indicated for the land use category and *Compatibility Zone*. If the proposed floor area ratio exceeds the floor area ratio limit, the *Project* shall be deemed incompatible unless modified to ensure compliance with the *Intensity* criteria.
- For *Projects* involving multiple nonresidential land use categories (e.g., office and retail), the total floor area ratio of the building should first be calculated. If this number exceeds the allowable floor area ratio for any of the component uses, then each component use can be assigned a share of the overall *Project* site that differs from the component use's share of the total *Project* floor area so that each component use will fall within its floor area ratio limit (see **Exhibit 3-1** for example).

(3) Calculation Where Floor Area Ratio Is Not Indicated. Where occupancy load factors are not indicated or if the indicated Occupancy Load Factor is not applicable to a particular proposal or component thereof, then the number of occupants must be estimated in another manner (see Paragraphs (b) through (e)).

- Floor area ratios are not listed for uses that are "Incompatible" within a specific zone because these uses either are either typically incapable of meeting the usage *Intensity* limits or are incompatible for other reasons.
- Floor area ratios are not shown for uses that are "Normally Compatible" within a particular zone as these uses are presumed to be capable of meeting the usage *Intensity* limits.

(b) Calculation Using Fixed Seating: For uses having fixed seating for customers (for example, restaurants and theaters), occupancy shall equal the total number of seats plus the number of employees on site

EXHIBIT 3-1: FLOOR AREA RATIO CALCULATION EXAMPLE



In this example, compliance of a proposed warehouse facility with sitewide *Intensity* limits is calculated using the Floor Area Ratios listed for each component use in **Exhibit 5-1**, *Compatibility Zone Criteria.* Compliance with single-acre *Intensity* limits will need to be calculated separately using the method noted in **Exhibit 3-2**.

Compatibility Zone C1 Criteria

Intensity Limits

Max. Sitewide Average:	100 people per acre
Max. Single-Acre:	300 people per acre

Common Occupancy Load Factors

Office:	0.49
Lt. Industrial, Low Intensity:	0.80
Warehouse:	2.30

Project Specific Data

Site Acreage:	3 acres (130,680 s.f.)
Total Bldg Footprint:	76,600 s.f.
Total Bldg Floor Area:	82,600 s.f.
Office (2 story):	12,000 s.f.
Light Industrial:	20,000 s.f.
Warehouse:	50,600 s.f.

Floor Area Ratio Calculation

Total Bldg: $\frac{82{,}600 \text{ s.f.}}{130{,}680 \text{ s.f.}} = 0.63$ FAR

The above calculation assumes each use has a proportional share of the property size. However, 0.63 exceeds the FAR Limit for Office . Therefore, these use's assumed share of the site must be adjusted to be within the FAR limit.

Office: $\frac{12{,}000 \text{ s.f}}{0.49 \text{ FAR limit}} = 24{,}490$ s.f. of site

Lt-Indus.: $\frac{20{,}000 \text{ s.f.}}{0.80 \text{ FAR limit}} = 25{,}000$ s.f. of site

The remainder of the site can then be allocated to the Warehouse use and checked for compliance with the FAR limit.

Warehouse Site:
130,680 s.f. (total site)
– 24,490 s.f. (Office share of site)
– 25,000 s.f. (Lt. Indus. share of site)
= 81,190 s.f. (remainder for Warehouse)

Warehouse FAR: $\frac{50{,}600 \text{ s.f.}}{81{,}190 \text{ s.f.}} = 0.62$

The resulting 0.62 FAR for the Warehouse's share of the site complies with the 2.30 FAR limit for this use. Therefore, all uses can meet the FAR limits for the respective use and the overall *Project* is consistent with *ALUCP* criteria.

(c) Calculation Using Vehicle Parking Requirements: For many commercial and industrial uses, the occupancy can be estimated by considering the number of parking spaces required by the *Local Agency* and multiplying by the average occupancy per vehicle. This method is not suitable for land uses where many users arrive on foot or by bicycle, transit, or other means of transportation (see **Appendix C**).

(d) Calculation Using Occupancy Load Factors: For most other uses, the typical Occupancy Load Factor indicated for the use shall be applied. [66] The Occupancy Load Factor is the assumed approximate average number of square feet occupied by each person in that use. Dividing the square footage of the building or component use by the Occupancy Load Factor for that use yields the number of occupants (see **Exhibit 3-2** for example).

(1) For *Projects* involving a mixture of uses in a building, the Occupancy Load Factor for each component use shall be applied to give the occupancy for that use, then the component occupancies are added to determine total occupancy.

(2) If the *Project* applicant can document a higher or lower Occupancy Load Factor for a particular use, then the *ALUC* may use that number in lieu of the number in the *Basic Compatibility Criteria* table for each *Airport*. In considering any such exceptions, the *ALUC* shall also take into account the potential for the use of a building to change over time (see Policy 3.4.5).

(e) Calculation Using Building and Fire Codes: This method is essentially the same as the Occupancy Load Factor method in that the codes provide a square footage per person for various types of building uses. Building and Fire Codes, though, are based on a maximum, never to be exceeded, number of occupants rather than the average busy period that is the basis for airport land use compatibility planning (see **Appendix C**). As such, the total occupancy calculated using these codes must be reduced by a set factor—50 percent for most uses—to provide a number consistent with the indicated *Intensity* limit for each *Compatibility Zone*.

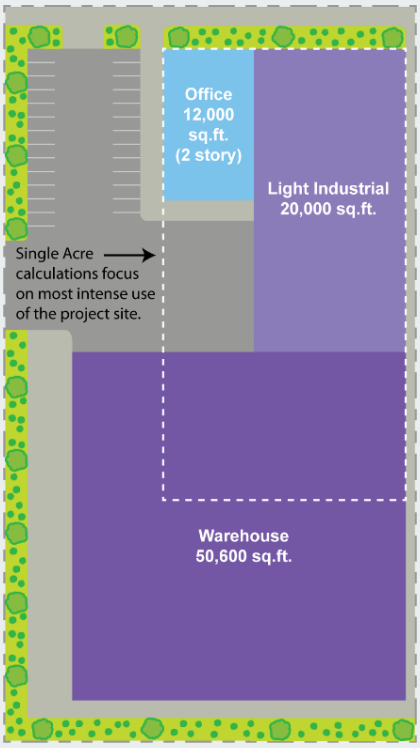
3.4.4 *Methodology for Calculation of Single-Acre Intensity:* The single-acre *Intensity* of a proposed *Project* shall be calculated by determining the total number of people expected to be within any 1.0-acre portion of the site, typically the most intensively used building or part of a building. Calculation of the single-acre *Intensity* depends upon the building footprint and site sizes and the distribution of activities on the site.

(a) For *Projects* with sites less than 1.0 acre, the single-acre *Intensity* equals the total number of people on the site divided by the site size in acres.

(b) For *Projects* with sites larger than 1.0 acre and a building footprint less than 1.0 acre, the single-acre *Intensity* equals the total number of building occupants unless the *Project* includes substantial outdoor occupancy in which case such usage should be taken into account.

[66] *Occupancy Load Factors are based on information from various sources and are intended to represent busy-period usage for typical examples of the land use category. They can be used as a factor in determining the appropriate land use category for unlisted uses or atypical examples of a use.*

EXHIBIT 3-2: TOTAL OCCUPANCY CALCULATION EXAMPLE



In this example, both the sitewide and single-acre *Intensity* of a proposed warehouse facility are calculated using the common Occupancy Load Factors (number of square feet per person) information in **Exhibit 5-1**, *Compatibility Zone Criteria* together with project specifications. The results are then compared with the maximum sitewide and single-acre *Intensity* limits in the respective table to determine consistency of the *Project* with the safety criteria.

Compatibility Zone C1 Criteria

Intensity Limits

Max. Sitewide Average:	100 people per acre
Max. Single-Acre:	300 people per acre

Common Occupancy Load Factors

Office:	approx. 215 s.f. per person
Lt. Industrial, Low Intensity:	approx. 350 s.f. per person
Warehouse:	approx. 1,000 s.f. per person

Project Specific Data

Site Acreage:	3 acres (130,680 s.f.)
Total Bldg Footprint:	76,600 s.f.
Total Bldg Floor Area:	82,600 s.f.
Office (2 story):	12,000 s.f.
Light Industrial:	20,000 s.f.
Warehouse:	50,600 s.f.

Total Occupancy Calculation

Office: $\frac{12{,}000 \text{ s.f}}{215 \text{ s.f. per person}} = 56$ people

Lt. Indus.: $\frac{20{,}000 \text{ s.f.}}{350 \text{ s.f. per person}} = 57$ people

Warehouse: $\frac{50{,}600 \text{ s.f.}}{1{,}000 \text{ s.f. per person}} = 51$ people

Total: = 164 people

Intensity Results

Sitewide Average Intensity (average number of people per acre for the site)

$\frac{\text{Total people}}{\text{Site Acreage}} = \frac{164 \text{ people}}{3 \text{ acres}} = 55$ people per acre

Single-Acre Intensity (the highest concentration of people anticipated to be in an area approx. 1.0 acre in size) A 1-acre area encompasses all of the Office and Light Industrial uses plus 23% of the Warehouse

$\frac{\text{Total people}}{\text{Single-Acre}} = \frac{56 + 57 + (0.23*51) \text{ people}}{1 \text{ acre}} = 125$ people in 1.0 acre area

The results of the *Intensity* calculations indicate that the proposed development satisfies the sitewide and single-acre *Intensity* criteria.

(c) For *Projects* having both site size and building footprint of more than 1.0 acre, the single-acre *Intensity* shall normally be calculated as the total number of building occupants divided by the building footprint in acres. This calculation assumes that the occupancy of the building is evenly distributed. However, if the occupancy of the building is concentrated in one area—the office area of a large warehouse, for example—then all occupants of that area shall be included in the single-acre calculation. See **Exhibit 3-2** for an example.

(d) The 1.0-acre areas to be evaluated shall normally match the building footprints provided that the buildings are generally rectangular (reasonably close to square) and not elongated in shape and, for buildings larger than 1.0 acre, may represent a portion of the building.

(e) If a building has multiple floors, then the total number of occupants on all floors falling within the 1.0-acre footprint shall be counted.

3.4.5 *Long-Term Changes in Occupancy:* In evaluating compliance of a proposed nonresidential *Project* with the usage *Intensity* criteria in Policy 3.4.2(b), the *ALUC* shall take into account the potential for the use of a building to change over time. A building could have planned low-intensity use initially but later be converted to a higher-intensity use. *Local Agencies* must provide permit language or other mechanisms to ensure continued compliance with the usage *Intensity* criteria. Note that this provision applies only to new development and *Redevelopment—Projects* for which discretionary *Local Agency* action is required—not to tenant improvements or other changes to existing buildings for which local approval is ministerial.

3.4.6 *Sites Split by Two or More Compatibility Zones:* For the purposes of evaluating consistency with the compatibility criteria in the *Basic Compatibility Criteria* table for each *Airport*, a *Project* shall be evaluated as follows:

(a) Any parcel that is split by *Compatibility Zone* boundaries shall be considered as if it were multiple parcels divided at the *Compatibility Zone* boundary line. See **Exhibit 3-3** for example.

(b) The criteria for the *Compatibility Zone* where the proposed building(s) or areas of outdoor congregation of people are located shall apply.

3.4.7 *Transferring Residential Density or Nonresidential Intensity:* When a *Project* site is split by a *Compatibility Zone,* modification of the *Project* site plan so as to transfer the allowed *Density* of residential development or *Intensity* of nonresidential development from the more restricted portion to the less restricted portion is encouraged. The purpose of this policy is to move people outside of the higher-risk zones.

(a) This full or partial reallocation of *Density* or *Intensity* is permitted even if the resulting *Intensity* in the less restricted area would then exceed the sitewide average *Density* or *Intensity* limits that apply within that *Compatibility Zone* (see **Exhibit 3-4**). However, transferring of *Density* or *Intensity* to a zone in which the proposed use is listed as incompatible is not allowed.

(b) The single-acre *Intensity* criterion for the zone to which the use is transferred must still be satisfied.

EXHIBIT 3-3: PROPOSED LAND USE SPLIT BY COMPATIBILITY ZONES

In this example, the restaurant and office uses are split between *Compatibility Zones B2* and *C*. When determining compliance with the *Zone B2 Intensity* limits, only the portions of the uses in *Zone B2*, together with the retail use that is fully in *Zone B2* are considered and the site size is the 3.5 acres in *Zone B2*.

Compatibility Zone B2

Retail: $\frac{50{,}000 \text{ s.f.}}{170 \text{ s.f. per person}} = 294$ people

Restaurant: $\frac{50\% \text{ of } 18{,}000 \text{ s.f.}}{60 \text{ s.f. per person}} = 150$ people

Office: $\frac{50\% \text{ of } 24{,}000 \text{ s.f.}}{215 \text{ s.f. per person}} = 56$ people

Total Occupancy: = 500 people

Intensity: $\frac{500 \text{ people}}{3.5 \text{ acres}} = 143$ people/acre*

* Would *exceed Zone B2* sitewide average limit of 75 people/acre

Compatibility Zone C

A similar analysis is required for the uses in *Zone C*.

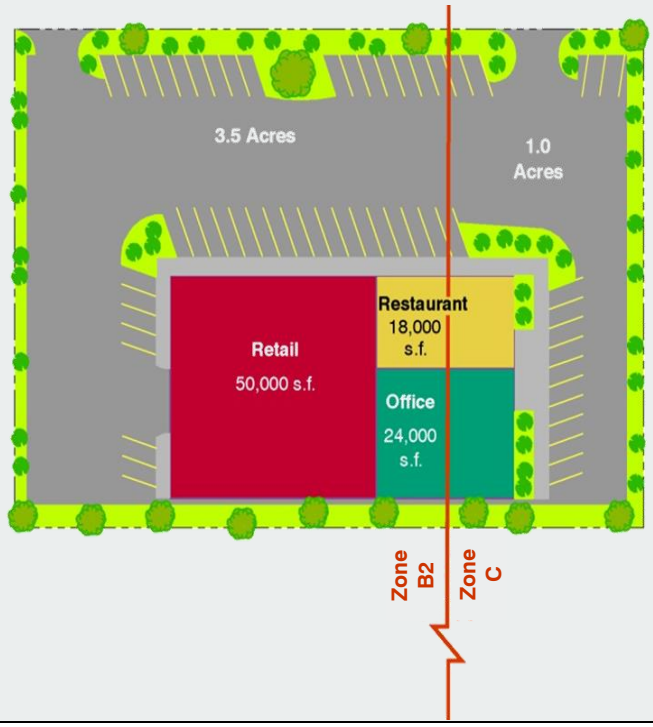


EXHIBIT 3-4: TRANSFERRING USAGE INTENSITY

An example of transferring usage *Intensity* to the less restrictive *Compatibility Zone* is provided below. This example is based on criteria and data in **Exhibit 3-1**.

Intensity Criteria

Max. Sitewide Average (Max. Single-Acre)

- *Zone B1* = 50 people/acre (100 people/single acre)
- *Zone B2* = 75 people/acre (225 people/single acre)

Project Site

Total Site Acreage: 3 acres

- *Zone B1*: 1.0 acre
- *Zone B2*: 2.0 acres

Allowable *Intensity* Based on Criteria

- *Zone B1*: 50 people/acre x 1.0 acre = 50 people
- *Zone B2*: 75 people/acre x 2.0 acres = 150 people
- Total Allowable Intensity on Site: 200 people

Transferring *Intensity* from Zone B1 to Zone B2

- *Zone B1*: 0 people
- *Zone B2*: 200 people (includes 50 people from Zone B1)

Although 200 people in 2.0 acres exceeds 150 people allowed under *Zone B2* criteria (75 people/acre x 2.0 acres = 150 people), it is allowable under usage *Intensity* transfer policy as it does not exceed the single-acre *Intensity* limit of 225 people.

3.4.8 *Safety Criteria for Mixed-Use Development: Projects* involving a mixture of residential and nonresidential uses shall be evaluated as follows:

(a) Where the residential and nonresidential uses are proposed to be situated on separate parts of the *Project* site, the *Project* shall be evaluated as separate developments. Each component of the *Project* must meet the criteria for the respective land use category in the *Basic Compatibility Criteria* table for the associated *Airport*. Specifically, the residential *Density* shall be calculated with respect to the area(s) to be devoted to residential development and the nonresidential *Intensity* calculated with respect to the area(s) proposed for nonresidential uses. This provision means that the residential *Density* cannot be averaged over the entire *Project* site when nonresidential uses will occupy some of the area. The same limitation applies in reverse—that is, the nonresidential *Intensity* cannot be averaged over an area that includes residential uses.

(b) *Projects* in which residential uses are proposed to be located in conjunction with nonresidential uses in the same or nearby buildings on the same site must meet both residential *Density* and nonresidential *Intensity* criteria. The number of dwelling units shall not exceed the *Density* limits indicated in the *Basic Compatibility Criteria* table for the associated *Airport*. Additionally, the normal occupancy of the residential component shall be added to that of the nonresidential portion and the total occupancy shall be evaluated with respect to the nonresidential usage *Intensity* criteria**.** The *ALUC* may make exceptions to this provision if the residential and nonresidential components of the *Project* would clearly not be simultaneously occupied to their maximum intensities.

(c) Mixed-use development shall not be allowed where the residential component would be situated in a *Compatibility Zone* where residential development is indicated as "Incompatible" in the *Basic Compatibility Criteria* table for the associated *Airport*.

3.4.9 *Risk-Sensitive Land Uses:* Certain types of land uses represent special safety concerns irrespective of the number of people associated with those uses. Land uses of particular concern and the nature of the concern are listed below along with the criteria applicable to these uses. These uses and criteria are also indicated in the *Basic Compatibility Criteria* table for each *Airport*. In some cases, these uses are not allowed in portions of an *Airport* environs regardless of the number of occupants associated with the use.

In other instances, these uses should be avoided—that is, allowed only if an alternative site outside the zone would not serve the intended function. When the use is allowed, special measures should be taken to minimize hazards to the facility and occupants if the facility were to be struck by an aircraft.

(a) Uses Having Vulnerable Occupants: These uses are ones in which the majority of occupants are children, elderly, and/or disabled people who have reduced effective mobility or may be unable to respond to emergency situations.

(1) The primary uses in this category include, but are not limited to the following:

- Children's schools (grades K–12).
- Day care centers (facilities with more than 14 children [67]).

[67] *As defined in Health and Safety Code, Section 1597.43.*

- In-patient hospitals, mental hospitals, nursing homes, and similar medical facilities where patients remain overnight.
- Congregate care facilities including retirement homes, assisted living, intermediate care facilities, and adult daycare facilities.
- Penal institutions.
- Emergency shelters.

(2) Uses having vulnerable occupants shall be limited within each *Compatibility Zone* as indicated in **Exhibit 4-1**, *Basic Compatibility Criteria,* Angwin Airport – Parrett Field and **Exhibit 5-1**, *Basic Compatibility Criteria,* Napa County Airport. New sites or facilities or expansion of existing sites or facilities shall be prohibited where the use is deemed "Incompatible."

(b) Hazardous Materials Storage: Materials that are flammable, explosive, corrosive, or toxic constitute special safety compatibility concerns to the extent that an aircraft accident could cause release of the materials and thereby pose dangers to people and property in the vicinity.

(1) Facilities in this category include, but are not limited to the following:

- First Group Facilities: Facilities such as oil refineries and chemical plants that manufacture, process, and/or store bulk quantities of hazardous materials generally for shipment elsewhere.
- Second Group Facilities: Facilities associated with otherwise compatible land uses where hazardous materials are stored in smaller quantities primarily for on-site use.

(2) Uses containing hazardous materials shall be limited within each *Compatibility Zone* as indicated in **Exhibit 4-1**, *Basic Compatibility Criteria,* Angwin Airport – Parrett Field and **Exhibit 5-1**, *Basic Compatibility Criteria,* Napa County Airport. New sites or facilities or expansion of existing sites or facilities shall be prohibited where the use is deemed "Incompatible."

(3) All facilities must comply with the *Intensity* limits set forth in Policy 3.4.2(b) and other criteria noted in the *Basic Compatibility Criteria Table* for each *Airport*.

(4) Generation of steam or thermal plumes that reach aircraft flight altitudes are prohibited within all *Compatibility Zones*.

(c) Critical Community Infrastructure: This category pertains to facilities the damage or destruction of which would cause significant adverse effects to public health and welfare well beyond the immediate vicinity of the facility.

(1) Facilities include, but are not limited to the following:

- Public safety facilities such as police and fire stations.
- Communications facilities including emergency communications, broadcast, and cell phone towers.
- Primary, peaking, and renewable energy power plants; electrical substations; and other utilities.

(2) Criteria for new or expanded facilities shall be limited or prohibited in accordance with **Exhibit 4-1**, *Basic Compatibility Criteria,* Angwin Airport – Parrett Field and **Exhibit 5-1**, *Basic Compatibility Criteria,* Napa County Airport.

3.5 AIRSPACE PROTECTION COMPATIBILITY POLICIES

AIRSPACE PROTECTION COMPATIBILITY POLICIES BACKGROUND INFORMATION

The following Airspace Protection Compatibility Policies Background Information has been considered in formulating the Airspace Protection Compatibility policies in this section but is provided for informational purposes only and does not itself constitute *ALUCP* policy.

Policy Objective

Airspace protection compatibility policies seek to prevent creation of land use features that can pose hazards to the airspace required by aircraft in flight and have the potential for causing an aircraft accident.

Measures of Hazards to Airspace

Three categories of hazards to airspace are a concern: physical, visual, and electronic.

- *Physical* hazards include tall structures that have the potential to intrude upon protected airspace as well as land use features that have the potential to attract birds or other potentially hazardous wildlife to the airport area.
- *Visual hazards* include certain types of lights, sources of glare, and sources of dust, steam, or smoke.
- *Electronic hazards* are ones that may cause interference with aircraft communications or navigation.

Factors Considered in Setting Airspace Protection / Object Height Compatibility Policies

The *ALUCP* airspace protection policies rely upon the regulations and standards enacted by the Federal Aviation Administration (FAA) and the State of California. The FAA has well defined standards by which potential hazards to flight, especially airspace obstructions, can be assessed. The following FAA regulations and documents, and any later versions of these documents, are specifically relevant.

- Code of Federal Regulations (CFR) Part 77, *Safe, Efficient Use and Preservation of the Navigable Airspace* (provides standards regarding FAA notification of proposed objects and for height limits of objects near airports).
- FAA Advisory Circular 150/5300-13, *Airport Design* (provides standards regarding safety-related areas in the immediate vicinity of runways).
- Advisory Circular 70/7460-1K, *Obstruction Marking and Lighting* (sets standards for how essential marking and lighting should be designed).

These regulations and standards do not give the FAA authority to prevent the creation of hazards to flight. That authority rests with state and local agencies. The State of California has enacted regulations enabling state and local agencies to enforce the FAA standards. The *ALUCP* policies are intended to help implement the federal and state regulations.

Factors Considered in Setting Airspace Protection / Wildlife Hazard Compatibility Policies

Natural features and agricultural practices may include open water and food sources that are attractive to wildlife, especially waterfowl and other bird species. The *ALUCP* relies upon the wildlife hazard guidelines established by the FAA in the following Advisory Circulars:

- FAA Advisory Circular 150/5200-33C, *Hazardous Wildlife Attractants on or near Airports* (provides guidance on types of attractants to be avoided).
- FAA Advisory Circular 150/5200-34A, *Construction or Establishment of Landfills near Public Airports* (sets guidelines on proximity of these facilities to airports).

3.5.1 *Evaluating Airspace Protection / Object Height Compatibility for New Development:* The object height compatibility of proposed land uses within the *Airport Influence Area* shall be evaluated in accordance with the policies in this section, including the *Airspace Protection Map* provided in **Chapter 4** for Angwin Airport – Parrett Field and **Chapter 5** for Napa County Airport.

(a) The airspace protection / height limit surfaces depicted in each *Airspace Protection Map* are drawn in accordance with *CFR Part 77*, Subpart C, and reflect the runway length, runway end locations, and approach type for each end of the runway. Where changes to any of these design features are formally proposed for an *Airport* by the *Airport* owner, both the current and future features are considered.

(b) The *Airspace Critical Protection Zone* consists of the *CFR Part 77* primary surface and the area beneath portions of the approach and transitional surfaces to where these surfaces intersect with the horizontal surface together with the *Airspace High Terrain Zone*.

(c) The *Airspace High Terrain Zone*, which applies only to Napa County Airport, encompasses locations where the ground elevation exceeds or is within 35 feet beneath an *Airspace Protection Surface* as defined by *CFR Part 77* for the *Airport*.

3.5.2 *Object Height Criteria:* The criteria for determining the acceptability of a *Project* with respect to height shall be based upon the standards set forth in *CFR Part 77*, Subpart C, *Safe, Efficient Use and Preservation of the Navigable Airspace*, and applicable airport design standards published by the FAA. Additionally, where an FAA aeronautical study of a proposed object has been required as described in Policy 3.5.5, the results of that study shall be taken into account by the *ALUC*.

(a) Except as provided in Paragraphs (b) and (c) of this policy, no object, including a mobile object such as a vehicle or temporary object such as construction crane, shall have a height that would result in penetration of an *Airspace Protection Surface*. Any object that penetrates one of these surfaces is, by FAA definition, deemed an obstruction. [68]

(b) Objects not situated within an *Airspace Critical Protection Zone* (see Policy 3.5.1(b)) may be allowed to have heights that penetrate the *Airspace Protection Surfaces* defined by *CFR Part 77* criteria under the following conditions:

(1) The maximum allowable height for these objects is 35 feet above ground level.

(2) The height of all objects is subject to *Local Agency* zoning limits.

(c) When located outside of an *Airspace Critical Protection Zone*, a proposed object having a height that exceeds the *Airport's Airspace Protection Surfaces* shall be allowed only if *all* of the following apply:

(1) As the result of an aeronautical study, the FAA determines that the object would not be a hazard to air navigation.

[68] *An obstruction may or may not be a hazard. The purpose of FAA aeronautical studies is to determine whether an obstruction is a hazard and, if so, what remedy is recommended. The FAA's remedies are limited to making changes to the airspace and an airport's approach procedures, but it also can indicate an objection to proposed structures that it deems to be a hazard.*

(2) FAA or other expert analysis conducted under the auspices of the *ALUC* or the *Airport* operator concludes that, despite being an airspace obstruction (not necessarily a hazard), the object would not cause any of the following:

- An increase in the ceiling or visibility minimums of the *Airport* for an existing or planned instrument procedure (a planned procedure is one that is formally on file with the FAA);
- A reduction of the established operational efficiency and capacity of the *Airport*, such as by causing the usable length of the runway to be reduced; or
- Conflict with the visual flight rules (VFR), airspace used for the airport traffic pattern or en route navigation to and from the *Airport*.

(3) Marking and lighting of the object will be installed as directed by the FAA aeronautical study or Caltrans and in a manner consistent with FAA standards in effect at the time the construction is proposed. [69]

(4) An *Avigation Easement* is dedicated to the agency owning the *Airport* in accordance with Policy 3.7.1.

(5) The proposed project/plan complies with all other policies of this *ALUCP*.

3.5.3 *Criteria Addressing Wildlife Hazards:* Proposed land uses or land use features that could attract potentially hazardous wildlife to the *Airport* vicinity or could interfere with aircraft during takeoff, in flight, or landing at the *Airport* shall be restricted as indicated in this policy. Any proposed land use that could attract wildlife to an *Airport Influence Area* is a potential concern. Federal regulations and guidance identify specific land uses that the Federal Aviation Administration deems incompatible near airports. [70]

(a) The *ALUC's* role and policy with regard to regulating wildlife hazards in areas around the *Airports* in Napa County is limited to new development as well as general plans, specific plans, master plans, and zoning ordinances that set standards for proposed development, land uses, or site features such as those listed in Paragraph (d) of this policy. As stated in Policy 2.7.3, the *ALUC* has no authority to regulate existing land uses. This includes land uses such as agriculture that can have characteristics attractive to hazardous wildlife. Crop selection and other routine agricultural activities that do not involve construction or otherwise constitute a land use *Project* and do not need *Local Agency* approval are not subject to *ALUC* authority and the policies of this *ALUCP*.

(b) Proposed land uses or site features, as listed in Paragraph (d) of this policy, that have the potential to attract potentially hazardous wildlife shall be prohibited within *Compatibility Zone A* and shall be avoided within the remainder of the *Wildlife Hazard Critical Zone* shown on the *Airspace Protection Maps* for Angwin Airport – Parrett Field (**Exhibit 4-2**) and Napa County Airport (**Exhibit 5-2**).

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[69] *Advisory Circular 70/7460-1J, Obstruction Marking and Lighting, or any later FAA guidance.*

[70] *The FAA rules and regulations include, but are not limited to: Public Law 106-181 (Wendell H. Ford Aviation Investment and Reform Act for the 21st Century, known as AIR 21), Section 503; 40 CFR 258, Criteria for Municipal Solid Waste Landfills, Section 258.10, Airport Safety; Advisory Circular 150/5200-33C, Hazardous Wildlife Attractants On or Near Airports; Advisory Circular 150/5200-34A, Construction or Establishment of Landfills near Public Airports; and any subsequent applicable FAA guidance.*

(c) For the purposes of this policy, "avoid" means that the use or feature is acceptable only if an alternative site with similar characteristics located outside the *Wildlife Hazard Critical Zone* is not feasible and appropriate measures can be provided to minimize an increase in the attraction of hazardous wildlife above what exists in the absence of the *Project*.

(d) The land uses and site features subject to this policy include, but are not limited to:

(1) New or expanded waste disposal facilities, such as new landfills, landfill expansions, and waste transfer stations.

(2) New or expanded water management facilities having the potential to hold exposed surface water for more than 48 hours following the design storm. Such facilities include stormwater management/water quality treatment ponds, settling ponds, artificial marshes, ornamental ponds, fountains, etc. In the event that detention exceeds 48 hours, measures should be incorporated to minimize the facility's attractiveness to potentially hazardous wildlife.

(3) New or expanded wetlands including mitigation sites.

(4) New or expanded open areas designed specifically to attract wildlife or create habitat. Such uses include conservation areas, wildlife preserves, and mitigation areas, as well as uses designed primarily for other purposes; for example, golf courses.

(5) New, expanded, or enhanced structures or architectural features that could provide nesting, shelter, or perching opportunities for raptors and large birds unless the attractiveness of these features is reduced through the application of nets, bird spikes, or other deterrents. Communication towers, signs, and light standards are examples of structures of this type.

(6) Landscaping plans associated with new *Projects* or land uses that provide for planting of new trees to create dense and contiguous canopy or plant materials that provide food sources, such as fruit, nuts, or berries.

(e) Proposed master site plans, landscaping plans, conservation plans, and other planning or legal documents associated with the *Major Land Use Actions* listed in Policy 2.5.2 shall indicate that the uses and features listed in Paragraph (d) of this policy are to be prohibited within *Compatibility Zone A* and avoided within the remainder of the *Wildlife Hazard Critical Zone*.

(f) Certain natural features, such as the Napa River marshes, wetlands, sloughs, and tidal areas, are the focus of regional restoration efforts identified by the Napa County General Plan, Conservation Element. Plans to restore portions of these natural features may include areas within the *Wildlife Hazard Critical Zone*, and, as such, should consider measures to minimize their attractiveness to potentially hazardous wildlife through such items as plant materials, open water areas, etc.

(g) The *ALUC Executive Officer* and *Local Agencies* should consult airport management, an FAA-qualified Airport Wildlife Biologist, FAA Wildlife Hazard Management regulations and guidance, and the USDA Wildlife Hazards Program for guidance regarding implementation of this policy. [71]

3.5.4 *Criteria Addressing Other Flight Hazards:* Land uses that may cause visual or electronic hazards to aircraft in flight or taking off or landing at the airport shall not be allowed within the *Airport Influence Area* unless the uses are consistent with FAA rules and regulations.

(a) Specific characteristics to be evaluated for potential hazards to flight include:

(1) Sources of glare (such as from solar arrays, mirrored or other highly reflective structures, or building features) or bright lights (including search lights and laser light displays);

(2) Distracting lights that could be mistaken for airport lights;

(3) Sources of dust, steam, or smoke that may impair pilots' vision;

(4) Sources of steam or other emissions that cause thermal plumes or other forms of unstable air;

(5) Sources of electrical interference with aircraft communications or navigation.

(b) To resolve any uncertainties with regard to the significance of the above types of flight hazards, *Local Agencies* should consult with FAA officials, Caltrans, and Airport management.

3.5.5 *Requirements for FAA Notification of Proposed Construction: Project* proponents are responsible for notifying the FAA about proposed construction that may affect navigable airspace. [72] The following is *ALUCP* policy on this topic.

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[71] *FAA and the Caltrans Division of Aeronautics recommend that airport operators, local planners, and developers work together to take into account whether the proposed land uses will increase wildlife hazards in the airport vicinity, and the agencies recommend the establishment of a wildlife hazard working group to facilitate communication, cooperation and coordination between the airport and surrounding communities and to encourage landowners and lease holders to control wildlife hazards. Such a group could assist the ALUC in evaluating the potential of a proposed project to increase risk to aircraft operations.*

[72] *CFR Part 77 requires that a project proponent submit notification of a proposal to the FAA where required by the provisions of CFR Part 77, Subpart B. Public Utilities Code Sections 21658 and 21659 likewise include this requirement. FAA notification requirements apply to all objects including structures, antennas, trees, mobile objects, and temporary objects such as construction cranes. The FAA will conduct an "aeronautical study" of the object(s) and determine whether the object(s) would be of a height that would constitute a hazard to air navigation. (See* ***Appendix B*** *of this Compatibility Plan for a copy of CFR Part 77 and online procedures for filing Form 7460-1.) FAA notification is required at least 45 days before the start date of the proposed construction or the date an application for a construction permit is filed, whichever is earliest. FAA notification is required under the following circumstances:*

(a) The project contains proposed structures or other objects that exceed the height standards defined in CFR Part 77, Subpart B. Objects shielded by nearby taller objects are exempted in accordance with CFR Part 77, Paragraph 77.15. Note that notification to the FAA under CFR Part 77, Subpart B, is required even for certain proposed construction that does not exceed the height limits allowed by Subpart C of the regulations. As presented in ***Chapters 4*** *and* ***5****, the FAA notification area extends beyond the Airport Influence Area. The Subpart B notification airspace surface extends outward and upward at a slope of 50 to 1 for a horizontal distance of 10,000 or 100 to 1 for a horizontal distance of 20,000 feet from the nearest point on any runway.*

(b) Any proposal for construction or alteration of a structure, including antennas, taller than 200 feet above the ground level at the site regardless of proximity to any airport.

(a) The *Local Agency* having jurisdiction over the *Project* site should inform the *Project* proponent of the requirements for notification to the FAA. Reference to FAA notification requirements is included in this policy for informational purposes only, not as an *ALUCP* policy.

(b) FAA review is required for any proposed structure more than 200 feet above the surface level of its site. All such proposals also shall be submitted to the *ALUC* for review regardless of where within Napa County they would be located. [73]

(c) Any proposed development *Project* that includes construction of a structure or other object and that is required to be submitted to the *ALUC* for a consistency review in accordance with Policies 2.5.1 or 2.5.2 shall include a copy of the completed *CFR Part 77* notification form (Form 7460-1) submitted to the FAA, if applicable, and of the resulting FAA findings from its aeronautical study (i.e., notice of determination letter). A proposed *Project* may be referred to the *ALUC* in advance of the completion of the FAA aeronautical study. However, the completed aeronautical study must be forwarded to the *ALUC* when available, but before issuance of a construction permit, and the *ALUC* may reconsider its previous consistency determination if the FAA study provides new information and airspace protection was a factor in the *ALUC*'s determination.

(d) An FAA Determination of "No Hazard to Air Navigation" does not automatically qualify as a Consistency Determination by the ALUC. While the FAA determination is a key consideration with regard to airspace protection concerns, the *ALUC* must also consider noise and safety factors in making its *ALUCP* consistency determination.

3.5.6 *ALUC Review:* The requirement for notification to the FAA shall not by itself trigger an airport compatibility review of an individual *Project* by the *ALUC*. If the general plan of the *Local Agency* in which the *Project* is to be located has been determined by the *ALUC* to be consistent with this *ALUCP*, then no *ALUC* review is required. If the general plan has not been made consistent, then the proposed *Project* must be referred to the *ALUC* for review if it qualifies as a *Major Land Use Action* (see Policy 2.5.2).

[73] *Also, in accordance with CFR Part 77, Paragraph 77.9(a), notification to the FAA is required for "Any construction or alteration that is more than 200 ft. AGL at its site."*

3.6 OVERFLIGHT COMPATIBILITY POLICIES

OVERFLIGHT COMPATIBILITY POLICIES BACKGROUND INFORMATION

The following Overflight Compatibility Policies Background Information has been considered in formulating the Overflight Compatibility policies in this section but is provided for informational purposes only and does not itself constitute *ALUCP* policy.

Policy Objective

Noise from individual aircraft operations, especially by comparatively loud aircraft, can be intrusive and annoying in locations beyond the limits of the noise exposure areas addressed by the policies in Section 3.3. Sensitivity to aircraft overflight varies from one person to another.

The policies in this section serve primarily to establish the form and requirements for notification about airport proximity and aircraft overflight to be given in conjunction with *Local Agency* approval of new *Residential Development* and with certain real estate transactions involving existing *Residential Development*. Overflight policies do not apply to *Nonresidential Development*.

Measures of Overflight Exposure

The loudness and frequency of occurrence of individual aircraft noise events are key determinants of where airport proximity and aircraft overflight notification is warranted. Single-event noise levels are especially important in areas that are overflown regularly by aircraft but that do not produce significant *CNEL* contours.

Locations where aircraft regularly fly at approximately the traffic pattern altitude—1,000 feet above airport elevation—or lower are considered to be within the overflight impact area of each *Airport*. Note that the flight altitude above ground level at any particular point will be more or less than this amount depending upon the terrain below. Areas of high terrain beneath the traffic patterns are exposed to comparatively greater noise levels, a factor that is considered in the overflight policies.

Factors Considered in Setting Overflight Compatibility Policies

Factors considered in establishing overflight compatibility policies include the following:

- Unlike the function of the noise, safety, and airspace protection compatibility policies in this *ALUCP*, overflight compatibility policies do not restrict the manner in which land can be developed or used. The policies serve only to establish the form and requirements for notification about airport proximity and aircraft overflights to be given in conjunction with *Local Agency* approval of new development and with certain real estate transactions involving existing development.
- To be most effective, overflight policies should establish notification requirements for transactions involving existing residential land uses, not just future residential development. However, the only function of the *ALUCP* with regard to *Existing Land Uses* is to define the boundaries within which *Airport Proximity Disclosure* in conjunction with real estate transactions should be provided as specified under state law. Other than setting the disclosure boundary, the policies in this section apply only to new residential development.
- State *Airport Proximity Disclosure* law applies to existing development, but not to all transactions. California state statutes (*Business and Professional Code Section 11010* and *Civil Code Sections 1102.6*, *1103.4*, and *1353*) require that, as part of many residential real estate transactions, information be disclosed regarding whether the property is situated within an *Airport Influence Area*. These state requirements apply to the sale or lease of newly subdivided lands and condominium conversions and to the sale of certain existing residential property. In general, *Airport Proximity Disclosure* is required with existing residential property transfer only when certain natural conditions (earthquake, fire, or flood hazards) warrant disclosure.
- Need for continuity of notification to future property owners and tenants. To the extent that this *ALUCP* sets notification requirements for new development, notifications should be in a form that runs with the land and is provided to prospective future owners and tenants.
- To avoid inappropriateness of *Avigation Easement* dedication solely for buyer awareness purposes. *Avigation Easements* involve conveyance of property rights from the property owner to the party owning the easement and are thus best suited to locations where land use restrictions for noise, safety, or airspace protection purposes are necessary. Property rights conveyance is not needed for buyer awareness purposes. *ALUC* policy regarding *Avigation Easements* is set forth in Policy 3.7.1.

3.6.1 *Recorded Overflight Notification:* As a condition for *ALUC* approval of a residential land use *Project* within *Compatibility Zone D2* for Angwin Airport – Parrett Field or Napa County Airport, an *Overflight Notification* shall be recorded in the chain of title of the property.

(a) The notification shall be of a format similar to that indicated in **Appendix E** and shall contain the following language dictated by state law [74] with regard to *Airport Proximity Disclosure* in conjunction with real estate transfer:

> NOTICE OF AIRPORT IN VICINITY: This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.

(b) The notification shall be evident to prospective purchasers of the property and shall appear on the property deed.

(c) A *Recorded Overflight Notification* is not required where an *Avigation Easement* dedication is required as the *Avigation Easement* accomplishes the notification function (see Policy 3.7.1).

(d) Recording of an overflight notification is not required for nonresidential development.

3.6.2 *Airport Proximity Disclosure:* State law requires that notice disclosing information about the presence of a nearby airport be given to prospective buyers of certain residential real estate within an *Airport Influence Area*. The statutes define an *Airport Influence Area* as "the area in which current or future airport-related noise, overflight, safety, or airspace protection factors may significantly affect land uses or necessitate restrictions on those uses as determined by an airport land use commission." [75] *ALUCP* criteria with regard to *Airport Proximity Disclosure* are as follows:

(a) For existing residences:

(1) *Airport Proximity Disclosure* as part of real estate transactions involving existing residences is a matter between private parties. Neither this *ALUCP* nor *Local Agencies* have authority to mandate that *Airport Proximity Disclosure* be provided and neither the *ALUCP* nor *Local Agencies* have enforcement responsibilities with regard to this disclosure.

(2) The sole responsibility of *Local Agencies* with regard to *Airport Proximity Disclosure* for existing residences is to recommend the boundary of the area within which the disclosure is deemed appropriate and to provide this information to local title companies and real estate agents. The *Airport Influence Area* defined herein for each of the *Airports* covered by this *ALUCP* establishes the area in which *Airport Proximity Disclosure* is recommended.

[74] *California Business and Professions Code Section 11010(b) and Civil Code Section 1353(a).*

[75] *California Business and Professions Code Section 11010(b) and Civil Code Section 1353(a).*

(3) *Airport Proximity Disclosure* should be provided as part of *all* real estate transactions (sale, lease, or rental) involving residential property anywhere within the *Airport Influence Area*.

(b) For proposed residential *Projects*:

(1) The disclosure provisions of state law are deemed mandatory for new residential *Projects* anywhere within the *Airport Influence Area* and shall continue in effect as *ALUCP* criteria even if the state law is made less stringent or rescinded. The disclosure shall be of a format similar to that indicated in **Appendix E** and shall contain the language dictated by state law (see Policy 3.6.1(a)).

(2) Signs providing the notice included in Policy 3.6.1(a) and a map of the *Airport Influence Area* shall be prominently posted in the real estate sales office and/or other key locations at any new residential *Project* within the *Airport Influence Area*.

3.7 CRITERIA FOR SPECIAL CIRCUMSTANCES

3.7.1 *Avigation Easement Dedication:* As a condition for approval of *Projects* that are subject to the review provisions of this *ALUCP* and that meet the conditions in Paragraphs (a) and (b) of this policy, the property owner shall be required to dedicate an *Avigation Easement* to the *Local Agency* owning the *Airport*.

(a) *Avigation Easement* dedication is required for all off-airport *Projects* situated on a site that lies completely or partially within any of the following portions of an *Airport Influence Area*:

(1) Within *Compatibility Zones A, B, C, or D1* for Angwin Airport – Parrett Field.

(2) Within *Compatibility Zones A, B1, B2, B3, C, or D1* for Napa County Airport.

(3) Within the *Airspace Critical Protection Zone* as defined in Policy 3.5.1(b).

(4) Within the *Airspace High Terrain Zone* as defined by Policy 3.5.1(c).

(b) Within the areas defined by Paragraph (a), *Avigation Easement* dedication shall be required for any proposed *Project*, including *Infill Projects*, for which discretionary *Local Agency* approval is required. *Avigation Easement* dedication is not required for ministerial approvals such as building permits or *Actions* associated with modification of existing single-family residences.

(c) The *Avigation Easement* shall:

(1) Provide the right of flight in the airspace above the property;

(2) Allow the generation of noise and other impacts associated with aircraft overflight;

(3) Restrict the height of structures, trees, and other objects in accordance with the policies in Section 3.5 and the *Airspace Protection Map* provided in **Chapter 4, Exhibit 4-3** for Angwin Airport – Parrett Field and **Chapter 5, Exhibit 5-3** for Napa County Airport;

(4) Permit access to the property for the removal or aeronautical marking of objects exceeding the established height limit; and

(5) Prohibit electrical interference, glare, and other potential hazards to flight from being created on the property.

(d) An example of an *Avigation Easement* is provided in **Appendix E**. The *ALUC* recognizes that the language included in this example may require modification to address site-specific conditions.

3.7.2 *Infill:* Where land uses not in conformance with the criteria set forth in this *ALUCP* exist at the time of the plan's effective date, an *Infill Project* (see Policy 2.1.23) of similar land uses may be allowed to occur in that area even if the proposed land use is otherwise incompatible with respect to the compatibility criteria for that location.

(a) To qualify as *Infill* development, a *Project* site must either:

(1) Be part of a cohesive area, defined by the *Local Agency* and approved by the *ALUC*, within which at least 65% of the uses were developed prior to the *ALUCP's* effective date with uses not in conformance with the plan; or

(2) Meet *all* of the following conditions:

- Already be served with streets, water, sewer, and other infrastructure;
- Have at least 65% of the site's perimeter bounded (disregarding roads) by existing uses similar to, or more intensive than, those proposed;
- Be no larger than 20 acres;
- Not extend the perimeter of the *Infill* area defined by the surrounding, already developed, incompatible uses; and
- Must be consistent with the *Local Agency's* zoning regulations governing the existing, already developed, surrounding area.

(b) In locations that qualify as *Infill* under Paragraph (a) above:

(1) For *Infill* residential *Projects* in *Compatibility Zones C, D1,* and *D2*, the average development *Density* (dwelling units per acre) of the site shall not exceed the median *Density* represented by all existing residential lots that lie fully or partially within a distance of 300 feet from the boundary of the defined *Infill* area or site.

(2) For *Infill* nonresidential *Projects* in *Compatibility Zones B2, B3, C, D1,* and *D2*, the average usage *Intensity* (the number of people per acre) of the site's proposed use shall not exceed the lesser of:

- The median *Intensity* of all existing nonresidential uses that lie fully or partially within a distance of 300 feet from the boundary of the defined *Infill* area; or
- Double the average sitewide *Intensity* permitted in accordance with the criteria for that location as indicated in **Exhibit 4-1** and **Exhibit 5-1**.

Example: If the zone allows an average sitewide Intensity of 100 people per acre and the median average of nearby existing uses is 150 people per acre, the *Infill* development would be limited to 150 people per acre rather than 200 (double the average sitewide *Intensity* limit).

(c) The single-acre *Intensity* limits for nonresidential *Projects* listed in **Exhibit 4-1** and **Exhibit 5-1** are applicable to *Infill Projects*. Also, the sound attenuation and *Avigation Easement* dedication requirements set by Policies 3.3.2 and 3.7.1 shall apply to *Infill Projects*.

(d) The preference of this policy is that all parcels eligible for *Infill* should be identified at one time by the *Local Agency*.

(1) The *Local Agency* is responsible for identifying, in its general plan or other adopted planning document approved by the *ALUC*, the qualifying locations that lie within that *Agency's* boundaries. This action may take place in conjunction with the process of amending a general plan for consistency with the *ALUCP* or may be submitted by the *Local Agency* for consideration by the *ALUC* at the time of initial adoption of this *ALUCP*.

(2) If a map identifying locations suitable for *Infill* has not been submitted by the *Local Agency* and approved by the *ALUC* or the site of an individual *Project* proposal does not fall within the identified *Infill* area, the *ALUC* may evaluate the *Project* when referred for review under Policy 2.5.1 to determine whether it would meet the qualifying conditions listed in Paragraph (a) plus the applicable provisions in Paragraphs (b) and (c) of this policy.

(3) In either case, the burden for demonstrating that an area or an individual site qualifies as *Infill* rests with the affected *Local Agency* and/or *Project* proponent and is not the responsibility of the *ALUC*.

3.7.3 *Existing Nonconforming Uses:* Proposed changes to *Existing Nonconforming Uses* (including a parcel or building) that are not in conformance with the criteria in this *ALUCP* shall be limited as follows:

(a) Residential uses.

(1) A *Nonconforming* residential land use may be continued, sold, leased, or rented without restriction and is not subject to this *ALUCP* or *ALUC* review.

(2) A *Nonconforming* residential dwelling may be maintained, remodeled, reconstructed (see Policy 3.7.4), or expanded in size. Additional dwelling units may not be added unless allowed by Policy 2.7.4 (Development by Right). However:

- Any increase in height must comply with the policies in Section 3.5 (Airspace Protection Compatibility Policies).
- A single-family residential parcel may not be divided for the purpose of allowing additional dwellings to be constructed.

(3) The sound attenuation and *Avigation Easement* dedication requirements set by Policies 3.3.2 and 3.7.1 shall apply.

(b) Nonresidential uses (other than children's schools):

(1) A *Nonconforming* nonresidential use may be continued, sold, leased, or rented without restriction or *ALUC* review provided that no discretionary *Local Agency* approval (such as a conditional use permit) is required.

(2) *Nonconforming* nonresidential facilities may be maintained, altered, or, if required by state law, reconstructed (see Policy 3.7.4). However, any such work:

- Must not result in expansion of either the portion of the site devoted to the *Nonconforming Use* or the floor area of the buildings; and
- Must not result in an increase in the usage *Intensity* (people per acre) above the levels existing at the time of adoption of this *ALUCP*.
- Must not increase the storage or use of hazardous materials unless remaining within the limits set under Policy 3.4.9(b).

(3) The sound attenuation and *Avigation Easement* dedication requirements set by Policies 3.3.2 and 3.7.1 shall apply.

(c) Children's schools (including grades K-12, day care centers with more than 14 children, and school libraries):

(1) Land acquisition for new schools or expansion of existing school sites is not permitted in *Compatibility Zones A, B, C* or *D1* for Angwin Airport – Parrett Field and *Compatibility Zones A, B1, B2, B3, C,* or *D1* for Napa County Airport.

(2) Existing school facilities may be maintained, repaired, remodeled, or, reconstructed (see Policy 3.7.4).

(3) A one-time expansion of existing school facilities accommodating no more than 50 students is allowed in *Compatibility Zone D1* for each *Airport*.

(4) The sound attenuation and *Avigation Easement* dedication requirements set by Policies 3.3.2 and 3.7.1 shall apply.

3.7.4 *Reconstruction:* An *Existing Nonconforming* development that has been fully or partially destroyed as the result of a calamity or natural catastrophe, and would not otherwise be reconstructed but for such event, may be rebuilt only under the following conditions: [76]

(a) Single-family or multi-family residential *Nonconforming Uses* may be rebuilt provided that the *Reconstruction* does not result in more dwelling units than existed on the parcel at the time of the damage. Addition of an accessory dwelling unit and/or junior accessory dwelling unit to a single-family residence is permitted if in accordance with Policy 2.7.4 (Development by Right).

(b) A nonresidential *Nonconforming Use* may be rebuilt provided that the *Reconstruction* does not increase the floor area of the previous structure or result in an increased usage *Intensity* (people per acre).

(c) *Reconstruction* under Paragraphs (a) or (b) above:

(1) Must have a permit deemed complete by the *Local Agency* within the time frame established by that *Agency*.

(2) Shall incorporate sound attenuation features to the extent required by Policy 3.3.2.

(3) Shall require dedication of an *Avigation Easement* to the *Local Agency* owning the *Airport* if required under Policy 3.7.1.

[76] *Reconstruction differs from Redevelopment (see Policy 2.1.36 for definition) that is subject to the provisions of this ALUCP.*

(4) Shall record an *Overflight Notification* in the chain of title of the property if required by Policy 3.6.1.

(5) Shall comply with *CFR Part 77* requirements (see Section 3.5).

(d) *Reconstruction* in accordance with Paragraphs (a), (b), and (c) above shall not be permitted in *Compatibility Zone A* or where it would be in conflict (not in conformance) with the general plan or zoning ordinance of the *Local Agency*.

(e) Nothing in the above policies is intended to preclude work required for normal maintenance and repair.

3.8 REVIEW CRITERIA FOR AIRPORT PLANS OF EXISTING AIRPORTS

3.8.1 *Substance of Review:* In accordance with state law, any new or amended airport master plan or expansion *Project* for the *Airports* addressed in this *ALUCP* is subject to *ALUC* review for consistency with the *ALUCP* (see Policy 2.4.1(b)). In conducting any such review, the *ALUC* shall evaluate whether the *Airport* plan would result in greater noise, safety, airspace protection, or overflight impacts than indicated in this *ALUCP*. Attention should specifically focus on:

(a) Proposals for facilities or procedures not assumed herein; specifically:

(1) Construction of a new runway or helicopter takeoff and landing area.

(2) Change in the length, width, or landing threshold location of an existing runway.

(3) Establishment of an instrument approach procedure that changes the approach capabilities at a particular runway end.

(4) Modification of the flight tracks associated with existing visual or instrument operations procedures.

(b) Proposed changes in the role or character of use of the *Airport*.

(c) New activity forecasts that are: (1) significantly higher than those used in developing the respective *Airport* noise contours presented in **Chapters 6** and **7**; or (2) assume a higher proportion of larger or noisier aircraft.

3.8.2 *Noise Impacts of Airport Expansion:* Any proposed expansion of *Airport* facilities that would result in a significant increase in cumulative noise exposure (measured in terms of CNEL) shall include measures to reduce the exposure to a less-than-significant level. For the purposes of this *ALUCP*, a noise increase shall be considered significant by the *ALUC* if:

(a) In locations having an existing ambient noise level of *CNEL* 60 dB or less, the *Project* would increase the noise level by 3.0 dB or more.

(b) In locations having an existing ambient noise level of more than *CNEL* 60 dB, the *Project* would increase the noise level by 1.5 dB or more.

3.8.3 *Consistency Determination:* The *ALUC* shall determine whether the proposed *Airport* plan or expansion *Project* is consistent with this *ALUCP*. The *ALUC* shall base its determination of consistency on:

(a) Findings that the proposed development and forecasts identified in the *Airport* plan or *Project* would not result in greater noise, safety, airspace protection, or overflight impacts on surrounding land uses than are assumed in this *ALUCP*.

(b) Consideration of:

(1) Mitigation measures incorporated into the plan or *Project* to reduce any increases in the noise, safety, airspace protection, and overflight impacts to a less-than-significant level in accordance with provisions of the California Environmental Quality Act (CEQA); or

(2) In instances where the impacts cannot be reduced to a less-than-significant level, a statement of overriding considerations approved by the *Airport* owner in accordance with provisions of CEQA.

(c) A determination that any nonaviation development proposed for locations within the airport boundary (excluding federal, tribal or state-owned property) will be consistent with the compatibility criteria and policies indicated in this *ALUCP* with respect to that *Airport* (see Policy 2.1.12 for definition of aviation-related use).

3.9 REVIEW CRITERIA FOR PROPOSED NEW AIRPORTS, HELIPORTS, AND VERTIPORTS

3.9.1 *Substance of Review:* In reviewing proposals for new airports, heliports, and vertiports, the *ALUC* shall focus on the noise, safety, airspace protection, and overflight impacts upon surrounding land uses.

(a) Other types of environmental impacts (e.g., air quality, water quality, natural habitats, vehicle traffic, etc.) are not within the scope of *ALUC* review.

(b) The *ALUC* shall evaluate the adequacy of the proposed facility design (in terms of federal and state standards) only to the extent that the design affects surrounding land use.

(c) The *ALUC* must base its review on the proposed airfield design. The *ALUC* does not have the authority to require alterations to the airfield design.

3.9.2 *Airport/Land Use Relationship*: The review shall examine the relationships between existing and planned land uses in the vicinity of the proposed airport, heliport, or vertiport and the impacts that the proposed facility would have upon these land uses. Questions to be considered should include:

(a) Would the existing or planned land uses be considered incompatible with the airport, heliport, or vertiport if the latter were already in existence?

(b) What measures are included in the airport, heliport, or vertiport proposal to mitigate the noise, safety, airspace protection, and overflight impacts on surrounding land uses? Such measures might include:

(1) The location of flight tracks so as to minimize the impacts;

(2) Other operational procedures to minimize impacts;

(3) Installation of noise barriers or structural noise insulation; or

(4) Acquisition of property interests (fee title or easements) on the impacted land.

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4

Angwin Airport – Parrett Field Compatibility Policies and Maps

4.1 EVALUATING LAND USE CONSISTENCY

4.1.1 *Evaluating Compatibility of New Development:* The compatibility of proposed land uses within the Angwin Airport – Parrett Field *Airport Influence Area* shall be evaluated in accordance with:

(a) The specific noise, safety, airspace protection, overflight, and other compatibility policies set forth in **Chapter 3**;

(b) The criteria listed in **Exhibit 4-1**, *Basic Compatibility Criteria*; and

(c) The *Compatibility Zones* depicted on the *Compatibility Policy Map* (**Exhibit 4-2**) in this chapter.

4.1.2 *Compatibility Policy Table:* **Exhibit 4-1**, *Basic Compatibility Criteria*, lists general land use categories and indicates each use as being "normally compatible," "conditional," or "incompatible" depending upon the compatibility zone in which it is located. See Policy 3.2.2(a) for the meaning of these terms.

4.1.3 *Compatibility Policy Map:* The *Compatibility Zones* for Angwin Airport – Parrett Field are presented in **Exhibit 4-2**, which is to be used in conjunction with the criteria set forth in **Exhibit 4-1**, *Basic Compatibility Criteria,* and the additional policies listed in Section 4.3 of this Chapter.

4.1.4 *Airspace Protection Surfaces Map:* The *Airspace Protection Surfaces Map* for Angwin Airport – Parrett Field is presented in **Exhibit 4-3** and is to be used in conjunction with the airspace protection policies set forth in Section 3.5 of **Chapter 3**.

4.2 MAP DETERMINANTS

4.2.1 *Airport Runway Configuration Assumptions:* **Exhibit 4-2** and **Exhibit 4-3** are based upon the Angwin Airport – Parrett Field Airport Layout Plan (ALP) dated November 2009.

Although never adopted by either the County of Napa or Pacific Union College nor submitted to the Federal Aviation Administration (FAA) for approval, Pacific Union College stated that the 2009 ALP reflects both the airport's existing and potential future buildout over the next 20 years. [77] As described in **Chapter 7**, the runway configuration includes proposed extensions at both the north (Runway 16) and south (Runway 34) ends of the runway.

4.2.2 *Compatibility Policy Map Boundary Determinants:* The *Compatibility Zone* boundaries for Angwin Airport – Parrett Field represent a composite of four compatibility factors: noise, safety, airspace protection, and overflight concerns. The *Airport's* runway length, approach categories, normal flight patterns, and aircraft fleet mix influence the shape and size of the *Compatibility Zones*. [78] The magnitude of the *Airport* impacts occurring within each *Compatibility Zone* are described in the Compatibility Zone Delineation Table for Angwin Airport – Parrett Field presented in **Exhibit 4-4**.

(a) *Airport Influence Area* encompasses all of the above zones. The outer boundary coincides with the outer edge of the *CFR Part 77* conical surface boundary.

(b) Specific factors considered for all *Compatibility Zones* include:

(1) The Airport has a short runway of less than 4,000 feet and is used primarily by aircraft based at the Airport;

(2) The Airport is situated on top of a mountain at an elevation of 1,875 feet MSL. The community west of the Airport lies approximately 200 feet below the Airport elevation; and

(3) The Town of Angwin is located to the west and midfield of the Airport and is primarily developed allowing only infill.

4.2.3 *Airspace Protection Policy Map Boundary Determinants:* **Exhibit 4-3** illustrates the Angwin Airport – Parrett Field airspace protection surfaces as defined by *CFR Part 77*. Encompassed within this area is the Wildlife Hazard Critical Area defined by the FAA where wildlife attractants are a concern.

4.3 SPECIAL CONDITIONS POLICIES

4.3.1 *Applicability:* In accordance with Policy 3.4.2(g) of **Chapter 3**, the Napa County *ALUC* acknowledges special conditions regarding particular land uses in the Angwin Airport – Parrett Field *Airport Influence Area*. These special conditions warrant establishment of compatibility criteria different in character from the criteria applicable to other portions of the *Compatibility Zones*. These special policies are not to be generalized or considered as precedent applicable to other locations near the Angwin Airport – Parrett Field or to the environs of other airports addressed by this *ALUCP*.

4.3.2 *Pacific Union College (PUC or College):* The criteria set forth in **Chapter 3** and **Exhibit 4-1** notwithstanding, the criteria in this policy shall apply within the portion of the Angwin Airport – Parrett Field *Influence Area* under the ownership of the Pacific Union College.

[77] *Hirdler, Joy L., Pacific Union College, Letter to Napa County ALUC. November 10, 2023.*

[78] *Chapter 6 summarizes the aeronautical data influencing the geographic extents of the four compatibility factors for Angwin Airport – Parrett Field.*

(a) Site-specific factors which support this policy exception include:

(1) PUC owns Angwin Airport – Parrett Field and has control over its development and operation.

(2) The airport and the campus have co-existed for many years.

(3) Future development of the campus is governed by a Master Land Use Plan developed by PUC in 1975.

(4) A significant part of the area where development would be restricted in accordance with the **Chapter 3** and **Exhibit 4-1** criteria contains existing development. Additional development in parts of this area can be considered as infill development in accordance with Policy 3.7.2.

(b) As shown on **Exhibit 4-2**, four subzones are provided:

(1) PUC 1: Dormitory Subzone—This area is located approximately 1,800 feet southwest of the existing approach end of Runway 34 and within *Compatibility Zones B* and *C*. The PUC Master Land Use Plan identifies four proposed dormitories and a dining facility adjacent to two existing dormitories in this area. Future development in this subzone shall be limited as follows:

- No new dining facilities or other development shall be permitted in the *Compatibility Zone B* portion of this subzone unless the proposed use meets the basic criteria for this zone as indicated in **Exhibit 4-1**.
- Within *Compatibility Zones B* and *C*, long-term housing, such as dormitories, shall be considered compatible provided that buildings are located no closer to the extended runway centerline than the two existing dormitories and have no more than two aboveground habitable floors.
- Within *Compatibility Zone C*, new dining facilities shall be considered conditionally compatible, provided that the building occupancy does not exceed the basic *Zone C* limit of 120 people in a 1-acre area (since the building footprint would presumably be under 1.0 acre, this criterion limits the total building capacity to 120 people).
- Within *Compatibility Zone D1*, dormitories, dining facilities, and other uses are compatible provided that they do not exceed the maximum single-acre intensity limit of 600 people.

(2) PUC 2: Housing Subzone—This subzone is situated immediately north of the Dormitory Subzone and contains portions of *Compatibility Zones A, B,* and *C*. Included within it are existing single-family housing and a mobile home park for faculty, staff, and students. These uses are inconsistent with the **Exhibit 4-1** criteria. However, in accordance with Policy 3.7.4, Nonconforming Uses may be rebuilt provided that the Reconstruction does not result in more dwelling units than existed on the parcel at the time of the damage. New residential dwellings are considered compatible within *Compatibility Zones B* and *C*, but not *Zone A*. Furthermore, the remaining vacant sites within this subzone meet the infill requirements of 3.7.2. Therefore, construction of uses similar in character and density shall be considered compatible within *Compatibility Zones B* and *C* provided the buildings are not located closer to the extended runway centerline than the existing housing. No new residential structures shall be allowed within *Compatibility Zone A*.

(3) PUC 3: Co-Generation Plant Subzone—This subzone contains the existing co-generation power plant for electricity, heating, and cooling for the PUC campus. A portion of the facility lies within *Compatibility Zone C* on the western side of the *Airport* and north of the PUC Housing Zone. New or expanded development of the facility within *Compatibility Zone C* shall be allowed only if an alternative site outside of zone would not serve the intended function. If sited in *Compatibility Zone C,* any new structures must be located the maximum feasible distance away from the runway centerline.

(4) Remainder of PUC Property—The primary land use compatibility concerns for the PUC lands east of Angwin Airport – Parrett Field are potential obstructions and wildlife attractants. All new or expanded development, including the existing effluent reservoir, shall comply with the compatibility criteria set forth in **Exhibit 4-1**.

EXHIBIT 4-1: BASIC COMPATIBILITY CRITERIA, ANGWIN AIRPORT – PARRETT FIELD

Intensity/Density Criteria [1]	Compatibility Zones						Additional Criteria
	A	B	C	D1	D2	E	
Max. Sitewide Average Intensity (people/acre) **Max. Single-Acre Intensity (people/acre)**	0 0	50 100	60 120	150 600	150 600	No limit	▸ All nonresidential development shall satisfy both sitewide and single-acre intensity limits
Max. Sitewide Average Density (dwelling units/acre)	Residential Prohibited [2]				20	No limit	▸ See Policy 3.4.1 for residential development density criteria; single-acre density limits do not apply
Easement / Notification Requirement [3]	Avigation Easement				RON	APD	

Land Use Category		Legend (see last page of table for interpretation)			Additional Criteria
▸ Multiple land use categories may apply to a project ▸ Land uses not specifically listed shall be evaluated using the criteria for similar uses ▸ Typical occupancy Load Factor [approx. # s.f./person] indicated for certain uses [4]		Normally Compatible	Conditional	Incompatible	▸ Conditions listed below apply to uses listed as "Conditional" (yellow) for a particular zone ▸ Numbers in yellow cells are Floor Area Ratios (FARs) based on typical occupancy load factor indicated for that use and average intensity limit indicated for zone

		A	B	C	D1	D2	E	
General Characteristics								
Any use having more than 1 habitable floor [5]								B, C: Limited to no more than 2 habitable floors
Any use having structures (including poles or antennas) or trees 35 to 150 feet in height								B, C: Ensure airspace obstruction does not occur B, C: Airspace review required for objects >35 feet D1, D2: Airspace review required for objects >70 feet
Any use having structures (including poles, antennas, or cranes) or trees more than 150 feet in height								D1, D2, E: Ensure airspace obstruction does not occur; airspace review required for objects >150 feet
Any use having the potential to cause an increase in the attraction of birds or other wildlife								D1, D2, E: Avoid use or provide mitigation consistent with FAA rules and regulations [6]
Any use creating visual or electronic hazards to flight [7]								
Outdoor Uses (no or limited indoor activities)								
Constructed/Enhanced Land/Water Features:-woods, brush lands, wetlands, reservoirs, detention/retention ponds	✹							C, D1, D2, E: Avoid new features that attract birds or provide mitigation consistent with FAA regulations [6]
Agriculture (except residences and confined livestock): field crops, orchards/tree farms, vineyards, open pasture, or range land	✈ ✹							A: Objects above runway elevation not allowed in OFA [8] All: Avoid new features that attract birds or provide mitigation consistent with FAA regulations [6]; exercise caution with uses involving noise-sensitive animals
Confined Livestock Uses: feed lots, stockyards, breeding, fish hatcheries, horse/riding stables, poultry and dairy farms	✈ ✹							B, C, D1, D2, E: Avoid new features that attract birds or provide mitigation consistent with FAA regulations [6]; exercise caution with uses involving noise-sensitive animals
Outdoor Major Assembly Facilities (capacity ≥1,000 people): spectator-oriented outdoor stadiums, amphitheaters, fairgrounds, racetracks, water parks, zoos	✈							E: Allowed only if alternative site outside zone would not serve intended function; exercise caution if clear audibility by users is essential
Outdoor Large Assembly Facilities (capacity 300 to 999 people): spectator-oriented outdoor stadiums, amphitheaters	✈							D2: Allowed only if alternative site outside zone would not serve intended function; exercise caution if clear audibility by users is essential
Outdoor Group Recreation (limited spectator stands): athletic fields, water recreation facilities (community pools), picnic areas	✈							D1: Ensure intensity criteria met; not allowed if intended primarily for use by children; exercise caution if clear audibility by users is essential
Outdoor Non-Group Recreation (small/low-intensity): golf courses (except clubhouse), tennis courts, shooting ranges	✈ ✹							B, C: Ensure intensity criteria met; not allowed if intended primarily for use by children; exercise caution if clear audibility by users is essential
Local Parks: neighborhood parks, playgrounds	✈							B, C: Must have little or no permanent recreational facilities (ball fields, etc.); exercise caution if clear audibility by users is essential
Camping: campgrounds, recreational vehicle/ motor home parks	✈							D1: Ensure intensity criteria met; avoid if disruption by aircraft noise is unacceptable
Cemeteries (except chapels)								B, C: Ensure intensity criteria met; avoid if disruption by aircraft noise is unacceptable
Residential and Lodging Uses								
Single-Family Residential [2]: individual dwellings, townhouses, mobile homes, bed and breakfast inns	✈							
Multi-Family Residential [2]: townhouses, apartments condominiums	✈							D2: 20 dwelling units per acre maximum
Long-Term Lodging (>30 nights): extended-stay hotels, dormitories	✈							
Short-Term Lodging (≤30 nights, except conference/assembly facilities): hotels, motels, other transient lodging [approx. 200 s.f./person]					0.69			D1: Ensure intensity criteria met
Short-Term Group Lodging: hostels, emergency/ homeless shelters, farmworker housing [approx. 100 s.f./person]					0.34			D1: Ensure intensity criteria met
Congregate Care: retirement homes, assisted living/residential care facilities, intermediate care facilities [9]	✈							
Educational and Institutional Uses								
Family day care homes (≤14 children) [10]	✈							B, C: CNEL 45 dB max. interior noise level
Children's Schools: K-12, day care centers (>14 children), libraries [9]	✈							
Adult Education classroom space: adult schools, colleges, universities [approx. 40 s.f./person]					0.14			D1: Ensure intensity criteria met
Indoor Major Assembly Facilities (capacity ≥1,000 people): auditoriums, conference centers, resorts, concert halls, indoor arenas								E: Allowed only if alternative site outside zone would not serve intended function; exercise caution if clear audibility by users is essential

Intensity/Density Criteria [1]		Compatibility Zones						Additional Criteria
		A	B	C	D1	D2	E	
Max. Sitewide Average Intensity (people/acre) **Max. Single-Acre Intensity (people/acre)**		0 0	50 100	60 120	150 600	150 600	No limit	▸ All nonresidential development shall satisfy both sitewide and single-acre intensity limits
Max. Sitewide Average Density (dwelling units/acre)		Residential Prohibited [2]				20	No limit	▸ See Policy 3.4.1 for residential development density criteria; single-acre density limits do not apply
Easement / Notification Requirement [3]		Avigation Easement				RON	APD	
Land Use Category		**Legend** (see last page of table for interpretation)						**Additional Criteria**
▸ Multiple land use categories may apply to a project ▸ Land uses not specifically listed shall be evaluated using the criteria for similar uses ▸ Typical occupancy Load Factor [approx. # s.f./person] indicated for certain uses [4]		Normally Compatible		Conditional		Incompatible		▸ Conditions listed below apply to uses listed as "Conditional" (yellow) for a particular zone ▸ Numbers in yellow cells are Floor Area Ratios (FARs) based on typical occupancy load factor indicated for that use and average intensity limit indicated for zone
Indoor Large Assembly Facilities (capacity 300 to 999 people): movie theaters, places of worship, cemetery chapels, mortuaries [approx. 15 s.f./person]					0.05	0.05		D1, D2: Ensure intensity criteria met
Indoor Small Assembly Facilities (capacity <300 people): community libraries; art galleries; museums; exhibition space, community/senior centers, emergency/ homeless shelters [9] [approx. 100 s.f./person]	✈				0.34			D1: Ensure intensity criteria met; not allowed if intended primarily for use by children; avoid outdoor spaces intended for noise-sensitive activities
Indoor Recreation: gymnasiums, club houses, athletic clubs, dance studios, sports complexes (indoor soccer), health clubs, spas [approx. 60 s.f./person]					0.21			D1: Ensure intensity criteria met; not allowed if intended primarily for use by children
In-Patient Medical: hospitals, mental hospitals, nursing homes [9]	✈							
Out-Patient Medical: health care centers, clinics [approx. 240 s.f./person]				0.33	0.83			C, D1: Ensure intensity criteria met C: CNEL 45 dB max. interior noise level
Penal Institutions: prisons, reformatories [9]								D2: Ensure intensity criteria met
Public Safety Facilities: police, fire stations								C: Allowed only if airport serving D1: Allowed only if site outside zone would not serve intended function; ensure intensity criteria met
Commercial, Office, and Service Uses								
Major Retail (capacity >300 people per building): regional shopping centers, 'big box' retail, supermarket [approx. 110 s.f./person]					0.38	0.38		D1, D2: Ensure intensity criteria met
Local Retail (≤300 people per building): community/neighborhood shopping centers, grocery stores [approx. 170 s.f./person]				0.23	0.59	0.59		C, D1, D2: Ensure intensity criteria met
Eating/Drinking Establishments: restaurants, bars, fast-food dining [approx. 60 s.f./person]					0.21	0.21		D1, D2: Ensure intensity criteria met
Limited Retail/Wholesale: furniture, automobiles, heavy equipment, building materials, hardware, lumber yards, nurseries [approx. 250 s.f./person]			0.29	0.34	0.86	0.86		B, C, D1, D2: Ensure intensity criteria met B: Locate structure max. distance from extended runway centerline where feasible
Offices: professional services, doctors, finance, banks, civic; radio, television and recording studios, office space associated with other listed uses [approx. 215 s.f./person]			0.25	0.30	0.74	0.74		B, C, D1, D2: Ensure intensity criteria met B: Locate structure max. distance from extended runway centerline where feasible
Personal and Miscellaneous Services: barbers, car washes, print shops [approx. 200 s.f./person]			0.23	0.28	0.69	0.69		B, C, D1, D2: Ensure intensity criteria met
Fueling Facilities: gas stations, trucking and other transportation fueling facilities [11]								B, C, D1: Ensure intensity criteria met B, C: Locate structure max. distance from extended runway centerline where feasible; store nonaviation fuel underground or in above-ground storage tanks with combined max. capacity of 6,000 gallons
Industrial, Manufacturing, and Storage Uses								
Hazardous Materials Production and Storage (flammable, explosive, corrosive, or toxic): oil refineries, chemical plants [11]	✹							E: Allowed only if alternative site outside zone would not serve intended function; generation of steam or thermal plumes not allowed
Heavy Industrial [11]	✹							E: Bulk storage of hazardous materials allowed only for on-site use; permitting agencies to evaluate possible need for special measures to minimize hazards if struck by aircraft; generation of steam or thermal plumes not allowed
Light Industrial, High Intensity: food products preparation, electronic equipment, bottling plant [10] [approx. 200 s.f./person]				0.28	0.69	0.69		C, D1, D2: Ensure intensity criteria are met; bulk storage of hazardous (flammable, explosive, corrosive, or toxic) materials allowed only for on-site use; permitting agencies to evaluate possible need for special measures to minimize hazards if struck by aircraft
Light Industrial, Low Intensity: machine shops, wood products, auto repair, cooperages, wineries (with limited tastings and events), low-intensity bottling facilities [11] [approx. 350 s.f./person]			0.40	0.48	1.21	1.21		B, C, D1, D2: Ensure intensity criteria are met; bulk storage of hazardous (flammable, explosive, corrosive, or toxic) materials allowed only for on-site use; permitting agencies to evaluate possible need for special measures to minimize hazards if struck by aircraft
Research and Development Laboratories [11] [approx. 300 s.f./person]			0.34	0.41	1.03	1.03		B, C, D1, D2: Ensure intensity criteria are met; bulk storage of hazardous (flammable, explosive, corrosive, or toxic) materials allowed only for on-site use; permitting agencies to evaluate possible need for special measures to minimize hazards if struck by aircraft

Intensity/Density Criteria [1]		Compatibility Zones A	B	C	D1	D2	E	Additional Criteria
Max. Sitewide Average Intensity (people/acre) **Max. Single-Acre Intensity (people/acre)**		0 0	50 100	60 120	150 600	150 600	No limit	▸ All nonresidential development shall satisfy both sitewide and single-acre intensity limits
Max. Sitewide Average Density (dwelling units/acre)		Residential Prohibited [2]				20	No limit	▸ See Policy 3.4.1 for residential development density criteria; single-acre density limits do not apply
Easement / Notification Requirement [3]		Avigation Easement				RON	APD	
Land Use Category		**Legend** (see last page of table for interpretation)						**Additional Criteria**
▸ Multiple land use categories may apply to a project ▸ Land uses not specifically listed shall be evaluated using the criteria for similar uses ▸ Typical occupancy Load Factor [approx. # s.f./person] indicated for certain uses [4]		Normally Compatible		Conditional		Incompatible		▸ Conditions listed below apply to uses listed as "Conditional" (yellow) for a particular zone ▸ Numbers in yellow cells are Floor Area Ratios (FARs) based on typical occupancy load factor indicated for that use and average intensity limit indicated for zone
Indoor Storage: wholesale sales, distribution centers, warehouses, winery warehousing, mini/other indoor storage, barns, greenhouses [11] [approx. 1,000 s.f./person]			1.15	1.58				B, C: Ensure intensity criteria are met; ensure airspace obstruction does not occur
Outdoor Storage: public works yards, automobile dismantling								B: Ensure intensity criteria are met; ensure airspace obstruction does not occur
Mining and Extraction	✹							B, C, D1, D2: Generation of dust clouds, smoke, steam plumes not allowed; ensure airspace obstruction does not occur
Transportation, Communication, and Utilities								
Airport Terminals: airline, general aviation								
Transportation Stations: rail/bus stations; taxi, trucking and other transportation terminals								B, C, D1: Ensure intensity criteria met; ensure airspace obstruction does not occur
Transportation Routes: road and rail transit lines, rights-of-way, bus stops								B: Avoid road intersections if traffic congestion occurs; ensure airspace obstruction does not occur
Auto Parking: surface lots, structures								B: Ensure airspace obstruction does not occur
Communications Facilities: broadcast and cell towers, emergency communications	✹							D1: Allowed only if site outside zone would not serve intended public function; locate structures max. distance from extended runway centerline; ensure all facilities and associated power lines meet airspace protection criteria (height, thermal plumes, glare, etc.)
Power Plants: primary, peaking, renewable energy, bio-energy	✹							D1: Peaking and renewable energy plants allowed if structures located max. distance from extended runway centerline D2, E: Primary plants allowed only if site outside zone would not serve intended public function; locate structures max. distance from extended runway centerline All: Ensure all facilities and associated power lines meet airspace protection criteria (height, thermal plumes, glare, etc.)
Electrical Substations	✹							D1, D2: Locate structure max. distance from extended runway centerline; ensure all facilities and associated power lines meet airspace protection criteria (height, thermal plumes, glare, etc.)
Wastewater Facilities: treatment, disposal	✹							D1, D2: Allowed only if site outside zone would not serve intended public function; avoid new features that attract birds or provide mitigation consistent with FAA regulations [6]
Solid Waste Disposal Facilities: landfill, incineration	✹							E: Allowed only if site outside zone would not serve intended public function; avoid new features that attract birds or provide mitigation consistent with FAA regulations [6]
Solid Waste Transfer Facilities, Recycle Centers	✹							E: Allowed only if site outside zone would not serve intended public function; avoid new features that attract birds or provide mitigation consistent with FAA regulations [6]

Notes

✈ Indicates a land use that is or may be highly noise sensitive. Exercise caution with regard to approval of outdoor uses—evaluate potential for aircraft noise to disrupt the activity. Indoor uses may require addition of sound attenuation to structure. See Section 3.1 for criteria.

✹ Indicates land use that may attract birds, generate dust, produce smoke or steam plumes, create electronic interference, or otherwise pose hazards to flight. See Section 3.5 for criteria.

1 Intensity criteria apply to all nonresidential uses including ones shown as "Normally Compatible" (green) and "Conditional" (yellow). Usage intensity calculations shall include all people (e.g., employees, customers/visitors) who may be on the property at any single point in time, whether indoors or outdoors. Exceptions can be made for rare special events (e.g., an air show at the airport, street fair) for which a facility is not designed and normally not used and for which extra safety precautions can be taken as appropriate (see Policy 3.2.5*)*. The usage intensities shall be calculated in accordance with the methodologies cited in Section 3.4.

2 See Policy 2.7.4, *Development by Right*, for exceptions to residential restrictions.

3 Airport Proximity Disclosure (APD) required within entire Airport Influence Area (AIA) which includes *Compatibility Zones A* through *E*. Avigation Easement Dedication also required within *Compatibility Zones A* through *D1* (see Policy 3.7.1) and a Recorded Overflight Notification (RON) is required within *Compatibility Zone D2* (see Policy 3.6.1).

4 Occupancy Load Factors [approx. number of square feet per person] cited for many listed land use categories are based on information from various sources and are intended to represent "typical busy-period" usage (or "peak" usage) for typical examples of the land use category. These Occupancy Load Factors differ from those provided in the California Building Code (CBC), as the CBC considers the absolute maximum number of people that can be safely accommodated in a building. See Policy 3.4.3.

5 The intent of this criterion is to facilitate evacuation of a building if it were to be hit by an aircraft. It is separate from the height limits set for airspace protection purposes.

6 No proposed use shall be allowed that would create an increased attraction for wildlife and that is inconsistent with FAA rules and regulations including, but not limited to, FAA Advisory Circular 150/5200-33C, *Hazardous Wildlife Attractants On or Near Airports* and Advisory Circular 150/5200-34A, *Construction or Establishment of Landfills near Public Airports.* Of particular concern are landfills and certain recreational or agricultural uses that attract large flocks of birds which pose bird strike hazards to aircraft in flight. See Policy 3.5.3.

7 Specific characteristics to be avoided include: sources of glare (such as from mirrored or other highly reflective structures or building features) or bright lights (including search lights and laser light displays); distracting lights that could be mistaken for airport lights; sources of dust, steam, or smoke that may impair pilots' vision; sources of steam or other emissions that cause thermal plumes or other forms of unstable air; and sources of electrical interference with aircraft communications or navigation. See Policy 3.5.4.

8 Object Free Area (OFA): Dimensions are established by FAA airport design standards for the runway. See **Exhibit 4-2**.

9 See Policy 3.4.9(a), *Risk-Sensitive Land Uses,* for criteria related to uses having vulnerable occupants.

10 Family day care home means a home that regularly provides care, protection, and supervision for 14 or fewer children, in the provider's own home, for periods of less than 24 hours per day. Small family day care homes provide care for eight or fewer children and large family day care homes provide care for 7 to 14 children (Health and Safety Code Section 1597.465).

11 See Policy 3.4.9(b), *Risk-Sensitive Land Uses,* for criteria related to uses that store hazardous materials.

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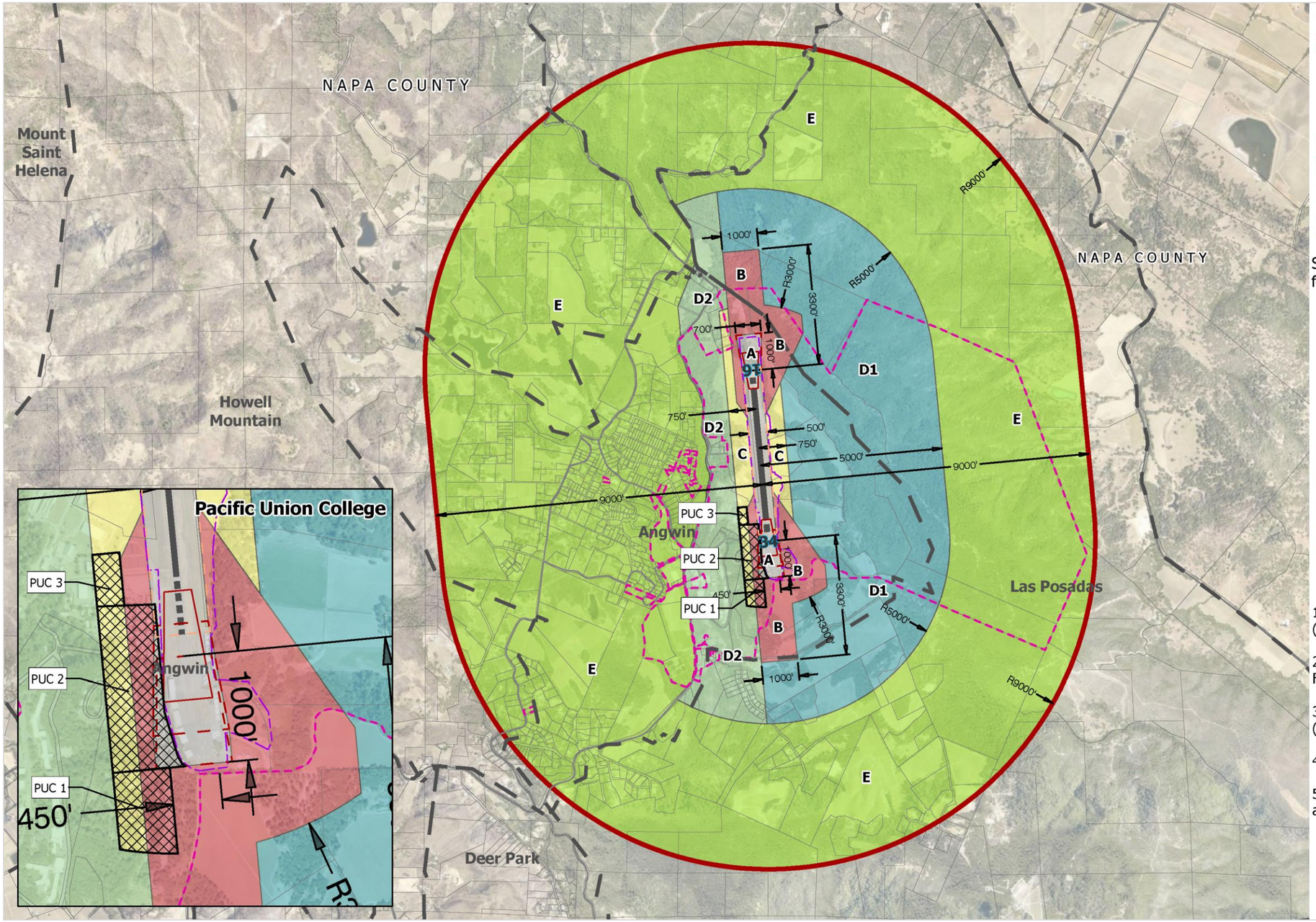
EXHIBIT 4-2: COMPATIBILITY POLICY MAP, ANGWIN AIRPORT – PARRETT FIELD



Airport Property[3]
Pacific Union College Property[4]
Unincorporated Community[3]
Existing Runway (3,217')[1]
Future Runway (4,317')[2]
Existing Runway Protection Zone (RPZ)[2]
Future Runway Protection Zone[2]
Object Free Area (OFA)[2]
Airport Influence Area

See Site-Specific Exception Policy Section 4.3.2 for Pacific Union College (PUC)[5]

- PUC 1: Dormitory Subzone
- PUC 2: Housing Subzone
- PUC 3: Co-Generation Plant Subzone

Compatibility Zones

- Zone A
- Zone B
- Zone C
- Zone D1
- Zone D2
- Zone E

NOTES

1. Source: FAA Airport Data Information Portal (February 2023).

2. Source: Angwin Airport/Parrett Field Master Plan Feasibility and Alternate Site Selection Study (2009).

3. Source: Napa County GIS data (February 2023) (https://gis.napa.ca.gov).

4. Source: Napa County GIS data (November 2024).

5. PUC Subzones based on Master Land Use Plan approved by PUC in 1975.

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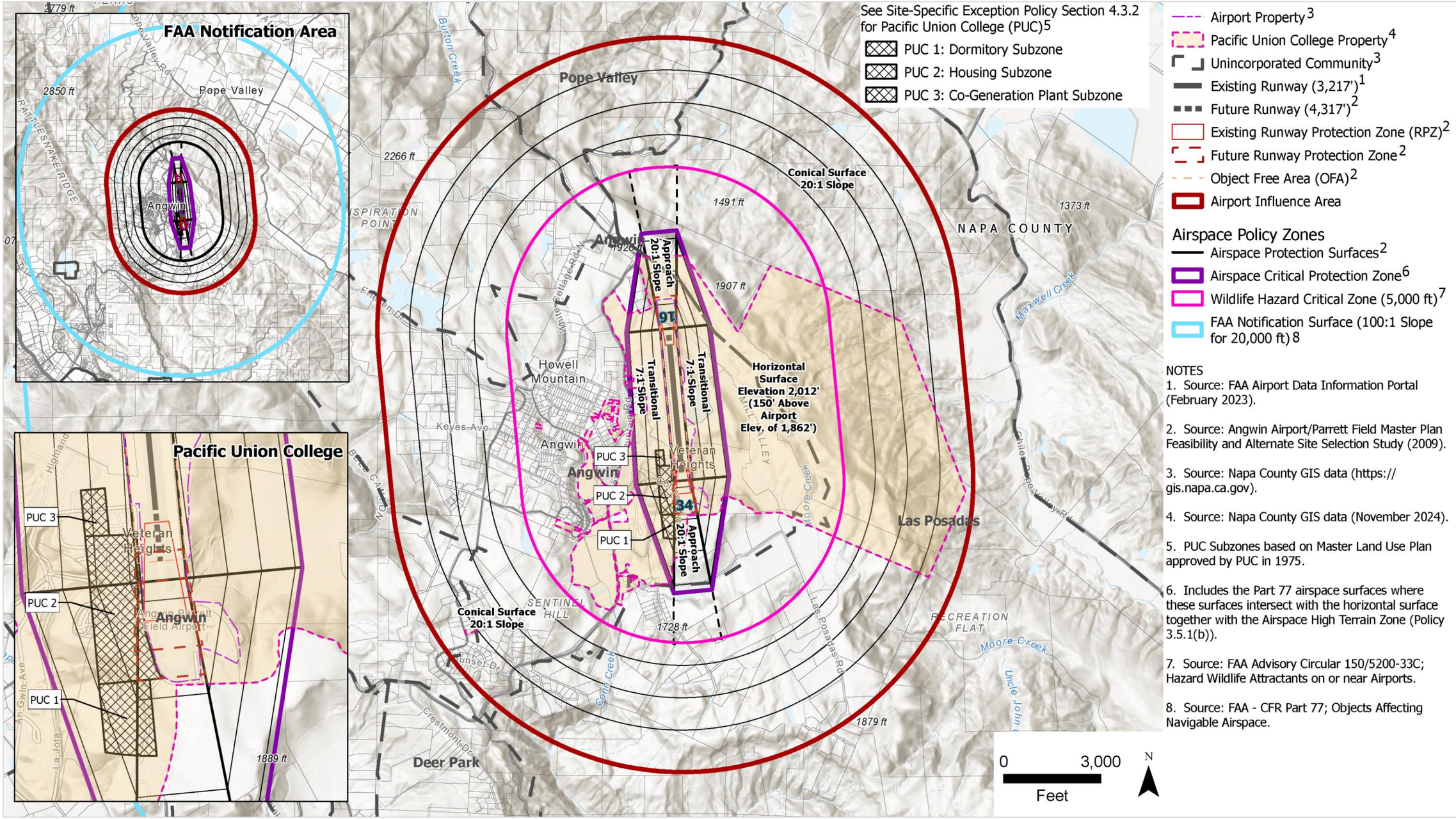
EXHIBIT 4-3: AIRSPACE PROTECTION MAP, ANGWIN AIRPORT – PARRETT FIELD



See Site-Specific Exception Policy Section 4.3.2 for Pacific Union College (PUC)[5]

- PUC 1: Dormitory Subzone
- PUC 2: Housing Subzone
- PUC 3: Co-Generation Plant Subzone

- Airport Property[3]
- Pacific Union College Property[4]
- Unincorporated Community[3]
- Existing Runway (3,217')[1]
- Future Runway (4,317')[2]
- Existing Runway Protection Zone (RPZ)[2]
- Future Runway Protection Zone[2]
- Object Free Area (OFA)[2]
- Airport Influence Area

Airspace Policy Zones

- Airspace Protection Surfaces[2]
- Airspace Critical Protection Zone[6]
- Wildlife Hazard Critical Zone (5,000 ft)[7]
- FAA Notification Surface (100:1 Slope for 20,000 ft)[8]

NOTES

1. Source: FAA Airport Data Information Portal (February 2023).

2. Source: Angwin Airport/Parrett Field Master Plan Feasibility and Alternate Site Selection Study (2009).

3. Source: Napa County GIS data (https://gis.napa.ca.gov).

4. Source: Napa County GIS data (November 2024).

5. PUC Subzones based on Master Land Use Plan approved by PUC in 1975.

6. Includes the Part 77 airspace surfaces where these surfaces intersect with the horizontal surface together with the Airspace High Terrain Zone (Policy 3.5.1(b)).

7. Source: FAA Advisory Circular 150/5200-33C; Hazard Wildlife Attractants on or near Airports.

8. Source: FAA - CFR Part 77; Objects Affecting Navigable Airspace.

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EXHIBIT 4-4: COMPATIBILITY ZONE DELINEATION FOR ANGWIN AIRPORT – PARRETT FIELD

Zone	Noise and Overflight Factors	Safety and Airspace Protection Factors
A Runway Protection Zone	**Noise Impact: Very High** • Mostly above *CNEL* 60 dB	**Risk Level: Very High** • Defined by *Handbook* Safety Zone 1 as modified to reflect existing and future Runway Protection Zones (RPZs) and Object Free Areas (OFA) from 2009 Airport Layout Plan (ALP) • Aircraft on very close final approach or departure; nearly 20% of near-runway general aviation accidents occur in this zone • Aircraft at altitudes of less than 200 feet above runway • Stringent height restrictions apply to protect airspace
B Approach/ Departure/ Turning Zone	**Noise Impact: Moderate to High** • Typically above CNEL 55 dB • Single-event noise sufficient to disrupt a wide range of land use activities including indoors if windows open	**Risk Level: Moderate to High** • Defined by *Handbook* Safety Zones 2, 3 and 4 for existing and future runway configurations • Inner Approach: Aircraft overflying at low altitudes on final approach and straight-out departures—typically only 200 to 400 feet above the runway elevation • Turning Zone: Reflects single-side traffic pattern east of runway to avoid overflight of Angwin community west of airport. Aircraft—especially smaller, piston-powered aircraft—turning base to final on landing approach or initiating turn to en-route direction on departure; aircraft altitude typically less than 500 feet above runway, particularly on landing • Outer Approach: Approaching aircraft usually at less than traffic pattern altitude and mostly in line with runway on approach or departure; aircraft altitude typically less than 1,000 feet above runway • Some 14% to 36% of near-runway general aviation accidents occur in these zones • Allowable heights may be restricted to protect airspace
C Sideline Zone	**Noise Impact: Moderate to High** • Mostly above CNEL 55 dB • Single-event noise sufficient to disrupt a wide range of land use activities including indoors if windows open • Run-up noise may also be a concern in some locations.	**Risk Level: Low to Moderate** • Defined by *Handbook* Safety Zone 5 plus a portion of *Handbook* Safety Zone 6 adjacent to the Inner Sideline Zone (Handbook Safety Zone 5) to capture areas with noise levels greater than CNEL 55 dB • Area not normally overflown; primary risk is with aircraft (especially twins) losing directional control on takeoff, excessive crossing gusts or engine torque • About 3% to 5% of near-runway general aviation accidents occur in this zone • Allowable height restrictions may apply to protect airspace

Zone	Noise and Overflight Factors	Safety and Airspace Protection Factors
D1 Primary Traffic Pattern Zone	**Noise Impact: Low** • Typically below CNEL 55 dB • Aircraft typically at or below 1,000-foot traffic pattern altitude • Noise more of a concern with respect to individual loud events than with cumulative noise contours; frequent individual noise events sufficient to intrude upon indoor activities • Limited to east side due to aircraft traffic pattern restrictions	**Risk Level: Low** • Defined by *Handbook* Safety Zone 6 • Includes areas within the standard traffic pattern and pattern entry routes; aircraft altitude typically 850 to 1,200 feet above runway • Risk is a factor for highly risk-sensitive uses (e.g., very high-intensity uses, children's schools, hospitals, bulk storage of highly hazardous materials) • Some 18% to 29% of near-runway general aviation accidents occur here; but the large area encompassed means a low likelihood of accident occurrence in any given location • Allowable heights could be restricted to protect airspace; Airspace concern is generally with object heights >100 feet above runway elevation
D2 Non-Primary Traffic Pattern Zone	**Noise Impact: Low** • Typically below CNEL 55 dB • Limited to west side and not normally subject to aircraft overflight due to aircraft traffic pattern restrictions • Noise more of a concern with respect to individual loud events than with cumulative noise contours; frequent individual noise events sufficient to intrude upon indoor activities	**Risk Level: Low** • Primary traffic pattern on east side of airport; low activity expected on west side (approx. 2,000 annual operations) which is comparable to "Low-Activity General Aviation Runway" which omits Handbook Safety Zone 6 • Westerly limit of Zone D2 follows Howell Mountain Road; a landmark used by local pilots to avoid overflight of the Town of Angwin • Risk is a factor for highly risk-sensitive uses (e.g., very high-intensity uses, children's schools, hospitals, bulk storage of highly hazardous materials) • Safety is not a significant concern as area is outside of the Primary Traffic Pattern • Allowable heights could be restricted to protect airspace; Airspace concern is generally with object heights >100 feet above runway elevation, however, a portion of this zone is within the CFR Part 77 transitional surface and subject to height limits as low as 50 feet above the runway
E Other Airport Environs	**Noise Impact: Low** • Beyond the 55-CNEL contour • Occasional overflights intrusive to some outdoor activities	**Risk Level: Low** • Contains outer portions of Handbook Safety Zone 6 • Includes remainder of area within the west side CFR CFR Part 77 horizontal surface and the conical surface which defines the Airport Influence Area • Airspace concern is generally with object heights >200 feet above runway elevation

Notes:

1. Handbook Safety Zone Source: California Airport Land Use Planning Handbook (2011).

5

Napa County Airport Compatibility Policies and Maps

5.1 EVALUATING LAND USE CONSISTENCY

5.1.1 *Evaluating Compatibility of New Development:* The compatibility of proposed land uses within the Napa County *Airport Influence Area* shall be evaluated in accordance with:

(a) The specific noise, safety, airspace protection, overflight, and other compatibility policies set forth in **Chapter 3**;

(b) The criteria listed in **Exhibit 5-1**, *Basic Compatibility Criteria*; and

(c) The *Compatibility Zones* depicted on the *Compatibility Policy Map* (**Exhibit 5-2**) in this chapter.

5.1.2 *Compatibility Policy Table:* **Exhibit 5-1**, *Basic Compatibility Criteria*, lists general land use categories and indicates each use as being "normally compatible," "conditional," or "incompatible" depending upon the compatibility zone in which it is located. See Policy 3.2.2(a) for the meaning of these terms.

5.1.3 *Compatibility Policy Map:* The *Compatibility Zones* for Napa County Airport are presented in **Exhibit 5-2,** which is to be used in conjunction with the criteria set forth in **Exhibit 5-1**, *Basic Compatibility Criteria,* and the additional policies listed in Section 5.3.

5.1.4 *Airspace Protection Surfaces Map:* The *Airspace Protection Surfaces Map* for Napa County Airport is presented in **Exhibit 5-3** and is to be used in conjunction with the airspace protection policies set forth in Section 3.5 of **Chapter 3**.

5.2 MAP DETERMINANTS

5.2.1 *Airport Runway Configuration Assumptions:* **Exhibit 5-2** and **Exhibit 5-3** are based upon the Napa County Airport runway configuration indicated on the Airport Layout Plan (ALP) approved by Napa County in 2016, which was submitted by the county to the Federal Aviation Administration and approved by that agency in 2016. The runway configuration includes a proposed southward extension of Runway 1R as described in **Chapter 7**.

5.2.2 *Compatibility Policy Map Boundary Determinants:* The *Compatibility Zone* boundaries for Napa County Airport represent a composite of four compatibility factors: noise, safety, airspace protection, and overflight concerns. The Airport's runway length, approach categories, normal flight patterns, and aircraft fleet mix influence the shape and size of the Compatibility Zones. [79] The magnitude of the *Airport* impacts occurring within each *Compatibility Zone* are described in the Compatibility Zone Delineation Table for Napa County Airport presented in **Exhibit 5-4**.

(a) *Airport Influence Area* encompasses all of the above zones. The outer boundary coincides with the outer edge of the *CFR Part 77* conical surface boundary plus the extended 40:1 instrument approach surface boundary within the County of Napa limits.

5.2.3 *Airspace Protection Policy Map Boundary Determinants:* **Exhibit 5-3** illustrates the Napa County Airport airspace protection surfaces as defined by *CFR Part 77*. Encompassed within this area is the Wildlife Hazard Critical Area defined by the FAA where wildlife attractants are a concern.

5.3 SPECIAL CONDITIONS POLICIES

5.3.1 App*licability:* In accordance with Policy 3.2.4(g) of **Chapter 3**, the Napa County *ALUC* acknowledges special conditions regarding particular land uses in the Napa County *Airport Influence Area*. These special conditions warrant establishment of compatibility criteria different in character from the criteria applicable to other portions of the *Compatibility Zones*. These special policies are not to be generalized or considered as precedent applicable to other locations near the Napa County Airport or to the environs of other *Airports* addressed by this *ALUCP*.

5.3.2 *Napa Pipe Mixed-use Master Planned Development*. The City of Napa entered into a Development Agreement with Napa Redevelopment Partners, LLC (Landowner), on February 28, 2020, for the Napa Pipe mixed-use master planned development. This was the second amendment and first restatement of the Development Agreement. The original Development Agreement between Napa County and Landowner was dated January 13, 2015, and the First Amendment was dated September 22, 2015. With the annexation of the entire property to the City of Napa, the City succeeded all of the rights and obligations of the County under the Development Agreement, the County's status as a party to the Development Agreement was extinguished, and the City and Landowner became the only parties thereto. On December 18, 2019, the *ALUC* determined that the proposed amendments were consistent with the 1999 Napa County Airport Land Use Compatibility Plan (1999 *ALUCP*).

(a) On the basis of the above status, discretionary entitlement has been approved and not yet expired. Thus, in accordance with Policy 2.7.3, the Development Agreement qualifies the Napa Pipe development as an *Existing Land Use*. Consequently, irrespective of policies and criteria set forth elsewhere in this *ALUCP*, future development within the Napa Pipe project site may proceed without further *ALUC* review provided that:

[79] *Chapter 7 summarizes the aeronautical data influencing the geographic extents of the four compatibility factors for Napa County Airport.*

(1) The development is consistent with 2020 Development Agreement, including subsequent amendments, so long as the amendments do not result in a change to existing approved heights or substantially increase the intensity of uses and the agreement has not expired.

(2) An avigation easement is granted to the County of Napa for all parts of the site within the Napa County *Airport Influence Area.* [80]

(3) Development complies with all airspace protection criteria set forth in Section 3.5 of this *ALUCP*.

(b) Development in accordance with the intensity and density limits as prescribed in the Development Agreement, including:

(1) A maximum of 700 residential dwelling units within NP 1 (MP:NP-MUR-W:AC) exclusive of units allowed by density bonuses pursuant to Section 17.52.130 of the City of Napa Municipal Code and state law.

(2) One continuing care retirement complex within NP 1 (MP:NP-MUR-W:AC) having maximum capacities of 150 units and 225 beds. This facility is intended to provide independent living for seniors with common dining, recreational activities, housekeeping, and transportation, as well as assisted care to seniors with mental and physical limitations. To facilitate rapid emergency egress, this complex shall be limited to a maximum of two aboveground floors.

(3) A maximum of 40,000 square feet of gross floor area for all neighborhood services uses, as defined in subsection E of Section 17.32.080 of the City of Napa Municipal Code, within the NP 1 (MP:NP-MUR-W:AC).

(4) A maximum of 10,000 square feet of gross floor area for office uses, as defined in subsection B of Section 17.32.160 of the City of Napa Municipal Code, as the primary use within NP 2 (MP:NP-IBP-W:AC).

(5) One hotel with a maximum of 150 rooms within NP 2 (MP:NP-IBP-W:AC), together with accessory uses for guests and the general public. Accessory uses may include meeting rooms and a spa and fitness center, provided that the entirety of the use shall not exceed an average intensity of 100 people per acre.

(6) A maximum of 15,600 square feet of community facilities within NP 1 (MP:NP-MUR-W:AC) or NP 2 (MP:NP-IBP-W:AC). Such facilities may include a transit center, interpretive nature center, boat house, café/visitor pavilion, childcare center, and drydock theatre.

(7) A maximum of 154,000 square feet of general wholesale commercial activities, as defined in subsection A of Section 18.66.240 of the City of Napa Municipal Code, within NP 3 (MP:NP-IBP:AC).

(8) Within NP 4 (MP:NP-IL), up to a total of 165,000 gross square feet (gsf) of enclosed non-residential uses, comprised of up to 90,000 gsf of office uses and up to 75,000 gsf of light industrial, R&D, and warehouse uses.

[80] *An avigation easement for the Napa Pipe Mixed-use Master Planned Development consisting of parcels 046-400-054, 046-400-055, 046-412-006, and 046-412-007, was accepted by the Napa County Board of Supervisors on June 7, 2022.*

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EXHIBIT 5-1: BASIC COMPATIBILITY CRITERIA, NAPA COUNTY AIRPORT

Intensity/Density Criteria [1]		Compatibility Zones A	B1	B2	B3	C	D1	D2	E	Intensity Criteria Interpretation
Max. Sitewide Average Intensity (people/acre) **Max. Single-Acre Intensity (people/acre)**		0 0	50 100	75 225	150 450	100 300	200 800	300 1200	No limit	▸ All nonresidential development shall satisfy both sitewide and single-acre intensity limits
Sitewide Average Density (dwelling units/acre)		Residential Prohibited [2]						≤0.2 or 10-25	No limit	▸ See Policy 3.4.1 for residential development density criteria; single-acre density limits do not apply
Easement / Notification Requirement [3]		Avigation Easement						RON	APD	
Land Use Category		**Legend** (see last page of table for interpretation)								**Additional Criteria**
▸ Multiple land use categories may apply to a project ▸ Land uses not specifically listed shall be evaluated using the criteria for similar uses ▸ Typical occupancy Load Factor [approx. # s.f./person] indicated for certain uses [4]		Normally Compatible		Conditional			Incompatible			▸ Conditions listed below apply to uses listed as "Conditional" (yellow) for a particular zone ▸ Numbers in yellow cells are Floor Area Ratios (FARs) based on typical occupancy load factor indicated for that use and average intensity limit indicated for zone
General Characteristics										
Any use having more than 1 habitable floor [5]										B1, B2, C: Limited to no more than 2 habitable floors B3: Limited to no more than 3 habitable floors
Any use having structures (including poles or antennas) or trees 35 to 150 feet in height										B1, B2, B3, C: Ensure airspace obstruction does not occur B1, B2, C: Airspace review required for objects >35 feet B3: Airspace review required for objects >70 feet
Any use having structures (including poles, antennas, or cranes) or trees more than 150 feet in height										D1, D2, E: Ensure airspace obstruction does not occur; airspace review required for objects >150 feet
Any use having the potential to cause an increase in the attraction of birds or other wildlife										D1, D2, E: Avoid use or provide mitigation consistent with FAA rules and regulations [6]
Any use creating visual or electronic hazards to flight [7]										
Outdoor Uses (no or limited indoor activities)										
Constructed/Enhanced Land/Water Features:–woods, brush lands, wetlands, reservoirs, detention/retention ponds	✹									B3, C, D1, D2, E: Avoid new features that attract birds or provide mitigation consistent with FAA regulations [6]
Agriculture (except residences and confined livestock): field crops, orchards/tree farms, vineyards, open pasture, or range land	✈ ✹									A: Objects above runway elevation not allowed in OFA [8] All: Avoid new features that attract birds or provide mitigation consistent with FAA regulations [6]; exercise caution with uses involving noise-sensitive animals
Confined Livestock Uses: feed lots, stockyards, breeding, fish hatcheries, horse/riding stables, poultry and dairy farms	✈ ✹									B1, B2, B3, C, D1, D2, E: Avoid new features that attract birds or provide mitigation consistent with FAA regulations [6]; exercise caution with uses involving noise-sensitive animals
Outdoor Major Assembly Facilities (capacity ≥1,000 people): spectator-oriented outdoor stadiums, amphitheaters, fairgrounds, racetracks, water parks, zoos	✈									D2, E: Allowed only if alternative site outside zone would not serve intended function; exercise caution if clear audibility by users is essential; ensure intensity criteria met
Outdoor Large Assembly Facilities (capacity 300 to 999 people): spectator-oriented outdoor stadiums, amphitheaters	✈									D1, D2: Ensure intensity criteria met; not allowed if intended primarily for use by children; exercise caution if clear audibility by users is essential
Outdoor Group Recreation (limited spectator stands): athletic fields, water recreation facilities (community pools), picnic areas	✈									B3, D1, D2: Ensure intensity criteria met; not allowed if intended primarily for use by children; exercise caution if clear audibility by users is essential
Outdoor Non-Group Recreation (small/low-intensity): golf courses (except clubhouse), tennis courts, shooting ranges, bocci courts, trails, passive regional/community parks with minimal recreational facilities	✈ ✹									B1, B2, B3, C: Ensure intensity criteria met; not allowed if intended primarily for use by children; exercise caution if clear audibility by users is essential
Local/Community Parks: neighborhood parks, community parks, playgrounds	✈									B1, B2: Must have little or no permanent recreational facilities (ball fields, etc.); exercise caution if clear audibility by users is essential
Camping: campgrounds, recreational vehicle/ motor home parks	✈									B3: Ensure intensity criteria met; avoid if disruption by aircraft noise is unacceptable
Cemeteries (except chapels)										B1, B2, B3, C: Ensure intensity criteria met; avoid if disruption by aircraft noise is unacceptable
Residential and Lodging Uses										
Single-Family Residential [2]: individual dwellings, townhouses, mobile homes, bed and breakfast inns	✈									D2: Up to 1 dwelling unit on a 5-acre lot (0.2 dwelling units per acre); CNEL 45 dB max. interior noise level
Multi-Family Residential [2]: townhouses, apartments condominiums	✈									D2: 10-25 dwelling units per acre
Long-Term Lodging (>30 nights): extended-stay hotels, dormitories	✈									
Short-Term Lodging (≤30 nights): hotels, motels, other transient lodging [approx. 200 s.f./person]					0.69		0.92			B3, D1: Ensure intensity criteria met
Short-Term Group Lodging: hostels, emergency/ homeless shelters, farmworker housing [approx. 100 s.f./person]					0.34		0.46			B3, D1: Ensure intensity criteria met
Congregate Care: retirement homes, assisted living/residential care facilities, intermediate care facilities, group homes (youth/adult) [9]	✈									D2: Ensure intensity criteria met

Intensity/Density Criteria [1]		Compatibility Zones A	B1	B2	B3	C	D1	D2	E	Intensity Criteria Interpretation
Max. Sitewide Average Intensity (people/acre) **Max. Single-Acre Intensity (people/acre)**		0 0	50 100	75 225	150 450	100 300	200 800	300 1200	No limit	▸ All nonresidential development shall satisfy both sitewide and single-acre intensity limits
Sitewide Average Density (dwelling units/acre)		Residential Prohibited [2]						≤0.2 or 10-25	No limit	▸ See Policy 3.4.1 for residential development density criteria; single-acre density limits do not apply
Easement / Notification Requirement [3]		Avigation Easement						RON	APD	
Land Use Category		**Legend** (see last page of table for interpretation)								**Additional Criteria**
▸ Multiple land use categories may apply to a project ▸ Land uses not specifically listed shall be evaluated using the criteria for similar uses ▸ Typical occupancy Load Factor [approx. # s.f./person] indicated for certain uses [4]		Normally Compatible		Conditional			Incompatible			▸ Conditions listed below apply to uses listed as "Conditional" (yellow) for a particular zone ▸ Numbers in yellow cells are Floor Area Ratios (FARs) based on typical occupancy load factor indicated for that use and average intensity limit indicated for zone
Educational and Institutional Uses										
Family day care homes (≤14 children) [10]	✈									B1, B2, C: CNEL 45 dB max. interior noise level
Children's Schools: K-12, day care centers (>14 children), libraries [9]	✈									D2: Allowed only if alternative site outside zone would not serve intended function; ensure intensity criteria met; exercise caution if clear audibility by users is essential
Adult Education classroom space: adult schools, colleges, universities [approx. 40 s.f./person]					0.14		0.18	0.28		B3, D1, D2: Ensure intensity criteria met
Indoor Major Assembly Facilities (capacity ≥1,000 people): auditoriums, conference centers, resorts, concert halls, indoor arenas										D2, E: Allowed only if alternative site outside zone would not serve intended function; exercise caution if clear audibility by users is essential
Indoor Large Assembly Facilities (capacity 300 to 999 people): movie theaters, places of worship, cemetery chapels, mortuaries [approx. 15 s.f./person]								0.10		D2: Ensure intensity criteria met
Indoor Small Assembly Facilities (capacity <300 people): community libraries; art galleries; museums; exhibition space, community/senior centers [approx. 100 s.f./person]	✈			0.17	0.34		0.46	0.69		B2, B3, D1, D2: Ensure intensity criteria met; not allowed if intended primarily for use by children; avoid outdoor spaces intended for noise-sensitive activities
Indoor Recreation: gymnasiums, club houses, athletic clubs, dance studios, sports complexes (indoor soccer), health clubs, spas [approx. 60 s.f./person]				0.10	0.21		0.28	0.41		B2, B3, D1, D2: Ensure intensity criteria met; not allowed if intended primarily for use by children
In-Patient Medical: hospitals, mental hospitals, nursing homes [9]	✈									D2: Allowed only if alternative site outside zone would not serve intended function; exercise caution if clear audibility by users is essential
Out-Patient Medical: health care centers, clinics, adult day care centers [approx. 240 s.f./person]				0.41	0.83		1.10	1.65		B2, B3, D1, D2: Ensure intensity criteria met C: CNEL 45 dB max. interior noise level
Penal Institutions: prisons, reformatories [9]										D2: Ensure intensity criteria met
Public Safety Facilities: police, fire stations										C: Allowed only if airport serving B3, D1: Allowed only if site outside zone would not serve intended function B3, C, D1: Ensure intensity criteria met
Commercial, Office, and Service Uses										
Major Retail (capacity >300 people per building): regional shopping centers, 'big box' retail, supermarket [approx. 110 s.f./person]					0.38		0.51	0.76		B3, D1, D2: Ensure intensity criteria met
Local Retail (≤300 people per building): community/ neighborhood shopping centers, grocery stores [approx. 170 s.f./person]				0.29	0.59	0.39				B2, B3, C: Ensure intensity criteria met
Eating/Drinking Establishments: restaurants, bars, fast-food dining [approx. 60 s.f./person]				0.10	0.21	0.14	0.28	0.41		B2, B3, C, D1, D2: Ensure intensity criteria met B1: Locate structure max. distance from extended runway centerline where feasible
Limited Retail/Wholesale: furniture, automobiles, heavy equipment, building materials, hardware, lumber yards, nurseries [approx. 250 s.f./person]			0.29	0.43	0.86	0.57	1.15	1.72		B1, B2, B3, C, D1, D2: Ensure intensity criteria met B1: Locate structure max. distance from extended runway centerline where feasible
Offices: professional services, doctors, finance, banks, civic; radio, television and recording studios, office space associated with other listed uses [approx. 215 s.f./person]			0.25	0.37	0.74	0.49	0.99	1.48		B1, B2, B3, C, D1, D2: Ensure intensity criteria met B1: Locate structure max. distance from extended runway centerline where feasible
Personal and Miscellaneous Services: barbers, car washes, print shops [approx. 200 s.f./person]			0.23	0.34	0.69	0.46	0.92	1.38		B1, B2, B3, C, D1, D2: Ensure intensity criteria met
Fueling Facilities: gas stations, trucking and other transportation fueling facilities [11]										B1, B2, B3, C: Ensure intensity criteria met; on-Airport storage of aviation fuel and other aviation-related flammable materials allowed B1, B2: Locate structure max. distance from extended runway centerline where feasible; store nonaviation fuel underground or in above-ground storage tanks with combined max. capacity of 6,000 gallons

Intensity/Density Criteria [1]		Compatibility Zones A	B1	B2	B3	C	D1	D2	E	Intensity Criteria Interpretation
Max. Sitewide Average Intensity (people/acre) **Max. Single-Acre Intensity (people/acre)**		0 0	50 100	75 225	150 450	100 300	200 800	300 1200	No limit	▸ All nonresidential development shall satisfy both sitewide and single-acre intensity limits
Sitewide Average Density (dwelling units/acre)		Residential Prohibited [2]						≤0.2 or 10-25	No limit	▸ See Policy 3.4.1 for residential development density criteria; single-acre density limits do not apply
Easement / Notification Requirement [3]		Avigation Easement						RON	APD	
Land Use Category ▸ Multiple land use categories may apply to a project ▸ Land uses not specifically listed shall be evaluated using the criteria for similar uses ▸ Typical occupancy Load Factor [approx. # s.f./person] indicated for certain uses [4]		**Legend** (see last page of table for interpretation) Normally Compatible / Conditional / Incompatible								**Additional Criteria** ▸ Conditions listed below apply to uses listed as "Conditional" (yellow) for a particular zone ▸ Numbers in yellow cells are Floor Area Ratios (FARs) based on typical occupancy load factor indicated for that use and average intensity limit indicated for zone
Industrial, Manufacturing, and Storage Uses										
Hazardous Materials Production and Storage (flammable, explosive, corrosive, or toxic): oil refineries, chemical plants [11]	✹									E: Allowed only if alternative site outside zone would not serve intended function; generation of steam or thermal plumes not allowed
Heavy Industrial [11]	✹									D1, D2, E: Bulk storage of hazardous materials allowed only for on-site use; permitting agencies to evaluate possible need for special measures to minimize hazards if struck by aircraft; generation of steam or thermal plumes not allowed
Light Industrial, High Intensity: food products preparation, electronic equipment, bottling plant [11] [approx. 200 s.f./person]					0.69	0.46	0.92	1.38		B3, C, D1, D2: Ensure intensity criteria are met; bulk storage of hazardous (flammable, explosive, corrosive, or toxic) materials allowed only for on-site use; permitting agencies to evaluate possible need for special measures to minimize hazards if struck by aircraft
Light Industrial, Low Intensity: machine shops, wood products, auto repair, cooperages, wineries (with limited tastings and events), low-intensity bottling facilities [11] [approx. 350 s.f./person]			0.40	0.60	1.21	0.80				B1, B2, B3, C: Ensure intensity criteria are met; bulk storage of hazardous (flammable, explosive, corrosive, or toxic) materials allowed only for on-site use; permitting agencies to evaluate possible need for special measures to minimize hazards if struck by aircraft
Research and Development Laboratories [11] [approx. 300 s.f./person]			0.34	0.52	1.03	0.69	1.38	2.07		B1, B2, B3, C, D1, D2: Ensure intensity criteria are met; bulk storage of hazardous (flammable, explosive, corrosive, or toxic) materials allowed only for on-site use; permitting agencies to evaluate possible need for special measures to minimize hazards if struck by aircraft B1: Locate structure max. distance from extended runway centerline where feasible
Indoor Storage: wholesale sales, distribution centers, warehouses, winery warehousing, mini/other indoor storage, barns, greenhouses [11] [approx. 1,000 s.f./person]			1.15	1.72		2.30				B1, B2, C: Ensure intensity criteria are met; ensure airspace obstruction does not occur
Outdoor Storage: public works yards, automobile dismantling										B1: Ensure intensity criteria are met; ensure airspace obstruction does not occur
Mining and Extraction	✹									B1, B2, B3, C, D1, D2: Generation of dust clouds, smoke, steam plumes not allowed; ensure airspace obstruction does not occur
Transportation, Communication, and Utilities										
Airport Terminals: airline, general aviation										
Transportation Stations: rail/bus stations; taxi, trucking and other transportation terminals										B1, B2, B3, C: Ensure intensity criteria met; ensure airspace obstruction does not occur
Transportation Routes: road and rail transit lines, rights-of-way, bus stops										B1: Avoid road intersections if traffic congestion occurs; ensure airspace obstruction does not occur
Auto Parking: surface lots, structures										B1: Ensure airspace obstruction does not occur
Communications Facilities: broadcast and cell towers, emergency communications	✹									C: Allowed only if airport serving D1, D2: Allowed only if site outside zone would not serve intended public function; locate structures max. distance from extended runway centerline; ensure all facilities and associated power lines meet airspace protection criteria (height, thermal plumes, glare, etc.)
Power Plants: primary, peaking, renewable energy, bio-energy	✹									D1, D2: Peaking and renewable energy plants allowed if structures located max. distance from extended runway centerline E: Primary plants allowed only if site outside zone would not serve intended public function; locate structures max. distance from extended runway centerline All: Ensure all facilities and associated power lines meet airspace protection criteria (height, thermal plumes, glare, etc.)
Electrical Substations	✹									D1, D2: Locate structure max. distance from extended runway centerline; ensure all facilities and associated power lines meet airspace protection criteria (height, thermal plumes, glare, etc.)
Wastewater Facilities: treatment, disposal	✹									D1, D2: Allowed only if site outside zone would not serve intended public function; avoid new features that attract birds or provide mitigation consistent with FAA regulations [5]
Solid Waste Disposal Facilities: landfill, incineration	✹									E: Allowed only if site outside zone would not serve intended public function; avoid new features that attract birds or provide mitigation consistent with FAA regulations [5]
Solid Waste Transfer Facilities, Recycle Centers	✹									E: Allowed only if site outside zone would not serve intended public function; avoid new features that attract birds or provide mitigation consistent with FAA regulations [5]

Notes

✈ Indicates a land use that is or may be highly noise sensitive. Exercise caution with regard to approval of outdoor uses—evaluate potential for aircraft noise to disrupt the activity. Indoor uses may require addition of sound attenuation to structure. See Section 3.1 for criteria.

✹ Indicates land use that may attract birds, generate dust, produce smoke or steam plumes, create electronic interference, or otherwise pose hazards to flight. See Section 3.5 for criteria.

[1] Intensity criteria apply to all nonresidential uses including ones shown as "Normally Compatible" (green) and "Conditional" (yellow). Usage intensity calculations shall include all people (e.g., employees, customers/visitors) who may be on the property at any single point in time, whether indoors or outdoors. Exceptions can be made for rare special events (e.g., an air show at the airport, street fair) for which a facility is not designed and normally not used and for which extra safety precautions can be taken as appropriate (see Policy 3.2.5*)*. The usage intensities shall be calculated in accordance with the methodologies cited in Section 3.4.

[2] See Policy 2.7.4, *Development by Right*, for exceptions to residential restrictions. Portions of a site may have a lower density of at least 8 dwelling units per acre but the overall density of the site must comply with the density range of 10-25 dwelling units per acre within Compatibility Zone D2.

[3] Airport Proximity Disclosure (APD) required within entire Airport Influence Area (AIA) which includes *Compatibility Zones A* through *E*. Avigation Easement Dedication also required within *Compatibility Zones A* through *D1* (see Policy 3.7.1) and a Recorded Overflight Notification (RON) is required within *Compatibility Zone D2* (see Policy 3.6.1).

[4] Occupancy Load Factors [approx. number of square feet per person] cited for many listed land use categories are based on information from various sources and are intended to represent "typical busy-period" usage (or "peak" usage) for typical examples of the land use category. These Occupancy Load Factors differ from those provided in the California Building Code (CBC), as the CBC considers the absolute maximum number of people that can be safely accommodated in a building. See Policy 3.4.3.

[5] The intent of this criterion is to facilitate evacuation of a building if it were to be hit by an aircraft. It is separate from the height limits set for airspace protection purposes.

[6] No proposed use shall be allowed that would create an increased attraction for wildlife and that is inconsistent with FAA rules and regulations including, but not limited to, FAA Advisory Circular 150/5200-33C, *Hazardous Wildlife Attractants On or Near Airports* and Advisory Circular 150/5200-34A, *Construction or Establishment of Landfills near Public Airports.* Of particular concern are landfills and certain recreational or agricultural uses that attract large flocks of birds which pose bird strike hazards to aircraft in flight. See Policy 3.5.3.

[7] Specific characteristics to be avoided include: sources of glare (such as from mirrored or other highly reflective structures or building features) or bright lights (including search lights and laser light displays); distracting lights that could be mistaken for airport lights; sources of dust, steam, or smoke that may impair pilots' vision; sources of steam or other emissions that cause thermal plumes or other forms of unstable air; and sources of electrical interference with aircraft communications or navigation. See Policy 3.5.4.

[8] Object Free Area (OFA): Dimensions are established by FAA airport design standards for the runway. See **Exhibit 5-2**.

[9] See Policy 3.4.9(a), *Risk-Sensitive Land Uses,* for criteria related to uses having vulnerable occupants.

[10] Family day care home means a home that regularly provides care, protection, and supervision for 14 or fewer children, in the provider's own home, for periods of less than 24 hours per day. Small family day care homes provide care for eight or fewer children and large family day care homes provide care for 7 to 14 children (Health and Safety Code Section 1597.465).

[11] See Policy 3.4.9(b), *Risk-Sensitive Land Uses,* for criteria related to uses that store hazardous materials.

EXHIBIT 5-2: COMPATIBILITY POLICY MAP, NAPA COUNTY AIRPORT

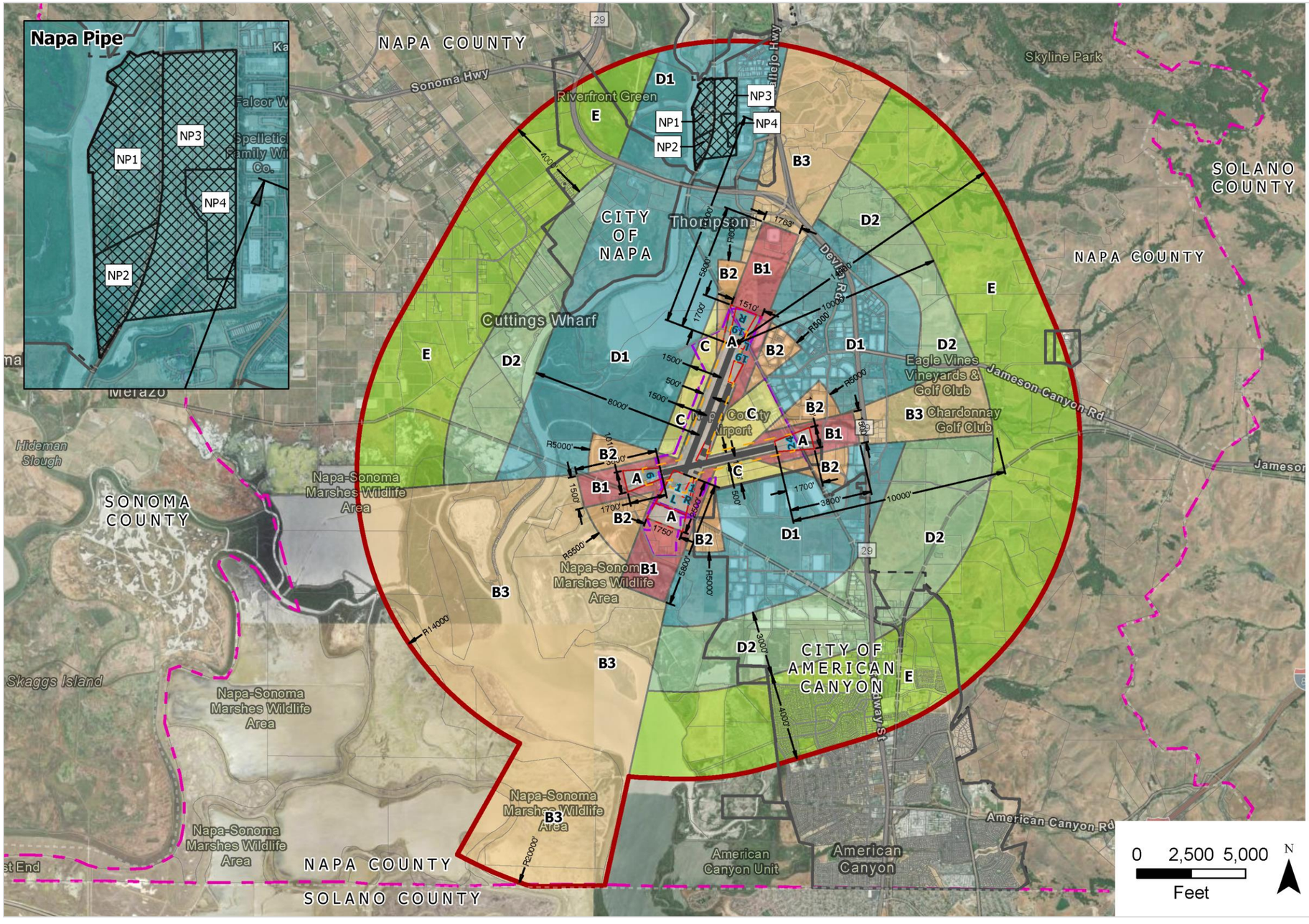

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EXHIBIT 5-3: AIRSPACE PROTECTION MAP, NAPA COUNTY AIRPORT

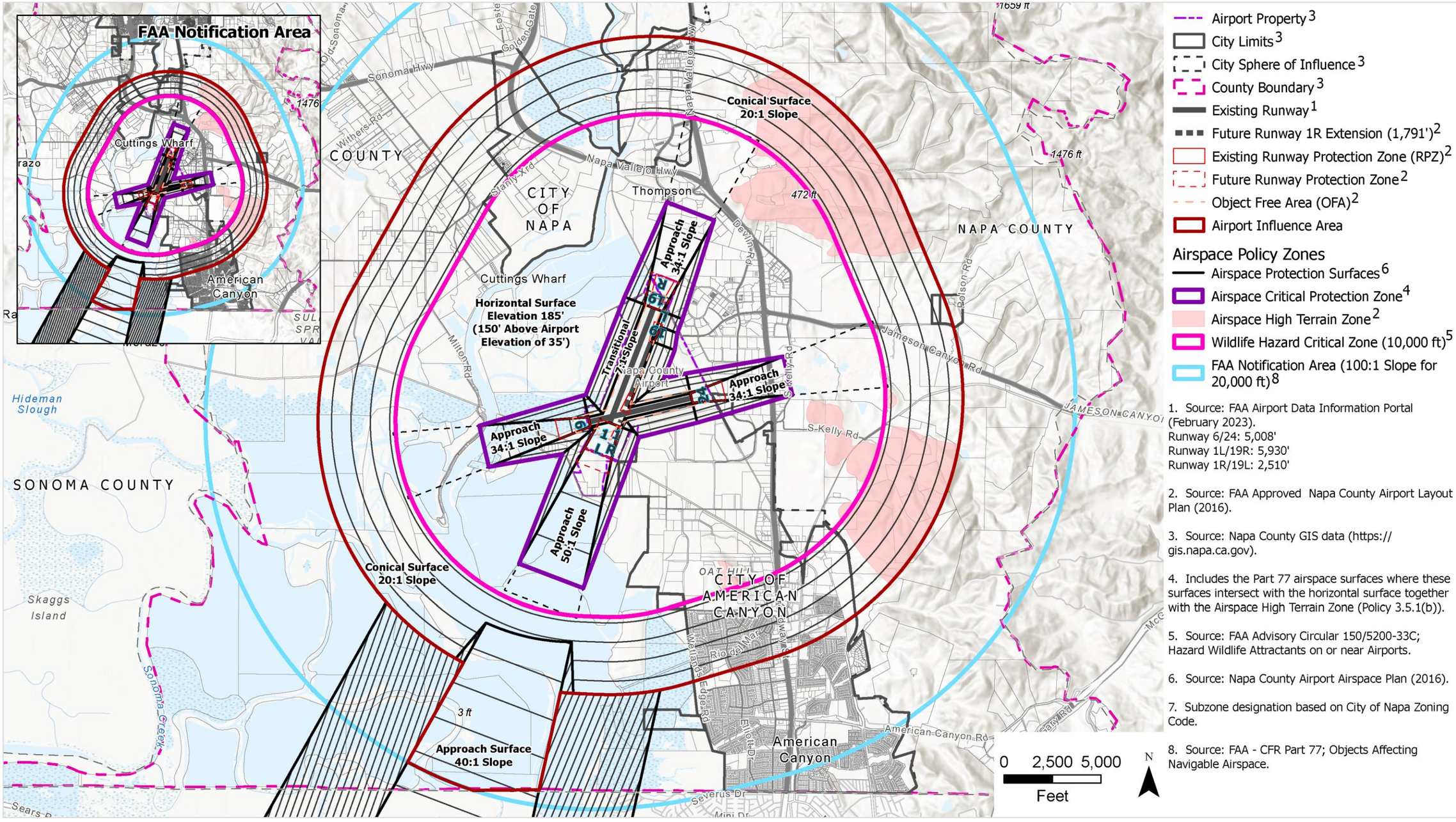

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EXHIBIT 5-4: COMPATIBILITY ZONE DELINEATION FOR ANGWIN AIRPORT – PARRETT FIELD

Zone	Noise and Overflight Factors	Safety and Airspace Protection Factors
A Runway Protection Zone	**Noise Impact: Very High** • Mostly above *CNEL* 65 dB	**Risk Level: Very High** • Defined by *Handbook* Safety Zone 1 as modified to reflect existing and future Runway Protection Zones (RPZs) and Object Free Areas (OFA) from 2016 Airport Layout Plan (ALP) • Aircraft on very close final approach or departure; nearly 20% of near-runway general aviation accidents occur in this zone • Aircraft at altitudes of less than 200 feet above runway • Stringent height restrictions apply to protect airspace
B1 Inner Approach/ Departure Zone	**Noise Impact: High** • Typically above CNEL 60 dB • Single-event noise sufficient to disrupt a wide range of land use activities including indoors if windows open	**Risk Level: High** • Defined by *Handbook* Safety Zone 2 for existing and future runway configurations • Aircraft overflying at low altitudes on final approach and straight-out departures—typically only 200 to 400 feet above the runway elevation • Some 8% to 22% of near-runway general aviation accidents occur in this zone • Stringent height restrictions apply to protect airspace
B2 Inner Turning Zone	**Noise Impact: Moderate** • May exceed CNEL 55 dB • Single-event noise sufficient to disrupt noise-sensitive land uses	**Risk Level: Moderate to High** • Defined by *Handbook* Safety Zone 3 • Reflects one direction turning on 1L/19R and 1R/19L to avoid turning over adjacent runway. Aircraft—especially smaller, piston-powered aircraft—turning base to final on landing approach or initiating turn to en route direction on departure; aircraft altitude typically less than 500 feet above runway, particularly on landing • About 4% to 8% of near-runway general aviation accidents occur in this zone • Allowable heights may be restricted to protect airspace
B3 Outer Approach Zone	**Noise Impact: Moderate** • May exceed CNEL 55 dB • Single-event noise sufficient to disrupt noise-sensitive land uses	**Risk Level: Moderate** • Defined by *Handbook* Safety Zone 4 plus a portion of *Handbook* Safety Zone 6 to the south and west to cover heavy traffic patterns and overflight.by aircraft engaging in various approaches and departures including: Runway 6 approach, turning westward after departure from Runways 19R or 24, entering the Runway 19R traffic pattern, circling west of the airport to land on Runway 19R after making an approach to Runway 1L, or entering the Runway 24 pattern from the west. • Approaching aircraft usually at less than traffic pattern altitude with straight-in instrument approach procedures or where straight-in or straight-out flight paths are common; aircraft altitude typically less than 1,000 feet above runway • About 40% to 50% of off-runway, airport-related, general aviation aircraft accidents occur within this proximity to similar airports • Allowable heights may be restricted to protect airspace

Zone	Noise and Overflight Factors	Safety and Airspace Protection Factors
C Sideline Zone	**Noise Impact: Moderate to High** • Mostly above CNEL 60 dB • Single-event noise sufficient to disrupt a wide range of land use activities including indoors if windows open	**Risk Level: Low to Moderate** • Defined by *Handbook* Safety Zone 5 plus a portion of *Handbook* Safety Zone 6 adjacent to the Inner Sideline Zone (*Handbook* Safety Zone 5) to capture areas with noise levels greater than CNEL 60 dB • Area not normally overflown; primary risk is with aircraft (especially twins) losing directional control on takeoff, excessive crossing gusts or engine torque • About 3% to 5% of near-runway general aviation accidents occur in this zone • Allowable heights may be restricted to protect airspace
D1 Inner Traffic Pattern Zone	**Noise Impact: Low** • Typically below CNEL 55 dB • Aircraft typically at or below 1,000-foot traffic pattern altitude • Noise more of a concern with respect to individual loud events than with cumulative noise contours; frequent individual noise events sufficient to intrude upon indoor activities	**Risk Level: Low** • Defined by *Handbook* Safety Zone 6 • Includes areas within the standard traffic pattern and pattern entry routes; aircraft altitude typically 1,000 to 1,500 feet above runway on visual approaches but can be as low as 600 feet above the airport elevation when circling to land after using the Runway 1L approach procedure. • Risk is a factor for highly risk-sensitive uses (e.g., very high-intensity uses, children's schools, hospitals, bulk storage of highly hazardous materials) • Some 18% to 29% of near-runway general aviation accidents occur here; but the large area encompassed means a low likelihood of accident occurrence in any given location • Allowable heights could be restricted to protect airspace; Airspace concern is generally with object heights >100 feet above runway elevation
D2 Outer Traffic Pattern Zone	**Noise Impact: Low** • Typically below CNEL 55 dB • Routinely overflown by aircraft typically above 1,000-foot traffic pattern altitude • Noise from individual aircraft overflights may adversely affect certain land uses.	**Risk Level: Low** • Includes some outer areas of *Handbook* Safety Zone 6 • Includes areas within the outer standard traffic pattern and pattern entry routes; aircraft altitude typically above 1,000 feet above runway • Risk is a factor for highly risk-sensitive uses (e.g., very high-intensity uses, children's schools, hospitals, bulk storage of highly hazardous materials) • Allowable heights could be restricted to protect airspace; Airspace concern is generally with object heights >100 feet above runway elevation
E Other Airport Environs	**Noise Impact: Low** • Beyond the 55-CNEL contour • Occasional overflights intrusive to some outdoor activities	**Risk Level: Low** • Includes remainder of area within the CFR Part 77 conical surface which defines the Airport Influence Area • Airspace concern is generally with object heights >200 feet above runway elevation

Notes:

1. Handbook Safety Zone Source: California Airport Land Use Planning Handbook (2011).

6

Background Data for Angwin Airport – Parrett Field and Environs

6.1 INTRODUCTION

Angwin Airport – Parrett Field is a 60-acre general aviation facility located adjacent to the unincorporated community of Angwin, approximately 20 miles north of the City of Napa. Owned and operated by Pacific Union College (PUC or College), the airport is open to the public and primarily serves Angwin and surrounding areas in central and northern Napa County. The airport is situated on Howell Mountain at an elevation of 1,875 feet above mean sea level, with Napa Valley to the west and Pope Valley to the east. Ground elevations in most of the airport vicinity are lower than the airport elevation except to the northwest where a mountain ridge, approximately four miles to the northwest, reaches nearly 1,000 feet above the airport elevation.

6.2 AIRPORT MASTER PLAN AND LAYOUT PLAN STATUS

As a privately owned facility, little formal long-range planning has been done for Angwin Airport – Parrett Field. The most comprehensive study is one completed in 2010 entitled *Master Plan Feasibility and Alternate Site Selection Study—Angwin Airport/Parrett Field (2010 Feasibility Study)*. This study was prepared for the County of Napa which, at the time, was considering whether to take over ownership and operation of the airport. Ultimately, this option did not go forward, and the airport remains privately owned.

One of the products of the Feasibility Study was an Airport Layout Plan (ALP) drawing dated November 2009. Although never adopted by either the County of Napa or Pacific Union College nor submitted to the Federal Aviation Administration (FAA) for approval, this ALP provides the best representation of the facilities that then existed on the airport, which have remained largely unchanged ever since. The ALP also shows concepts for ultimate extension of the runway and other facility improvements.

Although the College has no immediate plans to pursue construction of these improvements, they agree that the 2009 ALP reflects both the airport's existing and potential future buildout over the next 20 years. The College prepared a letter to that effect that was submitted to Caltrans Aeronautics. Caltrans concurred that both the existing and ultimate conditions shown on the ALP are reasonable to form the foundation for this *Airport Land Use Compatibility Plan (ALUCP) for Angwin Airport – Parrett Field*.

6.2.1 *Airfield Configuration:* The airport airfield consists of one runway (Runway 16/34) that is oriented north-south and is 3,217 feet in length. The established south end of the runway is located over 1,500 feet from the physical end of the pavement because of hangars and other buildings situated on either side of the extended runway centerline. The runway does not have a parallel taxiway; therefore, aircraft landing toward the north must taxi back along the runway to reach the aircraft parking facilities.

The airport has no published instrument landing procedures; however, the runway is lighted for night operations. Runway Protection Zones (RPZs) at each end of the runway are fully contained on airport property, though little land beyond that is under airport control. Trees in the runway approaches are known to be obstructions.

The *2010 Feasibility Study* includes an analysis of extending Runway 16/34 by 1,100 feet and widening it by 25 feet. This concept would add 500 feet on the north (Runway 16) end and 600 feet on the south end (Runway 34) with a 300-foot displaced threshold for a total length of 4,317 feet. This extension would accommodate a future upgrade to FAA design category B-II based on the potential future mix of aircraft. This runway configuration would require the removal of several hangars southeast of the runway. The addition of 25 feet of pavement to the west edge of the runway would result in a width of 75 feet to meet design standards. A full-length, 35-foot parallel taxiway would be located on the east side of the runway. The RPZs for both runway ends would be shifted with the runway extension. The Runway 16 RPZ would be expanded. The Runway 34 approach and departure RPZs would increase in size to reflect current FAA Airport Design standards and differ from what is shown on the ALP.

6.2.2 *Aircraft Traffic Patterns:* To avoid aircraft overflight of the community of Angwin to the west, the primary traffic pattern at Angwin Airport-Parrett Field is on the east side of the runway. The traffic pattern altitude is approximately 850 feet above the airport elevation. Noise abatement procedures are in place for departures to the north and south to avoid noise-sensitive areas. Pilots are instructed to use the optimum rate of climb to traffic pattern altitude before departing the pattern.

6.2.3 *Aircraft Activity and Forecasts:* Data from the *2010 Feasibility Study* shows that the airport had an estimated 11,000 aircraft operations in 2008. The FAA Airport Master Record has a similar number—10,000 operations—in 2017. Airport management indicates that the current activity level is consistent with historical estimates.

The *2010 Feasibility Study* projected aircraft operations to increase only slightly to an annual volume of 14,000 operations in 20 years. The small size of the community that the airport mostly serves and the lack of available space on the property for more aircraft parking are major limitations to its growth potential. The *2010 Feasibility Study's* projection of 14,000 operations continues to be a realistic growth potential maximum for the airport within the 20-year timeframe essential for compatibility planning. **Exhibit 6-3** contains additional details regarding existing and forecast airport activity.

6.3 SURROUNDING LAND USES

The community of Angwin, including the Pacific Union College, to the west comprises the major area of development near Angwin Airport – Parrett Field. **Exhibit 6-9** presents an aerial photo of the airport environs.

The areas to the north and east have scattered vineyards but are mostly undeveloped and heavily wooded land. To the south are vineyards and scattered residential land uses. County of Napa land use plans show additional residential uses and some future nonresidential areas west of the airport. Planned land uses reflect existing land use patterns.

6.4 EXHIBITS

The following exhibits illustrate the compatibility factors and background information that serve as the basis for this *Airport Land Use Compatibility Plan (ALUCP) for Angwin Airport – Parrett Field.*

- **Exhibit 6-1: Airport Features Summary**—Summarizes information pertaining to the Angwin Airport – Parrett Field configuration, operational characteristics, and applicable planning documents.
- **Exhibit 6-2: Airport Layout Plan (2009)**—Presents the ALP depicting the airport configuration and airport building areas from the *2010 Feasibility Study*. The Runway 34 approach and departure RPZs increase in size to reflect current FAA Airport Design standards and differ from what is shown on the ALP.
- **Exhibit 6-3: Airport Activity Summary**—Summarizes existing and forecast activity levels for the airport provided in the *2010 Feasibility Study* and brought forward for this *ALUCP*.
- **Exhibit 6-4, Exhibit 6-5, and Exhibit 6-6: Compatibility Factors**—Depict the extents of the four compatibility factors upon which the compatibility zones for Angwin Airport – Parrett Field were derived. The four compatibility factors are defined by:
  - *Noise*—Future noise contours reflecting a forecasted aircraft activity level of 14,000 annual operations.
  - *Overflight*—Primary traffic patterns reflecting where aircraft operating at Angwin Airport – Parrett Field routinely fly.
  - *Safety*—Generic safety zones for a short general aviation runway as provided in the *California Airport Land Use Planning Handbook* (October 2011).
  - *Airspace Protection*—FAA notification and obstruction surfaces as defined by Code of Federal Regulation (CFR) Part 77, *Safe, Efficient Use, and Preservation of the Navigable Airspace*. Airspace surfaces reflecting the future runway length of 4,317 feet has been prepared for this *ALUCP*.
  - *Compatibility Zones*—Policy zones developed for this *ALUCP* are based on the above four factors. Airport-specific considerations used to develop these zones are summarized in **Chapter 4**.

- **Exhibit 6-7: Airport Environs Information**—Summarizes information about current and planned land uses in the environs of the Angwin Airport – Parrett Field. Airport land use compatibility policies contained in the County's general plan are also summarized.
- **Exhibit 6-8: General Plan Land Use Designations**—Shows planned land use designations as reflected in the 2008 General Plan for Napa County.
- **Exhibit 6-9: Aerial**—Presents an aerial photo of the airport environs.

EXHIBIT 6-1: AIRPORT FEATURES SUMMARY

GENERAL INFORMATION

- Airport Ownership: Private (Pacific Union College)
- Property Size: 60 acres (estimated)
- Airport Classification: General Aviation
- Airport Elevation: 1,875 ft. MSL (estimated)

BUILDING AREA

Location

- East, south, and west of Runway 34 approach end

Services

- Fuel
- Instruction
- Rentals
- Major Maintenance

RUNWAY/TAXIWAY DESIGN [a]

Runway 16-34

- Runway Design Code:
  - Current: A-I
  - Future: B-II
- Critical Aircraft:
  - Current: Piper Seminole
  - Future: King Air 350
- Dimensions:
  - Current: 3,217 ft. long, 50 ft. wide
  - Future: 4,317 ft. long, 75 ft. wide
- Runway OFA Width:
  - Current: 250 ft.
  - Future: 500 ft.
- Pavement Strength (main landing gear configuration)
  - Current: 12,500 lbs. (single-wheel)
  - Future: 15,000 lbs. (single-wheel)
- Runway Lighting:
  - Current: Low-Intensity Runway Edge Lighting (LIRL)
  - Future: Medium-Intensity Runway Edge Lighting (MIRL)
- Runway Markings:
  - Runway 16: basic
  - Runway 34: basic
- Visual Navigational Aids
  - Runway 16: PAPI (5.0°)
  - Runway 34: PAPI (5.0°)

APPROACH PROTECTION [a]

Runway Protection Zones (RPZs)

- Runway 16:
  - Based on A-I with visual approach
  - 250 ft. inner width, 1,000 ft. length, 450 ft. outer width
- Runway 34:
  - Based on A-I with visual approach
  - 250 ft. inner width, 1,000 ft. length, 450 ft. outer width
- Future Runway 16:
  - Based on B-II with visual approach
  - 500 ft. inner width, 1,000 ft. length, 700 ft. outer width
- Future Runway 34:
  - Based on B-II with visual approach
  - 500 ft. inner width, 1,000 ft. length, 700 ft. outer width

Approach Obstacles

- Runway 16: Trees 1,000 ft. from runway end
- Runway 34: Trees 2,100 ft. from runway end

TRAFFIC PATTERNS AND APPROACH PROCEDURES [b]

Airplane Traffic Patterns

- Standard traffic pattern on east side of airfield only to avoid overflight of Angwin

Instrument Approaches

- None

AIRPORT PLANNING DOCUMENTS

Airport Master Plan Feasibility and Alternate Site Selection Study

- County of Napa, accepted March 2010

Airport Layout Plan

- November 2009

PROPOSED FACILITY IMPROVEMENTS [c]

Airfield

- Extension of runway to accommodate B-II aircraft
- Widening of runway to meet design standards
- Widening of ROFA
- Installation of MIRL
- Full-length parallel taxiway with taxiway connectors
- Future hangar area southeast of Runway End 34

Notes:

[a] Airport Layout Plan for Angwin-Parrett Field Airport, Coffman Associates, November 2009. Runway 34 approach and departure RPZs would increase in size to reflect current FAA Airport Design standards and differ from what is shown on the ALP.

[b] FAA Airport Data and Information Portal, Angwin Airport-Parrett Field, 2023

[c] Master Plan Feasibility and Alternate Site Selection Study for Angwin Airport-Parrett Field, March 2010

Source: Data Compiled by Mead & Hunt, 2024

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EXHIBIT 6-2: AIRPORT LAYOUT PLAN (2009)

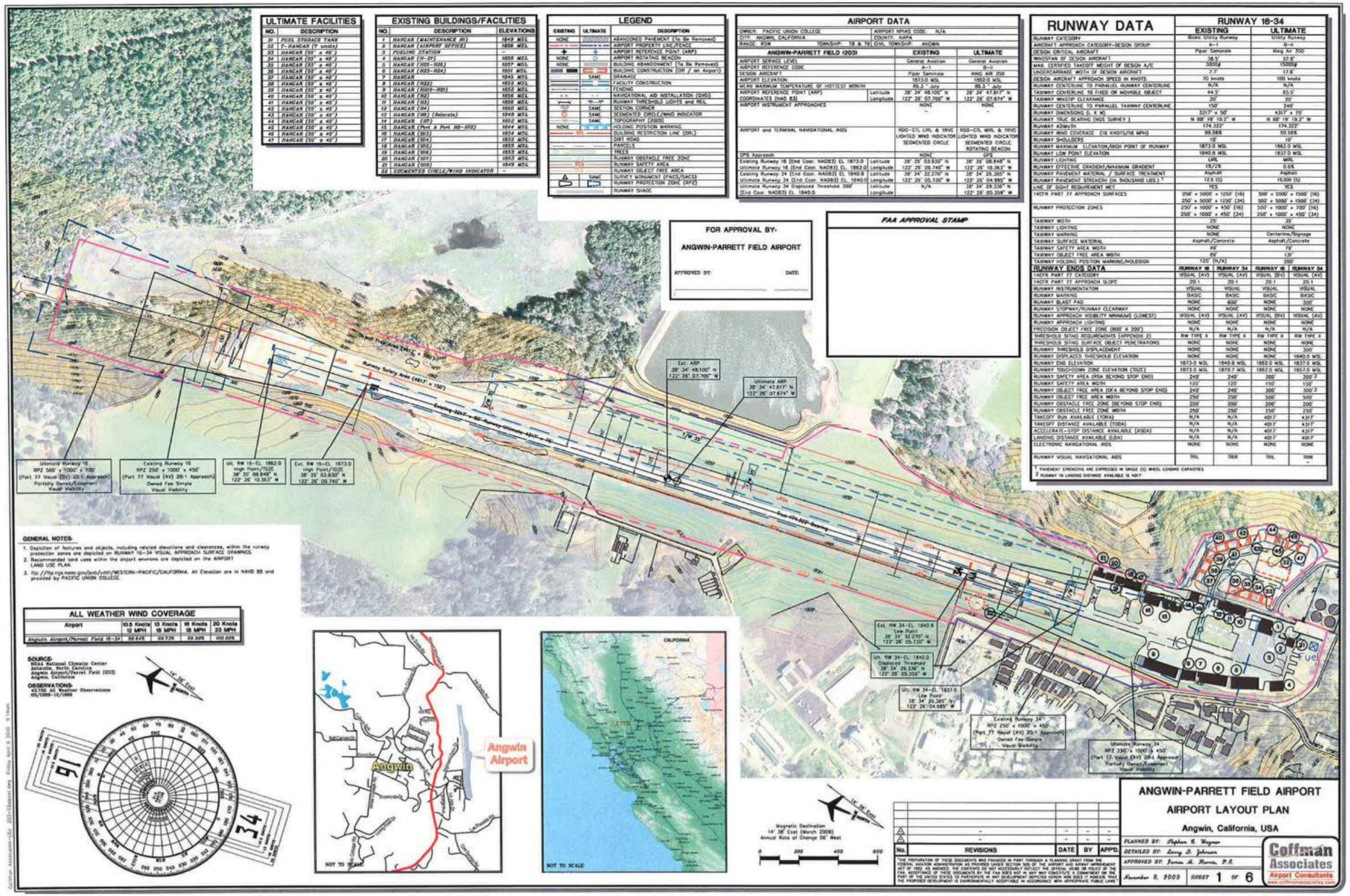

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EXHIBIT 6-3: AIRPORT ACTIVITY SUMMARY

BASED AIRCRAFT [a]

	Current	Future
All Aircraft		
Single-Engine	39	45
Multi-Engine	4	10
Total	**43**	**55**

AIRCRAFT OPERATIONS [a]

	Current	Future
Total		
Annual	11,000	14,000
Average Day	30	38
Distribution by Aircraft Type [b]		
Single-Engine		
Fixed-pitch propeller	80%	no change
Variable-pitch propeller	13%	no change
Twin-Engine	7%	no change
Distribution by Type of Operation		
Local (incl. touch-and-goes)	75%	no change
Itinerant	25%	no change

TIME OF DAY DISTRIBUTION [b]

	Current	Future
All Aircraft		
Day (7 am to 7pm)	80%	no change
Evening (7 pm to 10 pm)	15%	no change
Night (10 pm to 7 am)	5%	no change

RUNWAY USE DISTRIBUTION [b]

	Current	Future
All aircraft		
Takeoffs and Landings		
Day, Evening, Night		
Runway 16	50%	no change
Runway 34	50%	no change

FLIGHT TRACK USAGE [a]

- Traffic pattern on east side only
  - Runway 16: left traffic
  - Runway 34: right traffic
- No geographic features used as turning points
- No future change

Notes:
[a] Master Plan Feasibility and Alternate Site Selection Study, Angwin Airport/Parrett Field, Accepted March 2, 2010.
[b] Napa County Airport Land Use Compatibility Plan, Adopted April 22, 1991; Revised December 15, 1999. Table 7-3, Airport Activity, Parrett Field.

Source: data compiled by Mead & Hunt, 2023

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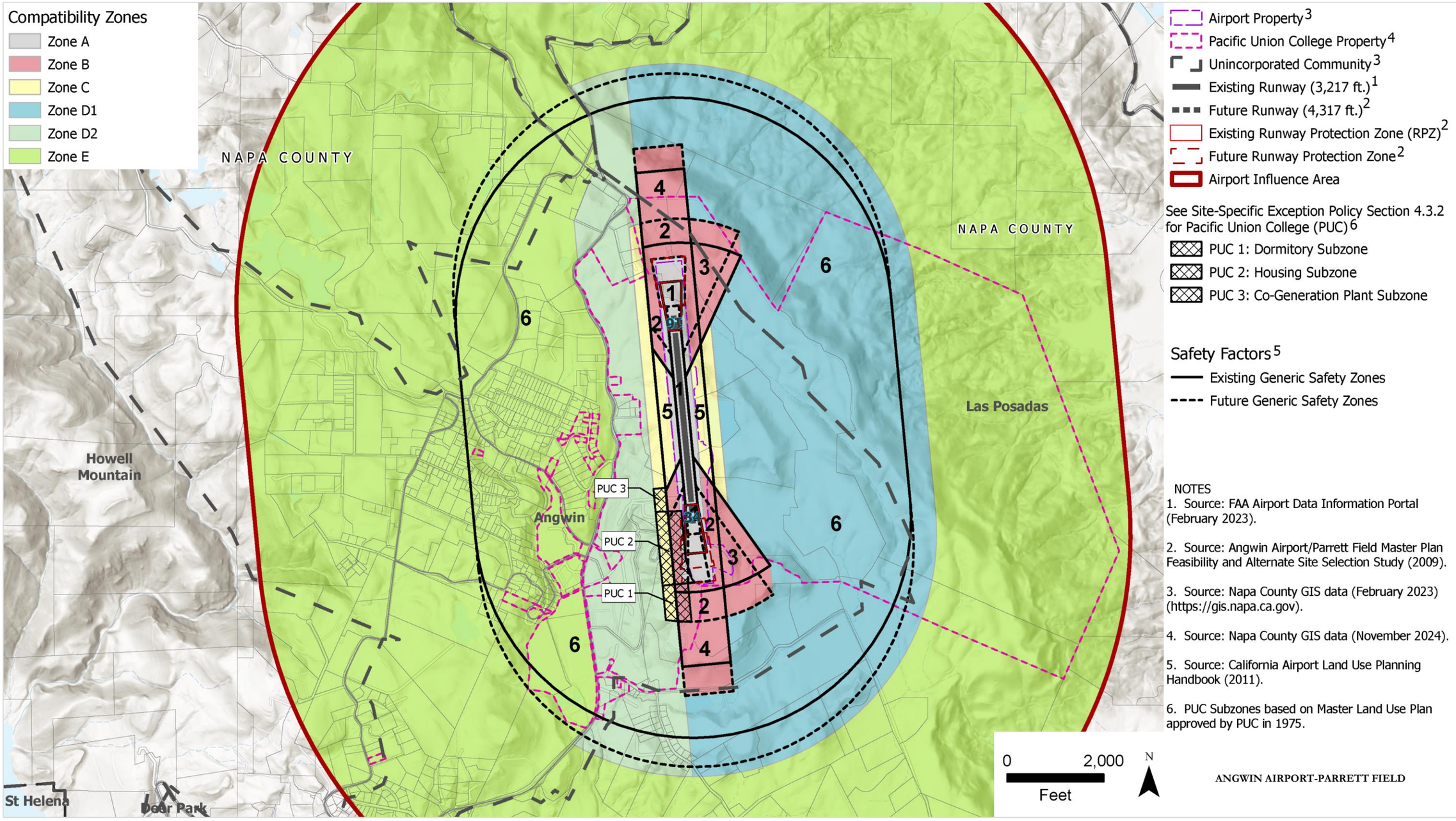
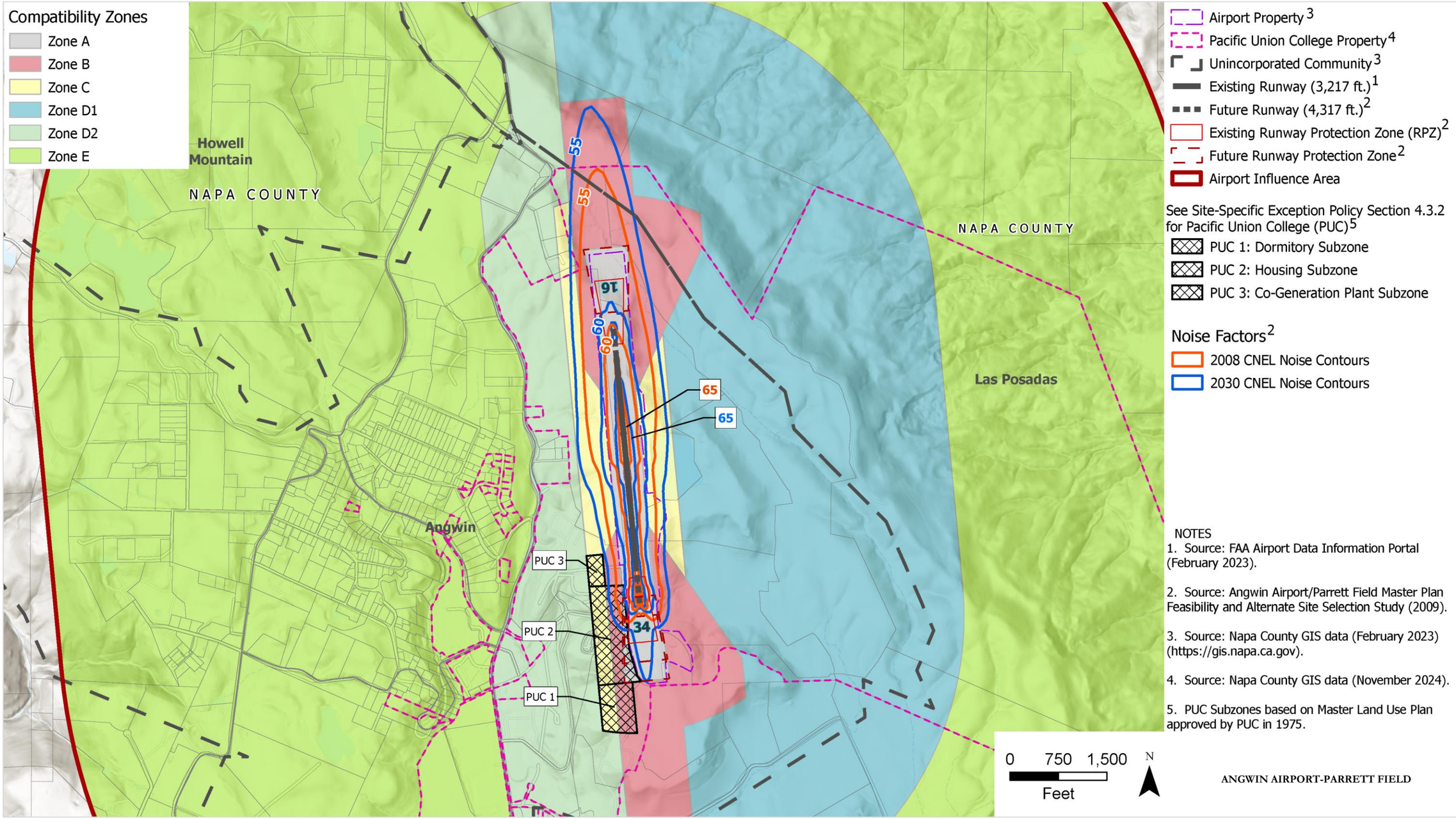
EXHIBIT 6-4: COMPATIBILITY FACTORS – SAFETY



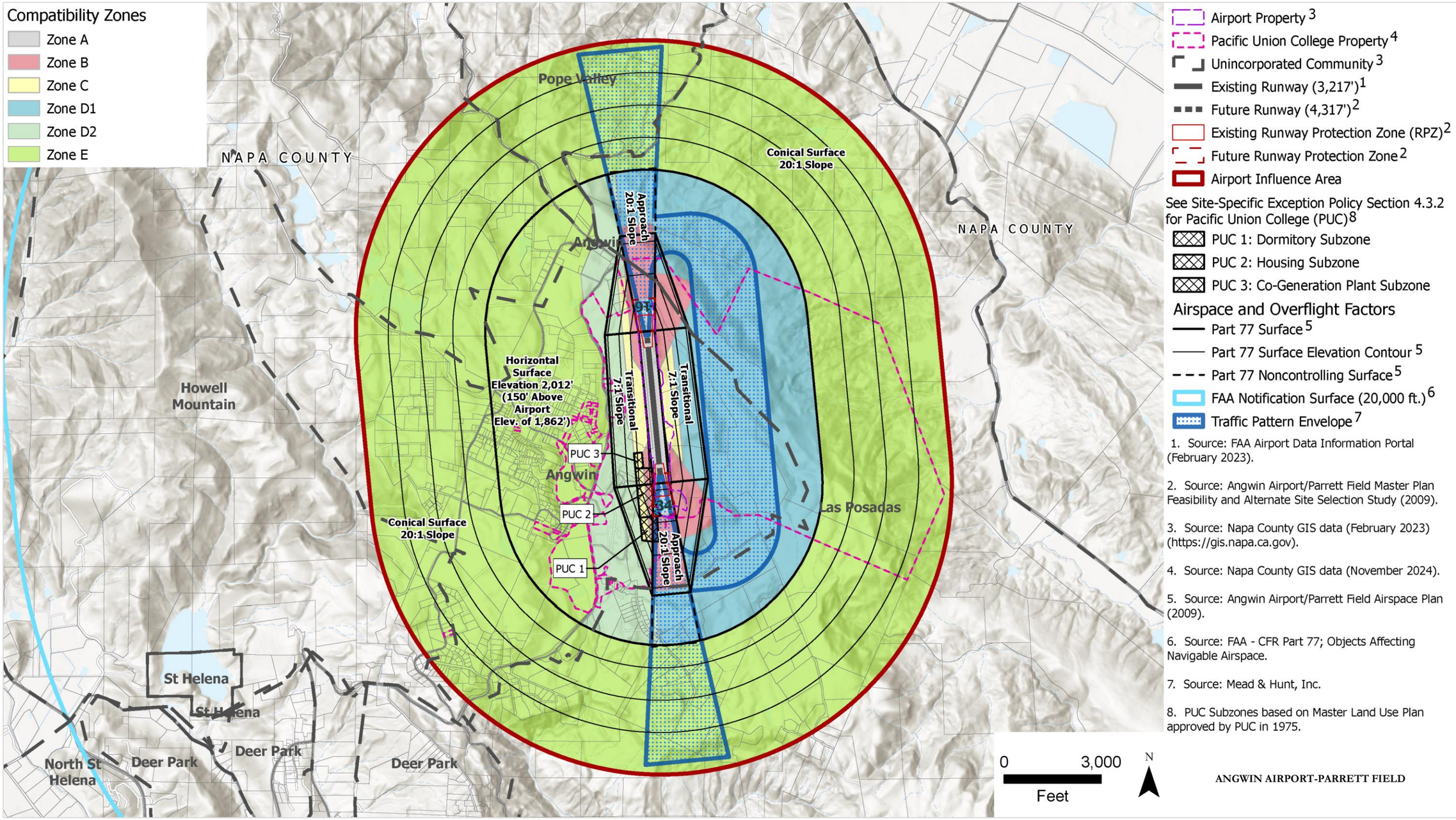
Source: Mead & Hunt, Inc. 2023

EXHIBIT 6-5: COMPATIBILITY FACTORS – NOISE



Source: Mead & Hunt, Inc. 2023

EXHIBIT 6-6: COMPATIBILITY FACTORS – AIRSPACE AND OVERFLIGHT



Source: Mead & Hunt, Inc. 2023

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EXHIBIT 6-7: AIRPORT ENVIRONS INFORMATION

AIRPORT SITE [a]

Location
- North-central Napa County
- 8 miles east of Calistoga
- 20 miles north of Napa

Topography
- Higher terrain to northwest; generally lower in other directions

AIRPORT ENVIRONS LAND USE JURISDICTIONS [a]

County of Napa
- Runway approaches and traffic pattern over Napa County

Community of Angwin
- Airport within unincorporated community boundary

EXISTING AIRPORT AREA LAND USES

General Character
- Undeveloped, heavily wooded land to north and east
- Angwin community and Pacific Union College to west

Runway Approaches/Traffic Pattern
- North: Wooded area with scattered vineyards
- East: Wooded area with scattered vineyard
- South: Vineyards and scattered residential

PLANNED AIRPORT AREA LAND USES

County of Napa
- Planned development and residential to west [a]

STATUS OF COMMUNITY PLANS

County of Napa
- General Plan, adopted June 2008

ESTABLISHED AIRPORT COMPATIBILITY MEASURES

County of Napa *- General Plan* [b]

- Agricultural Preservation and Land Use Element
  - Use zoning to ensure that land uses in airport approach zones comply with applicable *ALUC* policies. If necessary, County shall acquire development rights in airport approach zones (Policy AG/LU-49).
  - Indicate lands set aside for existing and future uses including public use airport (Policy AG/LU-53).
  - County supports ongoing operation of Angwin Airport, including any improvements approved by FAA within the AV zoning district (Policy AG/LU-66)
  - New school facilities (k-12) shall not be located within two miles of an airport unless approved by the State Department of Education (Policy AG/LU-123).
  - New churches or institutions providing religious instruction shall not be located within proximity to an airport, unless they are located in an area where residential uses would be compatible under the applicable *ALUCP* (Policy AG/LU-124).
- Circulation Element
  - County supports preservation of Angwin Airport for general aviation (Policy CIR-40).
  - County shall review Circulation Element periodically to ensure it embraces future technological innovations that improve … airport operations (Policy CIR-41).
- Community Character Element
  - Development in the area covered by any *ALUCP* shall be consistent with noise levels projected for the airport (Policy CC-45).
  - County shall use avigation easements, disclosure statements, and other appropriate measures to ensure that residents and businesses within any airport influence area are informed of the presence of the airport and its potential for creating current and future noise (Action CC-45.1).
- Safety Element
  - For maximum safety, all land uses and zoning within airport areas shall be reviewed for compatibility with the adopted plans for the Airport and other general aviation facilities in the county (Policy SAF-33).
- Housing Element (2014)
  - Angwin Development Site B, 44.5-acre parcel has an Airport Compatible Overlay (Page H-36).

Notes:
[a] Napa County GIS Hub, 2023
[b] Napa County General Plan, June 2008

Source: data compiled by Mead & Hunt, 2023

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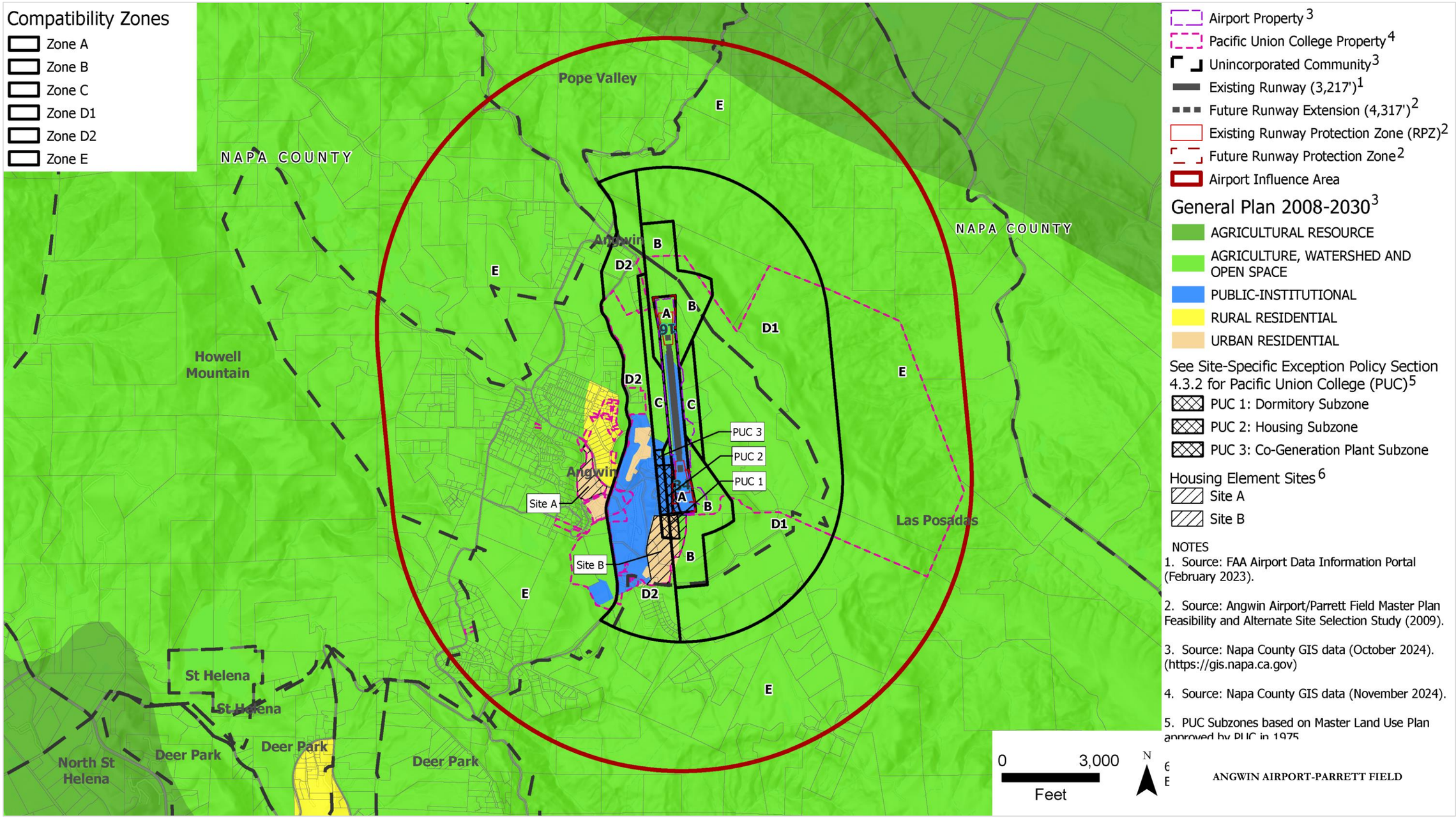
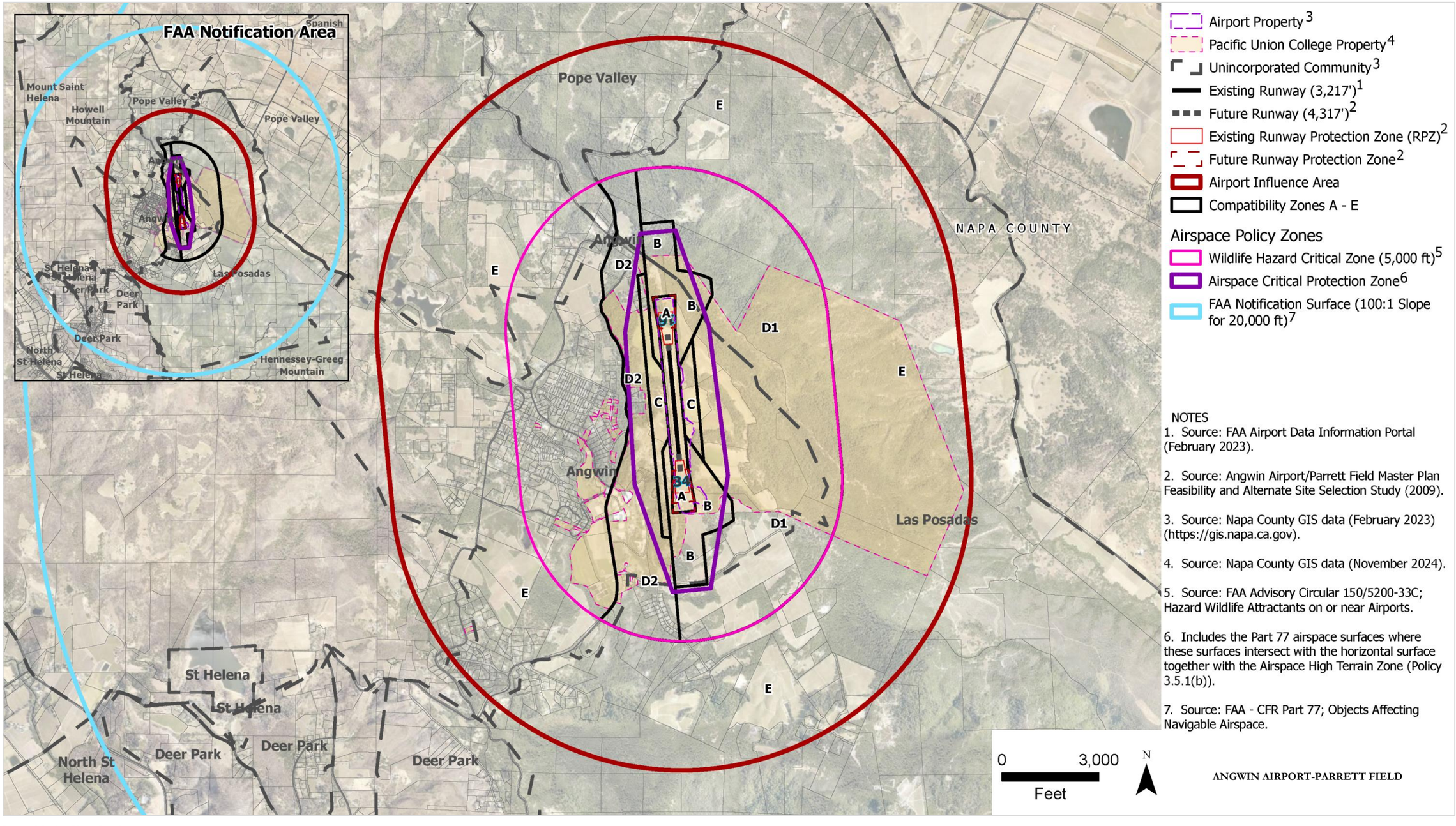
EXHIBIT 6-8: GENERAL PLAN LAND USE DESIGNATIONS



Source: Mead & Hunt, Inc. 2023

EXHIBIT 6-9: AERIAL



Source: Mead & Hunt, Inc. 2023

7

Background Data for Napa County Airport and Environs

7.1 INTRODUCTION

Napa County Airport is an 820-acre public, regional aviation facility serving Napa Valley and surrounding areas in the northern San Francisco Bay Area. The airport is owned and operated by the County of Napa and is located at the southern end of Napa Valley, which is approximately 50 miles northeast of San Francisco, California. The airport is situated approximately 5 miles south of the City of Napa city center and two miles north of the American Canyon city center.

7.2 AIRPORT MASTER PLAN AND ALP STATUS

The County of Napa adopted a master plan for Napa County Airport in March 2007. Since publication of the master plan, updates have been made to the Airport Layout Plan (ALP) drawing to reflect recent and newly proposed construction projects. The current ALP was approved by the Federal Aviation Administration (FAA) in April 2016. Napa County Airport prepared a letter, dated September 12, 2023, that confirmed that the existing and future conditions shown on the 2016 ALP are an accurate representation of the airport's existing facilities and future growth over the next 20 years. The letter was submitted to Caltrans Aeronautics along with the ALP. Caltrans concurred that the ALP is appropriate for use as the basis for this *Airport Land Use Compatibility Plan* (*ALUCP) for Napa County Airport*. The information contained on the 2016 ALP, together with supplemental information provided in the 2007 Master Plan and by airport personnel, form the foundation for this *ALUCP*.

7.2.1 *Airfield Configuration:* The airport airfield (Exhibit 7-1, 7-2, and 7-3) consists of three runways: two parallel runways, 1L/19R (primary) and 1R/19L (short parallel), which are oriented northeast-southwest and are 5,930 feet and 2,510 feet in length, respectively; and one crosswind runway, 6/24, which is oriented roughly east-west and is 5,007 feet in length. The only precision approach at the airport is on Runway 1L. Runway 6 has a straight-in nonprecision approach but with higher minimums than Runway 1L.

All other runways have only visual or circling approaches. All six runway ends have Runway Protection Zones (RPZs) that meet the Federal Aviation Administration (FAA) standards for their existing designated design categories.

Runways 19R/1L and 6/24 will change from the current Runway Design Code (RDC) of C-II to a future RDC of C-III. Other improvements having land use compatibility implications primarily involve upgrades to Runway 19R, Runway 1L, and Runway 24 instrument approach procedures to enable reduced minimums, which result in larger RPZs. Although portions of some RPZs extend off airport property, some of these are controlled by airport-owned avigation easements.

As detailed in the 2016 ALP, these standards are intended to accommodate aircraft with specific approach speeds, wingspans, tail heights, and maximum takeoff weights. Runways 1L/19R (primary) and 6/24 (crosswind) are lighted for night operations. The airport's primary building area and aircraft parking aprons are located on the eastern side of the airfield with some additional aviation uses south of the crosswind runway.

The 2007 Master Plan includes an analysis of extending the short parallel runway (Runway 1R/19L) to the southwest, beyond its intersection with the crosswind runway (Runway 6/24), to a length of 4,301 feet. This extension would support touch-and-go operations by single-engine aircraft, which would reduce congestion and delays on the main runway and reduce the frequency of overflights of the residential area located to the west. The extension would also expand the range of aircraft that the runway can accommodate to include piston twins, turboprops, and small jets.

The increase in runway length is proposed to be achieved by adding pavement to the south (1R) end of the runway. An aircraft landing on Runway 19L would still touchdown at the same point as currently, but it would have an additional 1,791 feet of pavement available for landing. The RPZ for Runway End 1R would be shifted with the runway extension; however, the dimensions would not be changed. The shifted RPZ would remain on airport property and would not involve any property acquisition.

7.2.2 *Aircraft Traffic Patterns:* Over 75 percent of operations at the airport are from the northeast to the southwest on parallel runways 19L/R. Larger aircraft are limited to Runway 19R due to the shorter length of Runway 19L. The proposed extension of Runway 1R/19L (parallel) will allow for more operations, including those that are currently limited to Runway 1L/19R (primary). Traffic patterns for Runways 1R/19L and 1L/19R are on the outboard side—northwest for Runway 19R and southeast for Runway 19L. The remaining operations are mostly on the crosswind runway with the majority from east to west using Runway 24. Runways 6 and 24 both have left traffic, which results in traffic patterns on both the north and south sides.

Less than five percent of operations are to the northeast on Runways 1L and 1R, and these operations primarily take place during low overcast weather conditions or when winds are from the northeast. Because only Runway 1L has a precision approach, a common practice is for aircraft to shoot the approach from the south to that runway to get under the clouds and then circle to land from the northeast on Runway 19R.

7.2.3 *Aircraft Activity and Forecasts:* Napa's FAA Air Traffic Control Tower (ATCT) staff keep count of the number of aircraft operations that take place during the hours that the tower is open—7:00 a.m. to 8:00 p.m. daily. For 2022, the official ATCT count was 65,647 operations. Although the airport is open 24 hours per day for aircraft to take off and land, no counts are maintained for the activity during the evening and nighttime hours when the tower is closed. Airport management estimates that operations that occur during the 8:00 p.m. to 7:00 a.m. period would account for an addition of approximately 5% to the operations count, which would result in an estimated 68,900 total operations for 2022 (**Exhibit 7-4**).

The current aircraft operations count is approximately half of the mid-2000s count, which was used as the base for the 2007 Airport Master Plan (2007 AMP) forecasts. This decrease is mostly the result of the closure of the Japan Airlines Pilot Training Facility in 2010. Current activity data shown in **Exhibit 7-4**—the distributions of operations by type of aircraft, time of day, runway use, and flight track—are estimates taken from data in the 2007 Airport Master Plan and adjusted to reflect ATCT and airport management records regarding current fleet mix and operations.

The forecasts of future activity for this *ALUCP* (**Exhibit 7-4**) are derived from a combination of the current activity assumptions, changes anticipated by airport management, and FAA forecasts of hours that will be flown by general aviation aircraft nationally 20 years from now. To calculate the 20-year forecast, these sources were used to estimate an annual rate of change for each of the five categories of aircraft itemized in the table. Activity by single-engine airplanes is expected to continue its current decline, dropping by 1% per year. Twin-engine and turboprop operations are assumed to remain about constant. Business jet and helicopter operations are expected to increase substantially. For forecasting purposes, activity by Advanced Air Mobility (AAM) types of aircraft now in development are included with the helicopter total. The FAA anticipates that AAM-type aircraft will be in wide use nationally by the latter part of the forecasting period. These calculations result in the 20-year forecast of 84,000 total annual operations used in this *ALUCP* (**Exhibit 7-4**).

The principal function of aircraft operations forecasts in airport land use compatibility planning is to serve as inputs for preparation of airport noise contours. The 2007 AMP forecast numbers anticipated the continuation of the Japan Airlines Pilot Training Facility, along with other strong growth factors, and projected Napa County Airport's activity to increase from base year operations count of 126,000 to a total of 260,000 in 20 years. The latter number (2007 AMP 20-year forecast) was used to produce the projected noise contours included in the 2007 AMP. Despite the 2007 AMP forecast being three times greater than the forecast for this *ALUCP,* shown in **Exhibit 7-4**, the associated noise contours still appear reasonable for use in this *ALUCP*. The key factor in this regard is that training operations by single-engine airplanes contributed heavily to the 260,000 operations in the 2007 AMP 20-year forecast, whereas the 20-year forecast for this *ALUCP* anticipates stronger business jet and helicopter/AAM growth. As noise levels produced by these aircraft types can vary from a little bit louder to significantly louder than those produced by piston aircraft, noise contours derived from an updated 20-year forecast of 84,000 operations are anticipated to be similar to the 2007 AMP forecast of 260,000-operations contours, particularly in parts of the airport environs where noise impacts are a compatibility concern.

Also, for land use compatibility planning purposes, overestimating airport noise impacts is preferrable to underestimating them. Therefore, use of the 2007 AMP's 260,000-operations noise contours in this *ALUCP* is considered appropriate.

7.2.4 *Advanced Air Mobility at Napa County Airport:* Advanced Air Mobility (AAM) refers to an air transportation system that integrates new electric vertical takeoff and landing (eVTOL) aircraft into current and modified airspace operations. AAM includes diverse aircraft configurations, use cases (air taxi, cargo, emergency response), and business models to meet the broad needs of the traveling public, consumers, air carrier and cargo operators, and other stakeholders. The Federal Aviation Administration (FAA) is working with industry partners to certify these new aircraft, establish vertiport design guidance, and define safety standards to enable safe, efficient, and secure integration into the national airspace system. While the industry is still in the development stage, these aircraft may begin operations as soon as 2028 in certain U.S. locations. [80]

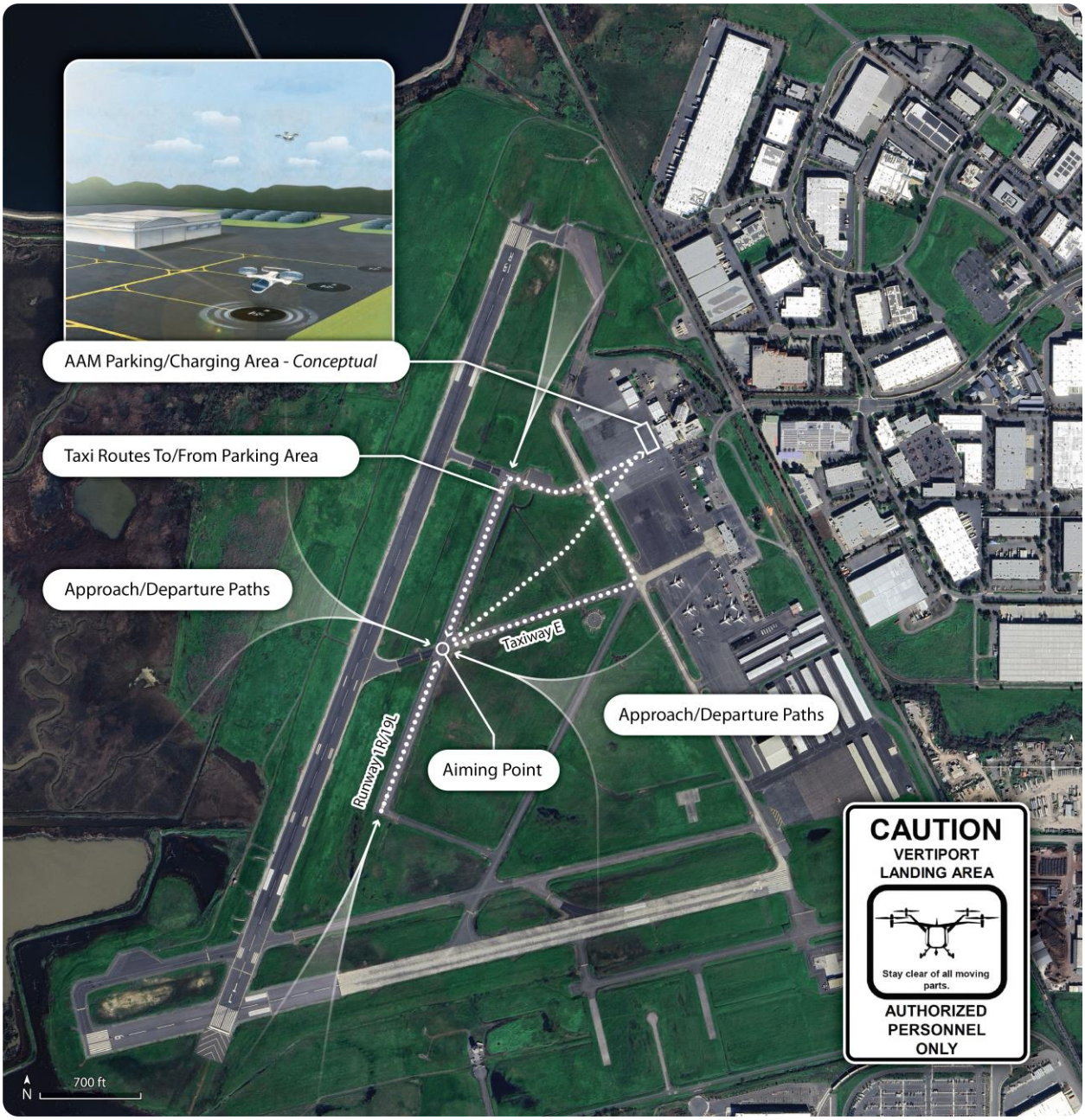
California-based AAM operators are contemplating Napa County Airport as an early part of their air taxi network (scheduled and on-demand services). As such, airport management is making plans to provide supporting infrastructure and facilities to enable AAM operations at the airport. As shown in **Exhibit 7-1**, the key components of AAM planning at Napa County Airport include:

(a) *Landing and Takeoff:* eVTOL aircraft are anticipated to operate like helicopters, in that they can take off, hover, and land vertically, or like a small fixed-wing aircraft operating from a short runway. Runway 1R/19L, the short east-side parallel runway, would be designated to support future AAM operations. An aiming point would be established about midfield to serve as a visual aiming point for a landing aircraft. eVTOL aircraft are anticipated to follow current helicopter routes and use existing visual approaches to Runway 1R or Runway 19L ends or approach/depart at a right angle to the aiming point. From there, eVTOL aircraft could ground or hover taxi along existing taxiways or take a more direct route from the aiming point to parking areas. As AAM operational tempos increase in speed and intensity, a dedicated vertipad (landing/takeoff area) would be established through the FAA's Airport Layout Plan (ALP) process.

(b) *Parking and Charging Infrastructure:* eVTOL aircraft parking and charging stations would be positioned at the north end of the apron in front of the former Japan Airlines training facility. The location has adequate power capacity to accommodate two Direct Current Fast Charging (DCFC) stations, either with one double-head or two single-head chargers. Two parking positions would be established adjacent to the chargers, each one containing a 50-foot square parking spot with a 100-foot separation distance between.

[80] *Federal Aviation Administration, Advanced Air Mobility (AAM) Implementation Plan (July 2023).*

EXHIBIT 7-1: KEY COMPONENTS OF AAM PLANNING AT NAPA COUNTY AIRPORT



Source: Mead & Hunt, Inc. 2024

As with any emerging technology, the potential impact of the technology (both positive and negative) is not yet known. However, the FAA, industry stakeholders, and other government agencies are assessing eVTOL characteristics to better understand potential impacts such as noise, safety, security, environmental, and public benefit. As it relates to airport land use compatibility planning, the following insights are provided:

(a) *Noise*: eVTOL-capable aircraft are anticipated to have similar performance characteristics to helicopters (e.g., take off, hover, and land vertically like helicopters). [81] A key distinction, however, is that eVTOLs are being designed to be quieter in certain phases of flight. [82]

(b) *Overflight*: It is anticipated that cruise altitude for most UAM operations will be at least 1,500 feet above ground level (AGL). [83]

(c) *Safety*: eVTOL aircraft will initially have a pilot-on-board then move towards semiautonomous (pilot controlled) and fully autonomous operations. [83] No accident data exists for these new vehicles.

(d) *Airspace*: It is expected that eVTOL aircraft will operate under Visual Flight Rules within existing or modified airspace operations. [81]

7.3 SURROUNDING LAND USES

Napa County Airport is situated in an unincorporated area of southern Napa County between the Cities of Napa and American Canyon. The airport was once surrounded by little other than agricultural and wetlands; however, over the last 30 years, extensive light industrial, warehousing, and business park uses have been developed east of the airport along Highway 29. Today, surrounding lands contain a mixture of agricultural and wetlands to the west and southwest and industrial land uses to the north, east, and southeast.

Within the City of Napa to the north and northwest, land use designations include agricultural, hospitality, commercial, business park, and the Napa Pipe mixed-use planned development (north of Highway 29). Planned land uses reflect existing land use patterns.

The City of American Canyon, which was incorporated in 1992, has experienced more industrial development immediately south of the airport. Vacant land remains available for industrial development in this area. The nearest residential uses are approximately two miles south of the airport property.

The airport has few noise complaints. The complaints that do occur are generally to the west in unincorporated Napa County along Milton Road. This area is subject to frequent overflight by aircraft operating southwest of the airfield. Noise complaints also occur to the north within the City of Napa and appear to result from times when the traffic pattern extends farther from the airport because of high traffic volume, or perhaps from aircraft on a low-altitude circling approach to Runway 19R. Nearby uses remain largely compatible with airport activities.

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[81] *Federal Aviation Administration, Engineering Brief No. 105, Vertiport Design (September 2022).*

[82] *Airport Noise Report, Volume 35, Number 17 (May 2023).*

[83] *NASA, UAM Vision Concept of Operations (ConOps) UAM Maturity Level (UML) 4, Version 1.0 (January 2021).*

7.4 EXHIBITS

The following exhibits illustrate the compatibility factors and background information which serve as the basis for this *ALUCP*.

- **Exhibit 7-2: Airport Features Summary**—Summarizes information pertaining to the airport configuration, operational characteristics, and applicable planning documents.
- **Exhibit 7-3, Exhibit 7-4: FAA-Approved Airport Layout Plan and Data Sheet**—Present the 2016 FAA-approved ALP depicting the airport configuration and airport building areas.
- **Exhibit 7-5: Airport Activity Summary**—Summarizes existing and forecast activity levels for the airport provided in the 2007 Master Plan, as adjusted by airport management.
- **Exhibit 7-6, Exhibit 7-7, Exhibit 7-8, and Exhibit 7-9: Compatibility Factors**—Depict the extents of the four compatibility factors upon which the compatibility zones for Napa County Airport were derived. The four compatibility factors are defined by:
  - *Noise*—Future noise contours reflecting a forecasted aircraft activity level of 260,000 annual operations.
  - *Overflight*—Primary traffic patterns reflecting where aircraft and helicopters operating at Napa County Airport routinely fly.
  - *Safety*—Generic safety zones, as provided in the *California Airport Land Use Planning Handbook* (October 2011), are applied to each runway as follows: Long General Aviation Runway Zones apply to Runway 1L/19R (primary) given the runway's use by business jets; Short General Aviation Runway Zones apply to existing Runway 1R/19L (parallel) and Runway 6-24 (crosswind); Medium General Aviation Runway Zones apply to future Runway 1R/19L (parallel) to reflect the proposed runway extension.
  - *Airspace Protection*—FAA notification and obstruction surfaces as defined by Code of Federal Regulation (CFR) Part 77, *Safe, Efficient Use, and Preservation of the Navigable Airspace*.
  - *Compatibility Zones*—Policy zones developed for this *ALUCP* will be based on the above four factors. Airport-specific considerations used to develop these zones will be summarized in **Chapter 5**.
- **Exhibit 7-10 and Exhibit 7-11: Flight Track Heat Maps**—These maps show relative frequency of aircraft flight track density around Napa County Airport based on radar data. **Exhibit 7-10** reflects flight track data for a full year from July 1, 2023, to June 30, 2024. **Exhibit 7-11** presents flight track data segregated to reflect arrivals and departures separately for a representative quarter to reflect operational and seasonal variations in flight patterns.
- **Exhibit 7-12: Airport Environs Information**—Summarizes information about current and planned land uses in the environs of the Napa County Airport. Airport land use compatibility policies contained in the county's and cities' general plans are also summarized.
- **Exhibit 7-13 and Exhibit 7-14: General Plan Land Use Designations**—Show planned land use designations as reflected in the 2008 General Plan for Napa County, the 2022 General Plan for the City of Napa, and the 1994 General Plan for the City of American Canyon. Planned city land use designations for the unincorporated areas within the cities' spheres of influence are consistent with the county's designations shown on the map.
- **Exhibit 7-15: Aerial**—Presents a 2023 aerial photo of the airport environs.

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EXHIBIT 7-2: AIRPORT FEATURES SUMMARY

GENERAL INFORMATION [a]

- Airport Ownership: County of Napa
- Property Size
  - Fee title: 820.5 acres
  - Avigation easements: 18.6 acres; future 32.2 acres
- Airport Classification: General Aviation
- Airport Elevation: 35.5 ft. MSL (surveyed)

RUNWAY/TAXIWAY DESIGN [a]

Runway 1L-19R

- Runway Design Code: C-II-4000; future: C-III-2400
- Critical Aircraft: Gulfstream III; future: Global Express
- Dimensions: 5,930 ft. long, 150 ft. wide
- Runway OFA Width: 800 ft.
- Pavement Strength (main landing gear configuration)
  - Current: 30,000 lbs. (single-wheel), 50,000 lbs. (dual-wheel), 120,000 lbs. (dual-tandem-wheel)
  - Future: 85,000 / 110,000 / 176,000
- Effective Gradient: 0.25%
- Runway Lighting:
  - Current: Medium-Intensity Runway Edge Lighting (MIRL); Runway 1L Medium-Intensity Approach Lighting System (MALS)
  - Future: High-Intensity Runway Edge Lighting (HIRL)
- Runway Markings:
  - Runway 1L: precision
  - Runway 19R: non-precision

Runway 1R-19L

- Runway Design Code: B-I (small)-VIS; future: C-III-2400
- Critical Aircraft: Piper PA-28R; future: no change
- Dimensions:
  - Current: 2,510 ft. long, 75 ft. wide
  - Future: 4,301 ft. long, 75 ft. wide
- Runway OFA Width: 250 ft.
- Pavement Strength (main landing gear configuration)
  - 12,500 lbs. (single-wheel)
- Effective Gradient: 0.34%
- Runway Lighting: None
- Runway Markings:
  - Runway 1R: visual
  - Runway 19L: visual

Runway 6-24

- Runway Design Code: C-II-5000; future: C-III-5000
- Critical Aircraft: Gulfstream III; future: Global Express
- Dimensions: 5,007 ft. long, 150 ft. wide
- Runway OFA Width: 734 ft.
- Pavement Strength (main landing gear configuration)
  - Current: 30,000 lbs. (single-wheel), 50,000 lbs. (dual-wheel), 120,000 (dual-tandem-wheel)
  - Future: 85,000 / 110,000 / 176,000
- Effective Gradient: 0.44%
- Runway Lighting:
  - Medium-Intensity Runway Edge Lighting (MIRL)
- Runway Markings:
  - Runway 6: non-precision
  - Runway 24: non-precision

APPROACH PROTECTION [a]

Runway Protection Zones (RPZs)

- Runway 1L:
  - Based on C-II with visibility min. ¾ mile
  - Width 1,000 ft. inner, 1,510 ft. outer; length 1,700 ft.
  - Less than 5% extends beyond airport property
- Runway 19R:
  - Based on C-II visual
  - Width 500 ft. inner, 1,010 ft. outer; length 1,700 ft.
  - Less than 5% extends beyond airport property
- Runway 1R:
  - Based on B-I visual
  - Width 250 ft. inner, 450 ft. outer; length 1,000 ft.
  - All on airport property
- Runway 19L:
  - Based on B-I visual
  - Width 250 ft. inner, 450 ft. outer; length 1,000 ft.
  - All on airport property
- Runway 6:
  - Based on C-II with >1 mile visibility
  - Width 500 ft. inner, 1,010 ft. outer; length 1,700 ft.
  - Mostly beyond airport property
- Runway 24:
  - Based on C-II with >1 mile visibility
  - Width 500 ft. inner, 1,010 ft. outer; length 1,700 ft.
  - Approximately 50% beyond airport property.

Approach Obstacles

- All Runways: None

BUILDING AREA [a/c]

Locations

- Area east of Taxiway A:
  - Airport administrative office, pilot shop, restaurant
  - FBOs and flight training facilities
  - Transient and based aircraft tiedowns
  - Hangars of various shapes and sizes
- Area south of Runway 6/24:
  - California Highway Patrol (CHP) facility
  - FAA Air Traffic Control Facility
  - Box hangars

Services

- Transient Aircraft Parking
- On-Airport Restaurant
- Aircraft Fuel: 100LL and Jet A
- Charter Services
- Aircraft Sales & Maintenance
- Aircraft Management
- Ground Transportation

Continued on next page

TRAFFIC PATTERNS AND APPROACH PROCEDURES

Airplane Traffic Patterns [b]

- Runway 1L: Left traffic
- Runway 19R: Right traffic
- Runway 1R: Right traffic
- Runway 19L: Left traffic
- Runway 6: Left traffic
- Runway 24: Left traffic
- Pattern Altitude: 1,033 MSL

Helicopter/AAM Traffic Patterns [c]

- Operate on Runway 1L/19R

Instrument Approaches [d]

- Runway 1L ILS or LOC Z:
  - ILS Straight-in – 200 ft. AGL Min. Descent Altitude; ¾ mile Visibility
  - LOC Straight-in (Category A/B) – 500 ft. AGL Min. Descent Altitude; ¾ mile Visibility
  - LOC Straight-in (Category C/D) – 500 ft. AGL Min. Descent Altitude; 11/8 mile Visibility
  - Circling (Category A/B) – 1 mile Visibility; 600 ft. Min. Descent Altitude (Cat. A), 700 ft. (Cat. B)
  - Circling (Category C/D) – 1,300 ft. AGL Min. Descent Altitude; 3 mile Visibility
- Runway 19R RNAV (GPS):
  - LNAV with Final Approach Course offset 20° westward
    Category A/B – 650 ft. AGL Min. Decent Altitude; 1 mile Visibility
    Category C/D – 650 ft. AGL Min. Decent Altitude; 1-7/8 mile Visibility
  - Circling
    Category A/B – 644 ft. AGL Min. Decent Altitude; 1 mile Visibility
    Category C – 1,244 ft. AGL Min. Decent Altitude; 3 mile Visibility
    Category D – 1,264 ft. AGL Min. Decent Altitude; 3 mile Visibility
- Runway 1L RNAV (GPS) Y:
  - LPV Straight-in – 1,300 ft. AGL Min. Descent Altitude; 5 mile Visibility
  - LNAV/VNAV Straight-in – 1,100 ft. AGL Min. Descent Altitude; 4 mile Visibility
  - LNAV Straight-in (Category A/B) – 1,300 ft. AGL Min. Descent Altitude; 1 mile Visibility (Cat. A), 1¼ (Cat. B)
  - LNAV Straight-in (Category C/D) – 1,300 ft. AGL Min. Descent Altitude; 3 mile Visibility
  - Circling – 1,300 ft. AGL Min. Descent Altitude; 1¼ mile Visibility (Cat. A), 1½ (Cat. B), 3 (Cat. C/D)
- Runway 1L RNAV (GPS) Z:
  - LPV Straight-in –200 ft. AGL Min. Descent Altitude; ¾ mile Visibility
  - LNAV/VNAV Straight-in – 300 ft. AGL Minimum Descent Altitude; ¾ mile Visibility
  - LNAV Straight-in – 600 ft. AGL Minimum Descent Altitude; ¾ mile Visibility (Category A/B), 13/8 (Cat. C/D)
- Runway 6 RNAV (GPS):
  - LNAV Straight-in with minimum missed approach climb rate 410 ft./n.m. – 500 ft. AGL Minimum Descent Altitude; 1 mile Visibility (Category A/B), 13/8 (Cat. C/D)
- Runway 6 VOR:
  - 050° Alignment – 1,100 ft. AGL Min. Descent Altitude; 1¼ mile Visibility (Category A), 1½ (Cat. B), 3 (Cat. C/D)
  - Circling (Category A/B) – 1,000 ft. AGL Min. Descent Altitude; 1¼ mile Visibility (Category A), 1½ (Cat. B)

Circling (Category C/D) – 3 mile visibility; 1,300 ft. AGL Min. Descent Altitude

Visual Navigational Aids [a]

- Airport: Rotating Beacon
- Runway 1L: Medium Intensity Approach Lights (MALS)
- Runway 19R: Precision Approach Path Indicator (PAPI)
- Runway 1R: None
- Runway 19L: None
- Runway 6: Runway End Identifier Lights (REILS)
- Runway 24: None

AIRPORT PLANNING DOCUMENTS

Airport Master Plan

- Adopted by County of Napa, March 2007

Airport Layout Plan

- Approved by FAA May 2016

PROPOSED FACILITY IMPROVEMENTS [a]

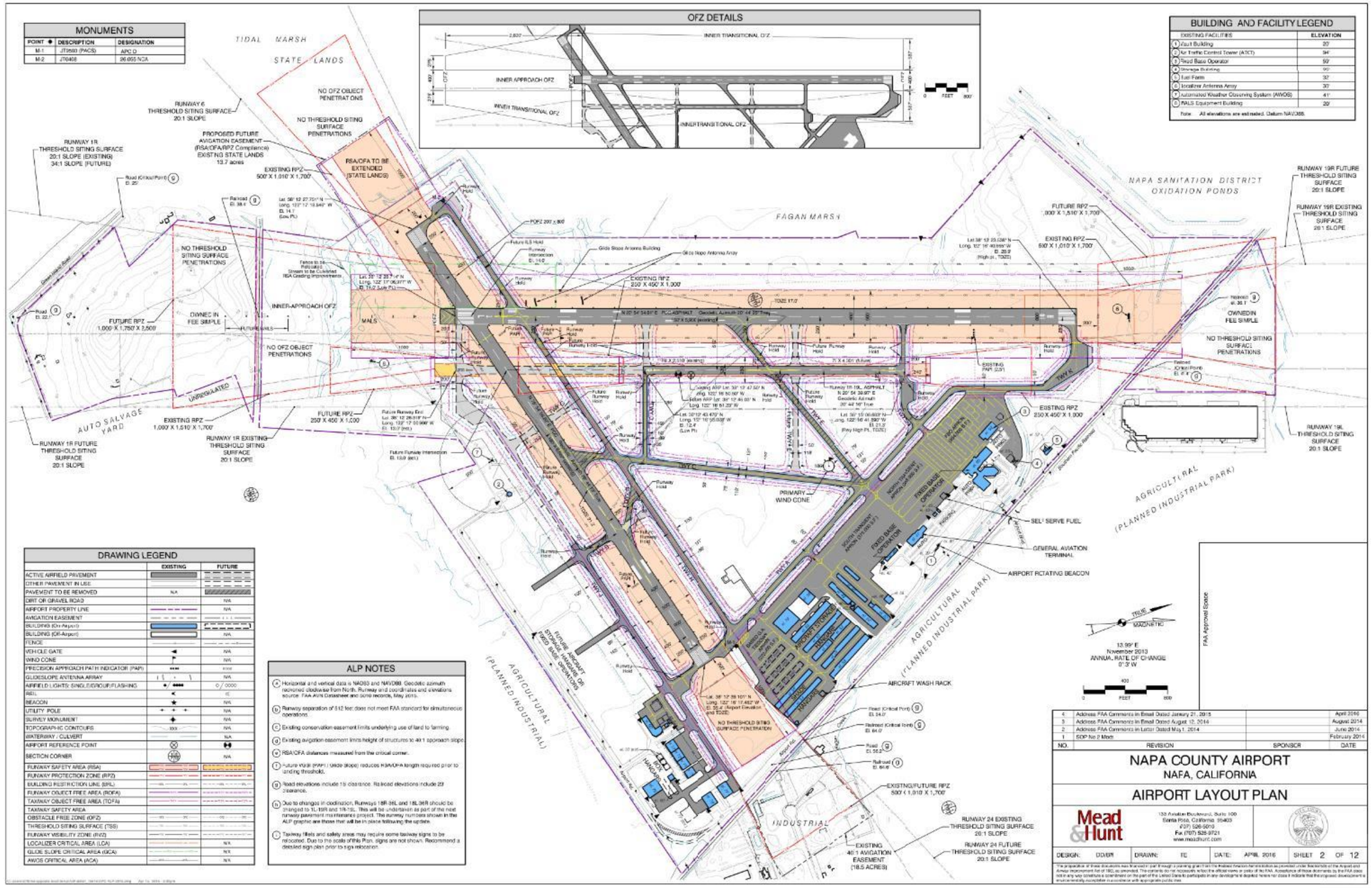
Airfield

- Southeastward extension of Runway 1R-19L from 2,510 feet to 4,301 feet
- Extension of RSA for Runway Ends 1L and 19R to meet FAA requirements
- Expansion of RPZ for Runway Ends 1L and 19R
- Change of CFR Part 77 Approach Category
  - Rwy 19R from Visual [B(V)] to Non-precision [D]
  - Rwy 24 from Visual [B(V)] to Non-precision [C]
- Change of CFR Part 77 Slope
  - Rwy 19R from 20:1 to 34:1
  - Rwy 24 from 20:1 to 34:1
- Change of Approach Visibility Minimums
  - Rwy 19R from Visual to ¾-mile (4,000 ft.)
  - Rwy 1L from ¾-mile (4,000 ft.) to ½-mile (2,400 ft.)
  - Rwy 24 from Visual to >1 Mile (5,000 ft.)
- Expansion of ROFA
  - Rwy 19R from 654 ft. to 1,000 ft.
  - Rwy 1L from 491 ft. to 1,000 ft.
  - Rwy 6 from 275 ft. to 1,000 ft.
- Visual Aids
  - Rwy 1L from MALS to MALSR/PAPI
  - Rwy 6 from none to PAPI
  - Rwy 24 from none to PAPI

Notes:
[a] Napa County Airport, Airport Layout Plan, April 2016
[b] County of Napa, Flight Planning, March 2023. (https://www.countyofnapa.org/1012/Flight-Planning)
[c] Napa County Airport, Master Plan, March 2007 and discussions with Airport Manager
[d] FAA Airport Data and Information Portal, Instrument Approach Procedures, March 2023 (https://adip.faa.gov/agis/public/#/airportCharts/APC)

Source: data compiled by Mead & Hunt, 2024

EXHIBIT 7-3: FAA-APPROVED AIRPORT LAYOUT PLAN (ALP)



Mead & Hunt, Inc., 2016

EXHIBIT 7-4: FAA-APPROVED ALP – DATA SHEET

RUNWAY DATA

		RUNWAY 19R-1L (b)		RUNWAY 19L-1R (b)		RUNWAY 6-24	
		EXISTING	FUTURE	EXISTING	FUTURE	EXISTING	FUTURE
UTILITY / GREATER THAN UTILITY		Greater than Utility	No Change	Utility	No Change	Greater than Utility	No Change
RUNWAY DESIGN CODE		C-II-4000	C-III-2400	B- I (small)-VIS	No Change	C-II-5000	C-III-5000
RUNWAY REFERENCE CODE		C/II/4000	C/III/2400	B/ I (small)/VIS	No Change	C/II/5000	C/III/5000
CRITICAL AIRCRAFT	AIRCRAFT	Gulfstream III	Global Express	Piper PA-28R	No Change	Gulfstream III	Global Express
	WINGSPAN	77' 10"	93' 6"	35' 5"	No Change	77' 10"	93' 6"
	APPROACH SPEED (kts)	135	106	55	No Change	135	106
	MAX. TAKEOFF WT. (lbs.)	69,700	91,000	2,900	No Change	69,700	91,000
	COCKPIT TO MAIN GEAR	35' (e)	42.8' (e)	6' (E)	No Change	35' (e)	42.8' (e)
	MAIN GEAR WIDTH	16' (e)	13.9'	12'	No Change	16' (e)	13.9'
	TAXIWAY DESIGN GROUP	TDG-2	No Change	TDG-1	No Change	TDG-2	No Change
PAVEMENT STRENGTH AND MATERIAL TYPE	SURFACE MATERIAL	PCC/Asphalt	No Change	Asphalt	No Change	PCC	No Change
	DESIGN STRENGTH (1,000#) - S/D/DT	30/50/120	85/110/176	12.5/-/-	No Change	30/50/120	85/110/176
	STRENGTH BY PCI	51	100	44	100	54	100
	SURFACE TREATMENT	None	No Change	None	No Change	None	No Change
EFFECTIVE GRADIENT (%)		0.25%	No Change	0.34%	No Change	0.44%	No Change
MAXIMUM GRADIENT (%)		0.41%	No Change	0.50%	No Change	0.70%	No Change
VERTICAL LINE OF SIGHT PROVIDED		Yes	No Change	Yes	No Change	Yes	No Change
RUNWAY LENGTH		5,930'	No Change	2,510'	4,301'	5,007'	No Change
RUNWAY WIDTH		150'	No Change	75'	No Change	150'	No Change
DISPLACED THRESHOLD		19R None / 1L None	19R No Change / 1L No Change	19L None / 1R None	19L No Change / 1R No Change	6 None / 24 None	6 No Change / 24 No Change
RUNWAY END ELEVATIONS (a)		19R 28.9' / 1L 14.0'	19R No Change / 1L No Change	19L 21.3' / 1R 12.4'	19L No Change / 1R 13.0' (est)	6 14.1' / 24 35.4'	6 No Change / 24 No Change
RUNWAY TOUCHDOWN ZONE ELEVATIONS		19R 28.9' / 1L 17.0'	19R No Change / 1L No Change	19L 21.3' / 1R 21.3'	19L No Change / 1R No Change	6 21.2' / 24 35.4'	6 No Change / 24 No Change
RUNWAY HIGH POINT		28.9'	No Change	21.3'	No Change	35.4'	No Change
RUNWAY LOW POINT		14.0	No Change	12.4'	13.0' (est)	14.1'	No Change
RUNWAY SAFETY AREA (RSA) LENGTH BEYOND RUNWAY END	REQUIRED	19R 1,000' / 1L 1,000'	19R No Change / 1L No Change	19L 240' / 1R 240'	19L No Change / 1R No Change	6 1,000' / 24 1,000'	6 No Change / 24 No Change
	ACTUAL	19R 335' / 1L 571'	19R 1,000' / 1L 1,000'	19L 240' / 1R 240'	19L No Change / 1R No Change	6 315' / 24 1,000'	6 1,000' / 24 No Change
RUNWAY SAFETY AREA WIDTH	REQUIRED	500'	No Change	120'	No Change	500'	No Change
	ACTUAL	500'	No Change	120'	No Change	500'	No Change
RUNWAY EDGE LIGHTING		MIRL	MIRL	None	No Change	MIRL	No Change
RUNWAY PROTECTION ZONE (RPZ) (Inner Width x Outer Width x Length)		19R 500 x 1010 x 1700' / 1L 1000' x 1510' x 1700'	19R 1000' x 1510' x 1700' / 1L 1000' x 1750' x 2500'	19L 250' x 450' x 1000' / 1R 250' x 450' x 1000'	19L No Change / 1R No Change	6 500' x 1010' x 1700' / 24 500' x 1010' x 1700'	6 No Change / 24 No Change
RUNWAY MARKING		19R Nonprecision / 1L Precision	19R No Change / 1L No Change	19L Visual / 1R Visual	19L No Change / 1R No Change	6 Nonprecision / 24 Nonprecision	6 No Change / 24 No Change
PART 77 APPROACH CATEGORY		19R Visual [B(V)] / 1L Precision [PIR]	19R Nonprecision [D] / 1L No Change	19L Visual [A(V)] / 1R Visual [A(V)]	19L No Change / 1R No Change	6 Nonprecision [C] / 24 Visual [B(V)]	6 No Change / 24 Nonprecision [C]
PART 77 APPROACH SLOPE		19R 20:1 / 1L 50:1	19R 34:1 / 1L No Change	19L 20:1 / 1R 20:1	19L No Change / 1R No Change	6 34:1 / 24 20:1	6 No Change / 24 34:1
APPROACH VISIBILITY MINIMUMS (RVR Value)		19R Visual / 1L 3/4 Mile (4,000')	19R 3/4 Mile (4,000') / 1L 1/2 Mile (2,400')	19L Visual / 1R Visual	19L No Change / 1R No Change	6 ≥1 Mile (5,000') / 24 Visual	6 No Change / 24 ≥1 Mile (5,000')
AERONAUTICAL SURVEY REQUIRED (VERTICALLY GUIDED OR NOT)		19R Vertically guided / 1L Vertically guided	19R No Change / 1L No Change	19L Not vertically guided / 1R Not vertically guided	19L No Change / 1R No Change	6 Vertically guided / 24 Vertically guided	6 No Change / 24 No Change
RUNWAY DEPARTURE SURFACE		19R Yes (40:1 OCS) / 1L Yes (40:1 OCS)	19R No Change / 1L No Change	19L N/A / 1R N/A	19L No Change / 1R No Change	6 Yes (40:1 OCS) / 24 Yes (40:1 OCS)	6 No Change / 24 No Change
RUNWAY OBJECT FREE AREA (ROFA) (Length Beyond Runway End)		19R 654' / 1L 491'	19R 1,000' / 1L 1,000'	19L 240' / 1R 240'	19L No Change / 1R No Change	6 275' / 24 1,000'	6 1,000' / 24 No Change
RUNWAY OBJECT FREE AREA WIDTH		800'	No Change	250'	No Change	734'	No Change
OBSTACLE FREE ZONE (OFZ) (Length Beyond Runway End)		19R 200' / 1L 200'	19R No Change / 1L No Change	19L 200' / 1R 200'	19L No Change / 1R No Change	6 200' / 24 200'	6 No Change / 24 No Change
OBSTACLE FREE ZONE WIDTH		400'	No Change	250'	No Change	400'	No Change
INNER-APPROACH OFZ LENGTH (For Reys w/ Approach Lighting System. Begins 200 from Rwy end @ 50:1		19R N/A / 1L 2,600'	19R No Change / 1L No Change	19L N/A / 1R N/A	19L No Change / 1R No Change	6 N/A / 24 N/A	6 No Change / 24 No Change
INNER-APPROACH OFZ WIDTH		400'	No Change	N/A	No Change	N/A	No Change
INNER-TRANSITIONAL OFZ WIDTH (For Runways w/ <3/4-mile Approach Visibility Minimums)		19R 587' / 1L 587'	19R No Change / 1L No Change	19L N/A / 1R N/A	19L No Change / 1R No Change	6 N/A / 24 N/A	6 No Change / 24 No Change
PRECISION OBSTACLE FREE ZONE (Length x Width) (For Reys w/vert. guided approach and <250' ceiling/<3/4 mile visibility)		19R N/A / 1L N/A	19R N/A / 1L 200' x 800'	19L N/A / 1R N/A	19L No Change / 1R No Change	6 N/A / 24 N/A	6 No Change / 24 No Change
THRESHOLD SITING SURFACE (Per AC 150/5300-13A, Table 3-2 - Change 1. See Airspace Plan for more information.)		19R 20:1 - Expected to serve large airplanes (visual, day/night) / 1L 20:1 - Accommodates instrument approaches w/ visibility minimums >/= 1 mile, <1 mile, day or night	19R 20:1 - Accommodates instrument approaches w/ visibility minimums >/= 1/2 mile, <1 mile, day or night / 1L 34:1 - Accommodates instrument approaches having visibility minimums <1/2 mile	19L 20:1 - Expected to serve small airplanes with approach speeds of 50 knots, visual, day/night / 1R 20:1 - Expected to serve small airplanes with approach speeds ≥ 50 knots, visual, day/night	19L No Change / 1R No Change	6 20:1 - Expected to support instrument night operations serving > Approach Category B aircraft / 24 20:1 - Expected to serve large airplanes (visual, day/night)	6 No Change / 24 20:1 - Expected to support instrument night operations serving > Approach Category B aircraft
NAVIGATION AIDS		19R None / 1L ILS, DME, GPS	19R No Change / 1L No Change	19L None / 1R None	19L No Change / 1R No Change	6 VOR, GPS / 24 None	6 No Change / 24 No Change
VISUAL AIDS		19R PAPI / 1L MALS	19R No Change / 1L MALSF/PAPI	19L None / 1R None	19L No Change / 1R No Change	6 REIL / 24 None	6 PAPI / 24 PAPI

AIRPORT DATA

		EXISTING	FUTURE
AIRPORT REFERENCE CODE		C-II	C-III
MEAN MAX. TEMP. (Hottest Month)		78.4° F (Jul, Aug)	No Change
AIRPORT ELEVATION (Above Mean Sea Level) (a)		35.4'	No Change
AIRPORT NAVIGATIONAL AIDS		Beacon, ILS, MALS GPS	No Change
AIRPORT REFERENCE POINT (a)	Latitude	38° 12' 47.50" N	38° 12' 46.03" N
	Longitude	122° 16' 50.50" W	122° 16' 51.23" W
MISCELLANEOUS FACILITIES		AWOS III, lighted taxiways, lighted wind cone	No Change
CRITICAL AIRCRAFT		Gulfstream III	Global Express
MAGNETIC VARIATION		13.99° East	Moving 0° 3' West / Year
AIRPORT ACREAGE	Fee Simple	820.5	No Change
	Avigation Easement	18.6	32.3
NPIAS SERVICE LEVEL		Reliever	No Change
STATE SERVICE LEVEL		Regional	No Change

NONSTANDARD CONDITIONS

DEVIATION	FAA STANDARD DIMENSION	ACTUAL DIMENSION	PROPOSED DISPOSITION
Taxiways B, C and E are acute angle taxiways not intended to serve as high-speed exit taxiways.	Right angle intersection.	Acute angle intersection.	Realign or replace all three taxiways.
The intersection where Taxiways A, C and E cross is a four-node intersection.	Maximum three-node intersection.	Four-node intersection.	Realign Taxiway E so that it does not join at this intersection.
The RSA in the approach to Runway 6 is substandard with respect to length and slope.	Width: 500' Length beyond departure end: 1,000' Length prior to threshold: 600'	Length with full width: 315' prior to threshold	Establish easement/agreement to place the drainage channel into a culvert, realign the fence, and regrade the area to meet slope requirements. This will require permission from California Department of Fish and Game, the property owner.
The RSA in the approach to Runway 19R does not meet length and gradient requirements. Regrading the RSA would require repositioning the localizer antenna. If the RSA was graded to meet standards the RSA would not meet length requirements at the critical corner due to a railroad track that cuts across the northeast corner of the RSA. The rail line limits the RSA beyond the runway end to approximately 84.9% of standard.	Width: 500' Length beyond departure end: 1,000' Length prior to threshold: 600' Longitudinal grade First 200' ≤ 3% Beyond 200' ≤ 5%	Length with full width and standard grade: 335' prior to threshold; grade becomes more steep prior to ILS antenna. Length with full width: 791' prior to threshold; corner of RSA clipped by railroad tracks. Length without full width: 1,000' prior to threshold	Regrade the RSA to meet gradient standards. Request an RSA Determination from the FAA on the rail line.
The OFA in the approach to Runway 19R does not meet the length requirements due to a railroad track that cuts across the northeast corner of the OFA.	Width: 800' Length beyond runway end: 1,000' Length prior to threshold: 600'	Length with full width: 654' prior to threshold; corner of RSA clipped by railroad tracks. Length without full width: 1,000' prior to threshold	Existing nonstandard condition. To remain.
The RSA in the approach to Runway 1L is substandard with respect to length and slope.	Width: 500' Length beyond departure end: 1,000' Length prior to threshold: 600' Longitudinal grade First 200' ≤ 3% Beyond 200' ≤ 5%	Length with full width and standard grade: 571' prior to threshold; grade becomes more steep prior to creek. Length with standard grade but without full width: 697' prior to threshold	Place the stream into a culvert, realign fences, and regrade the area to meet slope requirements.
The OFA in the approach to Runway 24 does not meet the width requirement due to the intrusion of portions of two hangars and a tiedown apron.	Width: 800' Length beyond runway end: 1,000' Length prior to threshold: 600'	Length with full width: 581' prior to threshold at nearest intruding tiedown. Length without full width: 1,000' prior to threshold	Existing nonstandard condition. To remain.
Fillets on many taxiways do not meet current standards.	Taxiway fillet geometry is defined in AC 150/5300-13A	Fillets meet old standards based upon judgmental steering	Widen fillets to meet current standards when each taxiway is rehabilitated.
Glide slope antenna lies within the RSA and ROFZ for Runway 1L-19R.	RSA width: 500' OFA width: 800'	Nearest point on antenna array is 97' from centerline. At this point the RSA is 347' wide and the OFA 497' wide	Antenna recently installed by FAA. Location fixed by function.
Localizer antenna lies within the RSA in Runway 19R.	Width: 500' Length beyond departure end: 1,000' Length prior to threshold: 600'	Face of localizer antenna nearest the runway end is 494' from the runway end	To remain.

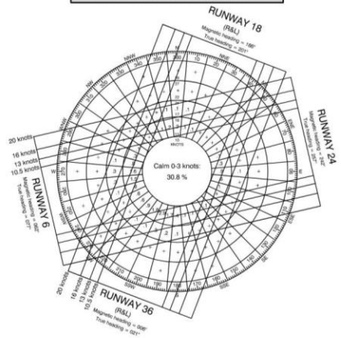
DATA NOTES

(a) Horizontal and vertical data is NAD83 and NAVD88. Geodetic azimuth reckoned clockwise from North. Runway end coordinates and elevations source: FAA AVN Datasheet and 5010 records, May 2015.

(b) Due to changes in declination, Runways 18R-36L and 18L-36R should be changed to 1L-19R and 1R-19L. This will be undertaken as part of the next runway pavement maintenance project. The runway numbers shown in the ALP graphic are those that will be in place following the update.

(c) Taxiway fillets and safety areas may require some taxiway signs to be relocated. Due to the scale of this Plan, signs are not shown. Recommend a detailed sign plan prior to sign relocation.

ALL WEATHER WIND ROSE

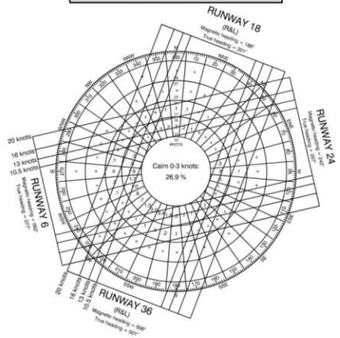


ALL WEATHER WIND COVERAGE

RUNWAY	10.5 KNOTS (12 M.P.H.)	13 KNOTS (15 M.P.H.)	16 KNOTS (18.5 M.P.H.)	20 KNOTS (23 M.P.H.)
18-36 (R&L)	92.57%	95.97%	99.05%	99.87%
6-24	93.00%	96.76%	99.20%	99.86%
Combined	99.57%	99.88%	99.98%	100.0%

Number of Observations: 163,794

VFR WIND ROSE



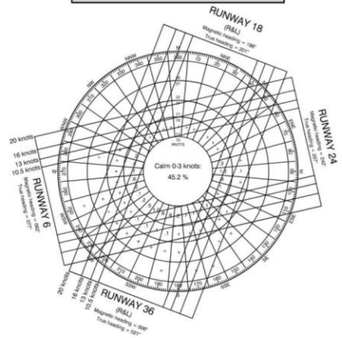
VFR WIND COVERAGE

RUNWAY	10.5 KNOTS (12 M.P.H.)	13 KNOTS (15 M.P.H.)	16 KNOTS (18.5 M.P.H.)	20 KNOTS (23 M.P.H.)
18-36 (R&L)	91.85%	95.58%	98.91%	99.85%
6-24	91.99%	96.30%	99.09%	99.85%
Combined	99.97%	99.86%	99.97%	100.0%

Number of Observations: 132,139

Wind Data Source: NOAA Weather Station 724955, Napa County, California
Period of Time: May 2005 - May 2015
Note: Windrose compass headings are true north.

IFR WIND ROSE



IFR WIND COVERAGE

RUNWAY	10.5 KNOTS (12 M.P.H.)	13 KNOTS (15 M.P.H.)	16 KNOTS (18.5 M.P.H.)	20 KNOTS (23 M.P.H.)
18-36 (R&L)	95.46%	97.54%	99.66%	99.95%
6-24	97.15%	98.67%	99.64%	99.92%
Combined	99.80%	99.95%	99.99%	100.0%

Number of Observations: 33,338

RUNWAY END COORDINATES NAD83 (a)

RUNWAY 1L-19R				RUNWAY 1R-19L				RUNWAY 6-24			
EXISTING		FUTURE		EXISTING		FUTURE		EXISTING		FUTURE	
19R	LAT. 38° 13' 23.538" N LONG. 122° 16' 40.665" W	19R	No Change	19L	38° 13' 06.683" N 122° 16' 41.890" W	19L	No Change	6	38° 12' 27.751" N 122° 17' 18.546" W	6	No Change
1L	LAT. 38° 12' 28.714" N LONG. 122° 17' 06.977" W	1L	No Change	1R	38° 12' 43.476" N 122° 16' 53.028" W	1R	38° 12' 26.919" N 122° 17' 00.966" W	24	38° 12' 39.101" N 122° 16' 17.482" W	24	No Change

TAXIWAY DATA (c)

	A		B		C		D		E[1]		F		G		H		J		K	
	EXISTING	FUTURE	EXISTING	FUTURE	EXISTING	FUTURE	EXISTING	FUTURE	EXISTING	FUTURE	EXISTING	FUTURE	EXISTING	FUTURE	EXISTING	FUTURE	EXISTING	FUTURE	EXISTING	FUTURE
TAXIWAY DESIGN GROUP	TDG-2	TDG-3	TDG-2	TDG-3	TDG-2	TDG-3	TDG-1	TDG-3	TDG-2	TDG-3	TDG-2	TDG-3	N/A	TDG-3	TDG-2	TDG-3	TDG-2	TDG-3	TDG-2	TDG-3
AIRCRAFT DESIGN GROUP	C-II	C-III	C-II	C-III	C-II	C-III	B-I	C-III	C-II	C-III	C-II	C-III	N/A	C-III	C-II	C-III	C-II	C-III	C-II	C-III
WIDTH	50'	No Change	50'	No Change	35'	50'	49'	118'	79'	118'	79'	118'	N/A	118'	79'	118'	79'	118'	79'	118'
TAXIWAY SAFETY AREA WIDTH	79'	118'	79'	118'	79'	118'	49'	118'	79'	118'	79'	118'	N/A	118'	79'	118'	79'	118'	79'	118'
TAXIWAY EDGE SAFETY MARGIN	7.5'	10'	7.5'	10'	7.5'	10'	5'	10'	7.5'	10'	7.5'	10'	N/A	10'	7.5'	10'	7.5'	10'	7.5'	10'
TAXIWAY SHOULDER WIDTH	15'	20'	15'	20'	15'	20'	10'	20'	15'	20'	15'	20'	N/A	20'	15'	20'	15'	20'	15'	20'
TAXIWAY OBJECT FREE AREA WIDTH	131'	186'	131'	186'	131'	186'	89'	186'	131'	186'	131'	186'	N/A	186'	131'	186'	131'	186'	131'	186'
DISTANCE from RUNWAY ℄ to TAXIWAY ℄	65.5'	93'	65.5'	93'	65.5'	93'	44.5'	93'	65.5'	93'	65.5'	93'	N/A	93'	65.5'	93'	65.5'	93'	65.5'	93'
TAXIWAY WINGTIP CLEARANCE	26'	34'	26'	34'	26'	34'	20'	34'	26'	34'	26'	34'	N/A	34'	26'	34'	26'	34'	26'	34'
DISTANCE from TAXIWAY ℄ to FIXED/MOVABLE OBJECT	N/A	No Change	400'	No Change	N/A	No Change	N/A	No Change	N/A	No Change	N/A	No Change	N/A	No Change	400'	No Change	400'	No Change	685'	No Change
TAXIWAY LIGHTING	MITL	No Change	MITL	No Change	MITL	No Change	None	MITL	MITL	No Change	MITL	No Change	N/A	MITL	MITL	No Change	MITL	No Change	MITL	No Change
DISTANCE FROM RUNWAY ℄ to HOLD BARS	250'	No Change	250'	No Change	125'	125'/250'	125'	125'/250'	125'/250'	No Change	125'/250'	No Change	N/A	250'	250'	No Change	250'	No Change	250'	No Change

NOTES: 1. Taxiway E is to be realigned to eliminate 4-node intersection with Taxiway A.

C:\Users\ddbm\Desktop\napa\data\local\temp\acdsPublish_15616\APC-ALP-2015.dwg — Apr 15, 2016 - 3:31pm

NO.	REVISION	SPONSOR	DATE
4	Address FAA Comments in Email Dated January 21, 2015		April 2016
3	Address FAA Comments in Email Dated August 12, 2014		August 2014
2	Address FAA Comments in Letter Dated May 1, 2014		June 2014
1	SOP No.2 Mods		February 2014

NAPA COUNTY AIRPORT
NAPA, CALIFORNIA

AIRPORT DATA

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DESIGN: DD/BM | DRAWN: TE | DATE: APRIL 2016 | SHEET 3 OF 12

The preparation of these documents was financed in part through a planning grant from the Federal Aviation Administration as provided under Section 505 of the Airport and Airway Improvement Act of 1982, as amended. The contents do not necessarily reflect the official views or policy of the FAA. Acceptance of these documents by the FAA does not in any way constitute a commitment on the part of the United States to participate in any development depicted therein nor does it indicate that the proposed development is environmentally acceptable in accordance with appropriate public laws.

Mead & Hunt, Inc., 2016

EXHIBIT 7-5: AIRPORT ACTIVITY SUMMARY

BASED AIRCRAFT [a]

	Current	Future
Aircraft Type		
Single-Engine	183	260
Twin-Engine	19	24
Turboprop	13	30
Business jet	7	20
Helicopter/AAM[c]	2	6
Total	**224**	**340**

AIRCRAFT OPERATIONS [a]

	Current	Future
ALUCP Total		
Annual	68,900	84,000
Average Day	188	230
2007 AMP Total (noise contours) [b]		
Annual	126,000	260,000
Average Day	345	712
Distribution by Aircraft Type		
Single-Engine	63%	45%
Twin-Engine	2%	0%
Turboprop	5%	2%
Business Jet	25%	38%
Helicopter/AAM[c]	5%	15%
Distribution by Type of Operation		
Local (incl. touch-and-goes)	40%	no change
Itinerant	60%	no change

TIME OF DAY DISTRIBUTION [b]

	Current	Future
Single-Engine		
Day (7 am to 7pm)	95%	no change
Evening (7 pm to 10 pm)	4%	no change
Night (10 pm to 7 am)	1%	
Twin-Engine		
Day (7 am to 7pm)	97%	no change
Evening (7 pm to 10 pm)	2%	no change
Night (10 pm to 7 am)	1%	no change
Turboprop		
Day (7 am to 7pm)	97%	no change
Evening (7 pm to 10 pm)	2%	no change
Night (10 pm to 7 am)	1%	no change
Business Jet		
Day (7 am to 7pm)	99%	no change
Evening (7 pm to 10 pm)	1%	no change
Night (10 pm to 7 am)	0%	no change
Helicopter/AAM[c]		
Day (7 am to 7pm)	75%	no change
Evening (7 pm to 10 pm)	16%	no change
Night (10 pm to 7 am)	9%	no change

RUNWAY USE DISTRIBUTION [b]

	Current	Future
Single-Engine		
Takeoffs and Landings		
Day, Evening, Night		
Runway 19R	60%	no change
Runway 1L	2.5%	no change
Runway 19L	20%	no change
Runway 1R	0.5%	no change
Runway 6	2%	no change
Runway 24	15%	no change
Twin-Engine		
Takeoffs and Landings		
Day, Evening, Night		
Runway 19R	60%	no change
Runway 1L	2.5%	small increase
Runway 19L	20%	small increase
Runway 1R	0.5%	no change
Runway 6	20%	no change
Runway 24	15%	no change
Turboprop		
Takeoffs and Landings		
Day, Evening, Night		
Runway 19R	75%	no change
Runway 1L	5%	no change
Runway 6	5%	no change
Runway 24	15%	no change
Business Jet		
Takeoffs and Landings		
Day, Evening, Night		
Runway 19R	75%	no change
Runway 1L	5%	no change
Runway 6	5%	no change
Runway 24	15%	no change
Helicopter/AAM[c]		
Takeoffs and Landings		
Day, Evening, Night		
Helipad	100%	no change

Continued on next page

FLIGHT TRACK USAGE [b]

Takeoffs	Straight Out	Right Turn	Left Turn
	Current Distributions No Future Changes		
Single-Engine			
Runway 1L	*80%*		*20%*
Runway 19R	50%	30%	20%
Runway 1R	100%		
Runway 19L	50%	30%	20%
Runway 6	70%	15%	15%
Runway 24	40%	20%	40%
Twin-Engine			
Runway 1L	80%		20%
Runway 19R	50%	30%	20%
Runway 1R	100%		
Runway 19L	50%	30%	50%
Runway 6	70%	15%	15%
Runway 24	40%	20%	40%
Turboprop			
Runway 1L	30%	70%	
Runway 19R	20%	60%	20%
Runway 1R	100%		
Runway 19L	20%	60%	20%
Runway 6	70%	15%	15%
Runway 24	40%	20%	40%
Business Jet			
Runway 1L	100%		
Runway 19R	100%		
Runway 1R			
Runway 19L			
Runway 6	100%		
Runway 24	100%		
Helicopter/AAM[c]			
Runway 1R/19L	100%c		

Landings	Straight In	Right Turn	Close-In Right Turn	Left Turn
	Current Distributions No Future Changes			
Single-Engine				
Runway 1L	*100%*			
Runway 19R	20%	40%	40%	
Runway 1R	100%			
Runway 19L	20%			80%
Runway 6	100%			
Runway 24	20%	40%	40%	
Twin-Engine				
Runway 1L	100%			
Runway 19R	10%	40%	50%	
Runway 1R	100%			
Runway 19L	20%			80%
Runway 6	100%			
Runway 24	10%	40%	50%	
Turboprop				
Runway 1L	100%			
Runway 19R	20%	60%	20%	
Runway 1R				
Runway 19L				
Runway 6	100%			
Runway 24	20%	60%	20%	
Business Jet				
Runway 1L	100%			
Runway 19R	100%			
Runway 1R				
Runway 19L				
Runway 6	100%			
Runway 24	100%			
Helicopter/AAM[c]				
Runway 1R/19L	100%c			

Notes:
[a] Napa County Airport Master Plan, March 2007. Table 2A, Master Plan Activity Forecasts
[b] Napa County Airport Master Plan, March 2007. Appendix E, Noise Model Calculation Data
[c] Future Advanced Air Mobility (AAM) operations anticipated to occur on 1R/19L. See Section 7.2.4.

Source: data compiled by Mead & Hunt, 2023

EXHIBIT 7-6: COMPATIBILITY FACTOR – NOISE

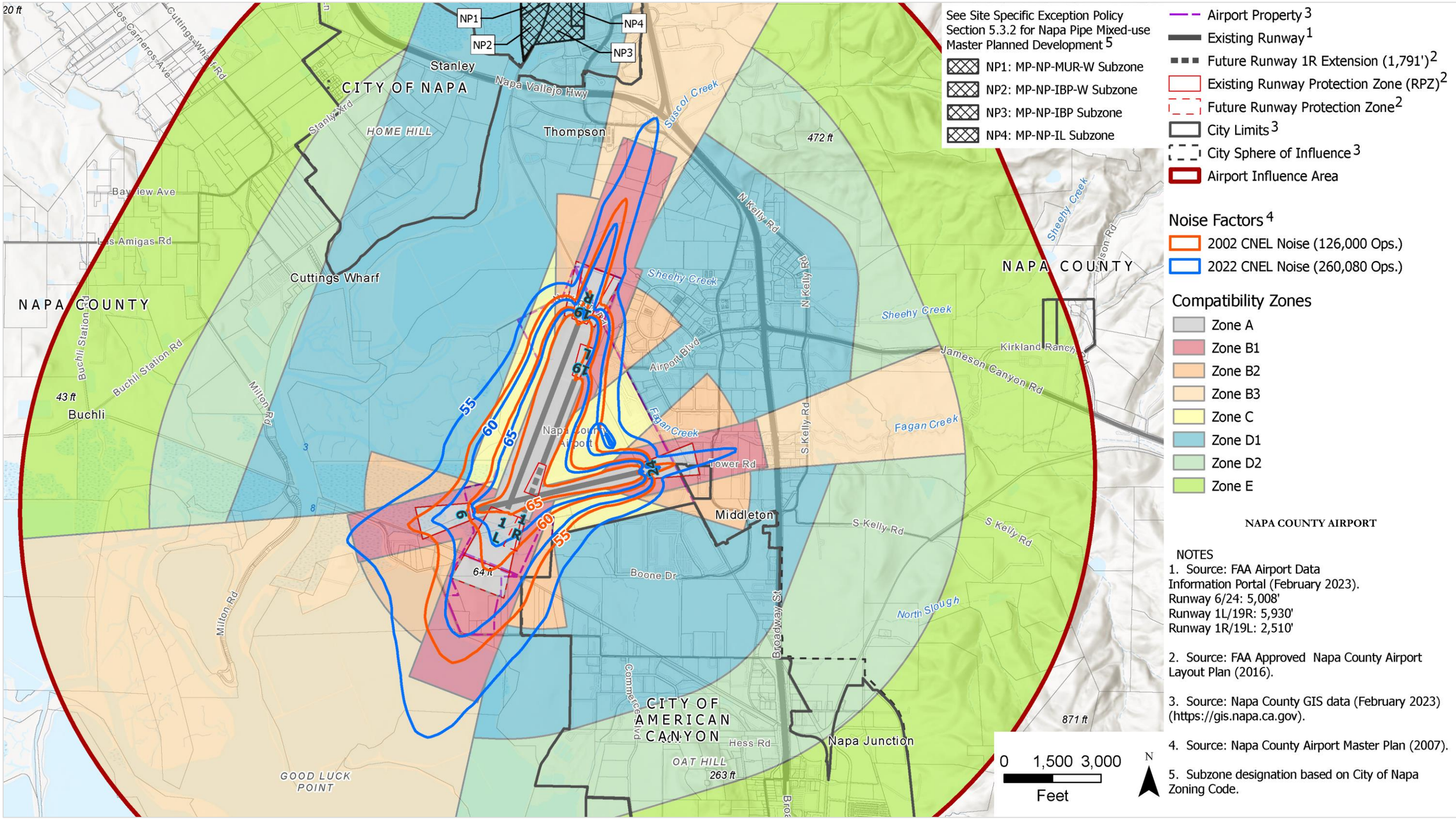

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EXHIBIT 7-7: COMPATIBILITY FACTOR – OVERFLIGHT

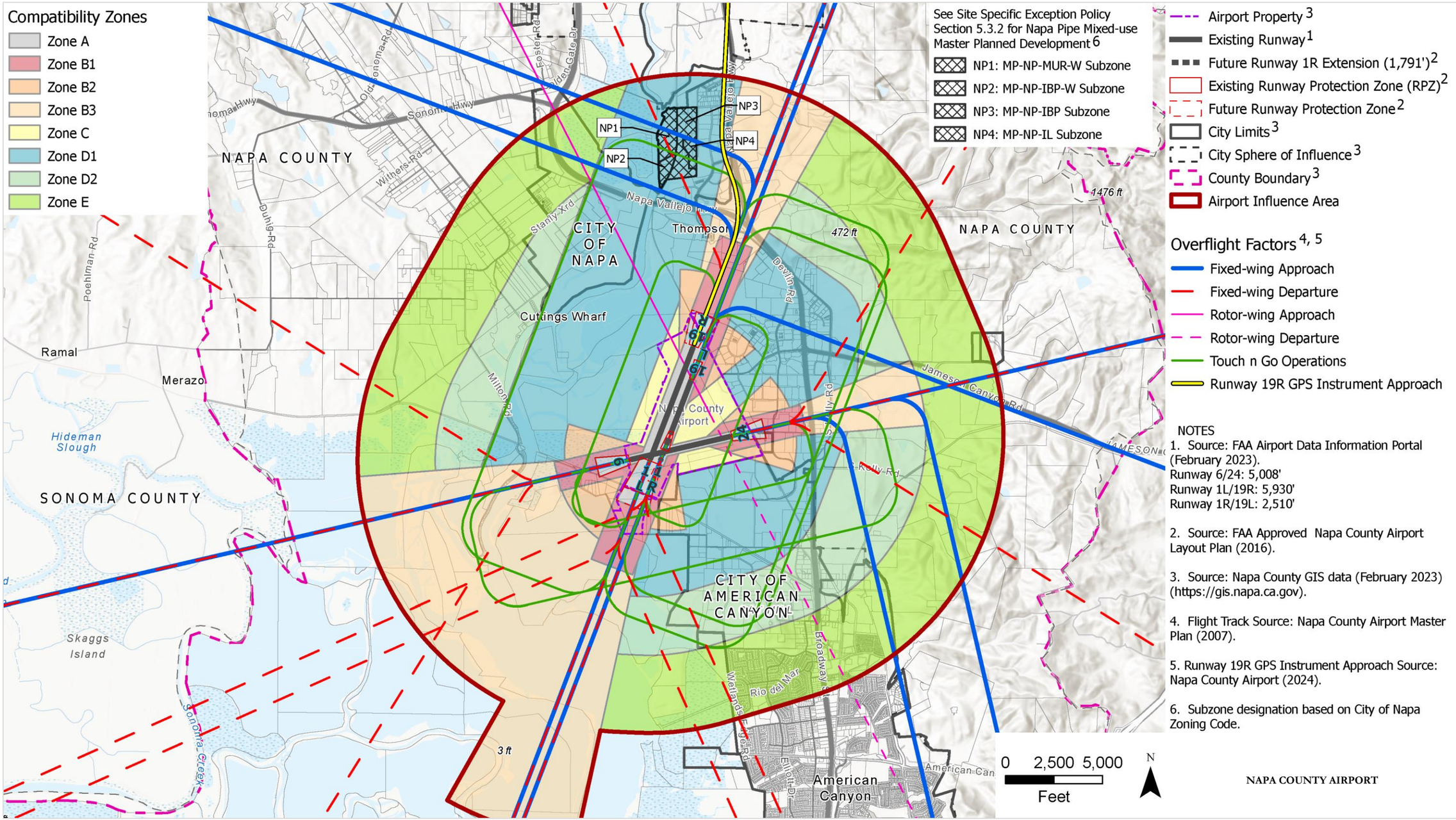

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EXHIBIT 7-8: COMPATIBILITY FACTORS – SAFETY

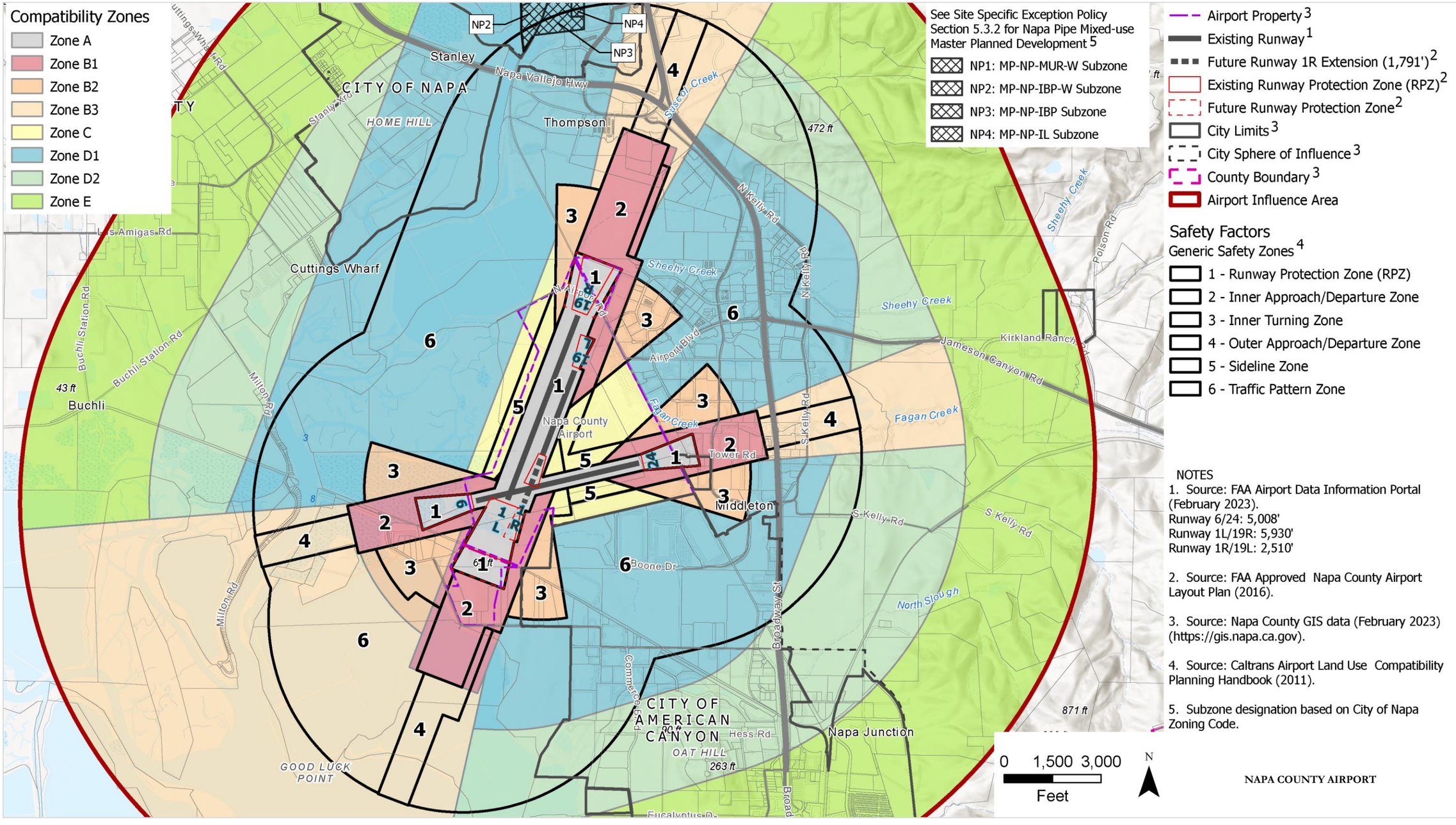

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EXHIBIT 7-9: COMPATIBILITY FACTOR – AIRSPACE PROTECTION

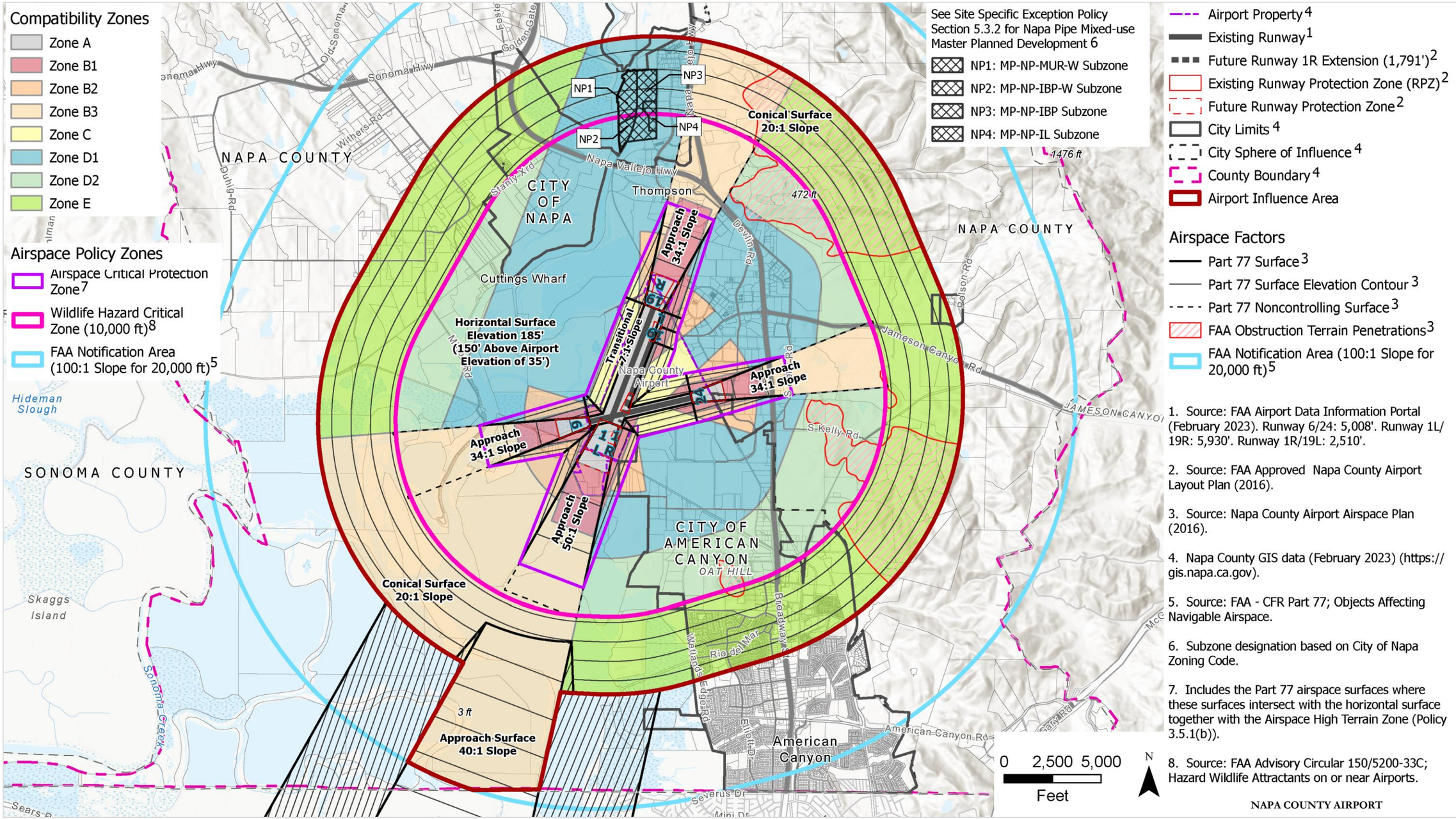

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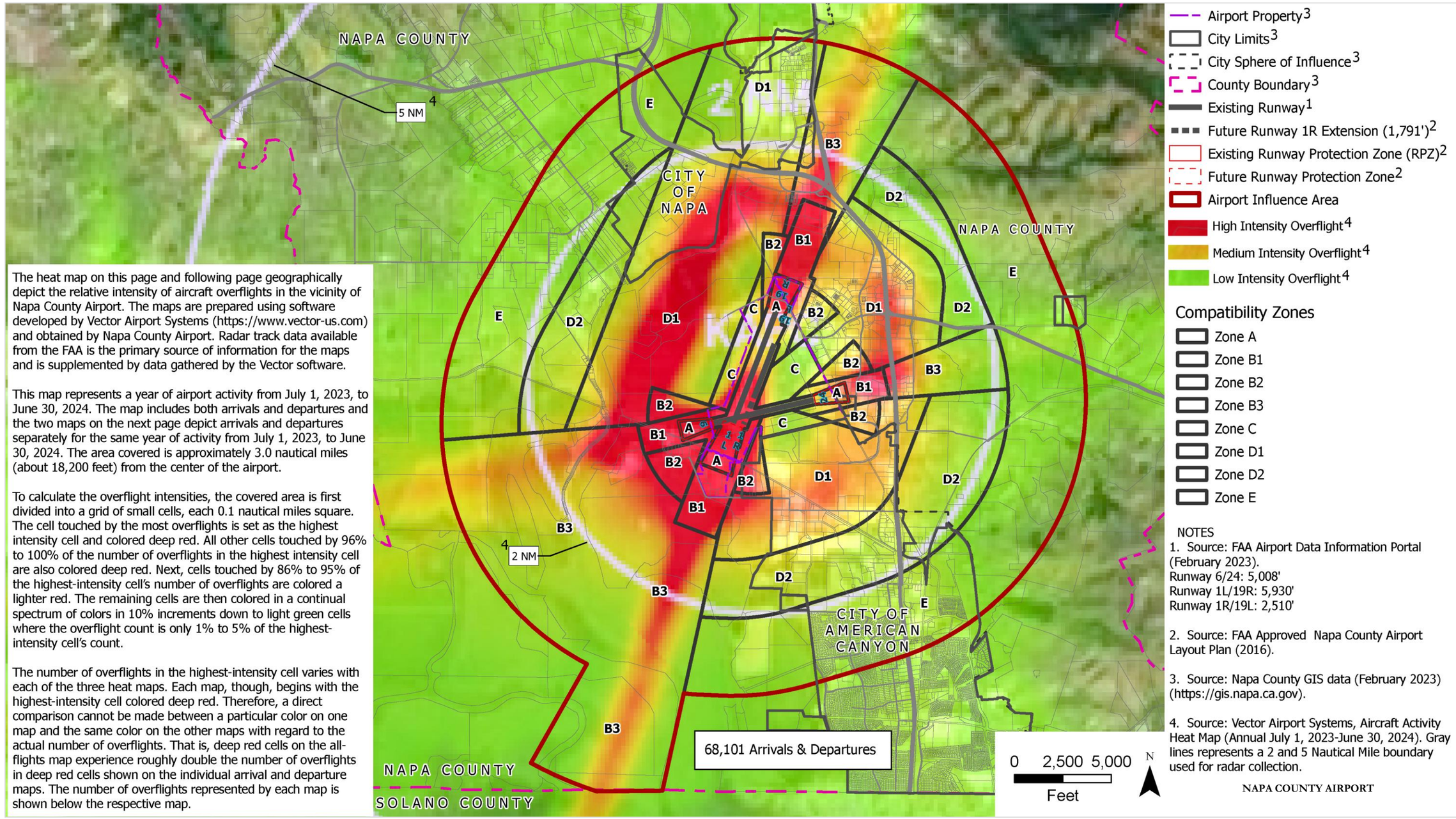
EXHIBIT 7-10: FLIGHT TRACK HEAT MAP – FULL YEAR

The heat map on this page and following page geographically depict the relative intensity of aircraft overflights in the vicinity of Napa County Airport. The maps are prepared using software developed by Vector Airport Systems (https://www.vector-us.com) and obtained by Napa County Airport. Radar track data available from the FAA is the primary source of information for the maps and is supplemented by data gathered by the Vector software.

This map represents a year of airport activity from July 1, 2023, to June 30, 2024. The map includes both arrivals and departures and the two maps on the next page depict arrivals and departures separately for the same year of activity from July 1, 2023, to June 30, 2024. The area covered is approximately 3.0 nautical miles (about 18,200 feet) from the center of the airport.

To calculate the overflight intensities, the covered area is first divided into a grid of small cells, each 0.1 nautical miles square. The cell touched by the most overflights is set as the highest intensity cell and colored deep red. All other cells touched by 96% to 100% of the number of overflights in the highest intensity cell are also colored deep red. Next, cells touched by 86% to 95% of the highest-intensity cell's number of overflights are colored a lighter red. The remaining cells are then colored in a continual spectrum of colors in 10% increments down to light green cells where the overflight count is only 1% to 5% of the highest-intensity cell's count.

The number of overflights in the highest-intensity cell varies with each of the three heat maps. Each map, though, begins with the highest-intensity cell colored deep red. Therefore, a direct comparison cannot be made between a particular color on one map and the same color on the other maps with regard to the actual number of overflights. That is, deep red cells on the all-flights map experience roughly double the number of overflights in deep red cells shown on the individual arrival and departure maps. The number of overflights represented by each map is shown below the respective map.



NOTES

1. Source: FAA Airport Data Information Portal (February 2023).
Runway 6/24: 5,008'
Runway 1L/19R: 5,930'
Runway 1R/19L: 2,510'

2. Source: FAA Approved Napa County Airport Layout Plan (2016).

3. Source: Napa County GIS data (February 2023) (https://gis.napa.ca.gov).

4. Source: Vector Airport Systems, Aircraft Activity Heat Map (Annual July 1, 2023-June 30, 2024). Gray lines represents a 2 and 5 Nautical Mile boundary used for radar collection.

NAPA COUNTY AIRPORT

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EXHIBIT 7-11: FLIGHT TRACK HEAT MAP – ARRIVALS AND DEPARTURES REPRESENTATIVE QUARTER

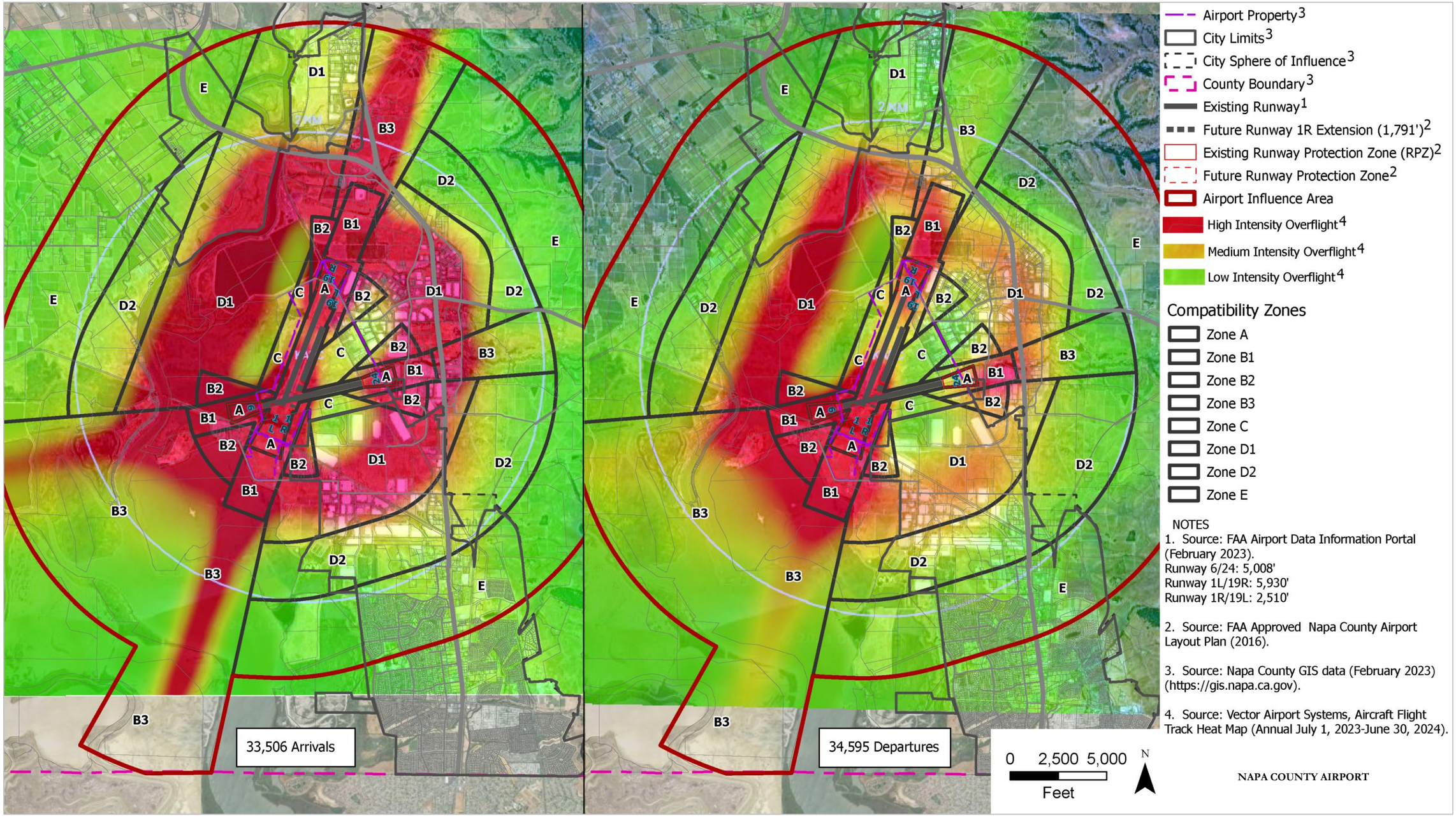

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EXHIBIT 7-12: AIRPORT ENVIRONS INFORMATION

AIRPORT SITE [a]

Location

- Southern Napa County between Cities of Napa and American Canyon
- Access via Airport Road 1 mile west of State Highways 12/29 intersection

Topography

- Situated in southern end of Napa Valley with low hills to east and west
- Elevations range from 5 feet along the Napa River to 1,400 feet along the eastern county line
- Tidally influenced salt marshes located along northern and western edges of airport

AIRPORT ENVIRONS LAND USE JURISDICTIONS [a]

County of Napa

- Runway approaches and traffic pattern over unincorporated Napa County

City of Napa

- 5 miles south of Napa city center
- City sphere of influence extends within 1 mile north-west of airport

City of American Canyon

- Airport borders north side of City of American Canyon

EXISTING AIRPORT AREA LAND USES [b]

General Character

- Industrial/business park area to east
- Developing industrial/business park to south
- Agricultural and watershed lands to west
- Napa Sanitation District lands adjoin airport to north
- Scattered industrial uses to the east and south.

Runway Approaches

- Northeast Approach: Industrial, agricultural, water treatment facility
- Southwest Approach: Agricultural, watershed
- West Approach: Agriculture, watershed
- East Approach: Industrial/business park

PLANNED AIRPORT AREA LAND USES

County of Napa

- Future industrial business park planned for adjoining areas north, east, and south
- Potential mixed use planned development for area northwest of airport within the City of Napa
- Agricultural and open space designated at periphery of planning area

City of Napa

- Public Serving land uses planned east of airport

City of American Canyon

- Industrial land uses planned south of airport

STATUS OF COMMUNITY PLANS

County of Napa

- General Plan, adopted June 2008
- Napa County Land Use Map (2008-2030), revised December 2016

City of Napa

- General Plan, adopted October 2022
- Downtown Specific Plan, adopted May 2012
- Airport Industrial Area Specific Plan (AIASP), adopted July 1986
- City of Napa Municipal Code, Title 17 – Zoning, Chapter 17.34: AC – Airport Compatibility Overlay District

City of American Canyon

- General Plan, adopted November 1994

ESTABLISHED AIRPORT COMPATIBILITY MEASURES

County of Napa - General Plan [d]

- Agricultural Preservation and Land Use Element
  - AIASP details land use and circulation standards for Industrial near Napa County Airport (Policy AG/LU-38).
  - Use zoning to ensure that land uses in airport approach zones comply with applicable *ALUC* policies. If necessary, County shall acquire development rights in airport approach zones (Policy AG/LU-49).
  - Refer General Plan land use changes, proposed rezonings, and proposed developments in Airport Approach Zones to Napa County *ALUC* for review and comment (Action Item AG/LU 49.1).
  - New land uses in the South County Industrial Area shall be compatible with or buffered from adjacent industrial uses and consistent with the *ALUCP* for Napa County Airport (Policy AG/LU-95).
  - Airport Industrial Area is planned for industrial and business/industrial park uses that support agriculture (Policy AG/LU-96).
  - New school facilities shall not be located within two miles of an airport unless approved by the State Department of Education (Policy AG/LU-123).
  - New churches or institutions providing religious instruction shall not be located within proximity to an airport, unless they are located in an area where residential uses would be compatible under the applicable *ALUCP* (Policy AG/LU-124).
- Circulation Element
  - County shall work with Napa County Transportation and Planning Agency to develop effective connections between public transit in Napa County (Policy CIR-31).
  - Maintain Napa County Airport as a General Aviation facility and avoid land use conflicts via land use compatibility planning (Policy CIR-38).
  - County supports runway and other technological improvements to Napa County Airport to improve its safety and usefulness as a civil aviation center (Policy CIR-39).
  - County shall review Circulation Element periodically to ensure it embraces future technological innovations that improve … airport operations (Policy CIR-41).

Continued on next page

- Community Character Element
  - Development in the area covered by any *ALUCP* shall be consistent with noise levels projected for the airport (Policy CC-45).
  - County shall use avigation easements, disclosure statements, and other appropriate measures to ensure that residents and businesses within any airport influence area are informed of the presence of the airport and its potential for creating current and future noise (Action CC-45.1).
- Economic Development Element
  - Ancillary uses in the Airport Industrial Area shall be limited to locally-serving (i.e., business park supporting) uses, with regard to both nature and extent, as specified in the AIASP (Policy E-10).
- Housing Element (2014)
  - Napa Pipe Site has a realistic capacity of 700-945 housing units on 43.5-acre portion of the site located north of the airport (Page H-45).
- Recreation and Open Space Element
  - County to plan for and reserve land for recreational facilities (i.e., recreational alignment of San Francis-co Bay Trail between American Canyon and Napa adjacent to tidal wetlands west of airport.) (Policy ROS-15).
- Safety Element
  - For maximum safety, all land uses and zoning within airport areas shall be reviewed for compatibility with the adopted plans for the airport and other general aviation facilities in the county (Policy SAF-33).

City of American Canyon - General Plan [h]

- Land Use Element
  - Ensure compatibility of development within American Canyon with airport (Goal 1N)
  - Associated Policies: 1.27.2-1.27.7
- Economic Element
  - Work with County and LAFCOM to modify City's sphere to include areas on north side of Green Island Road and south of airport for future industrial development (Policy 3.5.2).
- Noise Element
  - Restrict development of uses located within the 65 CNEL contour to industrial, agricultural, or other open space uses (Policy 11.4.1).
  - Require that development in the vicinity of Napa County Airport comply with noise standards in the *ALUCP* (Policy 11.4.2).
  - Work with airport to ensure airport's operations do not generate adverse noise conditions in the City of American Canyon (Policy 11.4.3).

City of Napa - General Plan [e]

- Air, Water, Truck, and Rail Transport
  - Coordinate with Napa County and other agencies to continue safe and efficient operation of the Napa County Airport (Goal TE-8).
  - Promote the expansion of airport services to connect major airports to Downtown via rail or shuttle services (Goal TE 8-1).
- Other Public Safety and Hazards
  - Consider long-term compatibility between proposed new land uses and Napa County Airport.
- Airport Industrial Area Specific Plan
  - General Goal 3. Provide a specific plan which is compatible with operations, plans and development policies of airport.
  - Economic Goal 5. Establish land use and circulation policies for the planning area which will enhance the potential of airport.
  - Land Use Goal 2. Maintain compatibility between planning area land uses and Napa County Airport activities.
  - Land Use Goal 5.g. Organize the planning area into various land use components distinguished by proximity to existing planning area features including the airport.
  - Land Use Goal 11. Limit commercial activities in the planning area to those businesses which are directly related to needs generated by airport.
  - Land Use Goal 12. Where warranted, establish special noise abatement criteria for areas that fall within the 55 dB (CNEL) noise contour of airport.
  - Land Use Goal 14. Retain planning area lands adjacent and convenient to airport for air transport related industrial activities.
  - Internal Improvements Goal 3.g. Provide a circulation system configuration in the airport vicinity for safe and convenient taxiway links to the airport.
  - Aviation Goal 4.a. Require that land uses surrounding the airport be compatible with airport activity and the *ALUCP*.
  - Aviation Goal 4.b. Place a total prohibition on urban development in designated airport approach Clear Zones.
  - Aviation Goal 4.c. In the AIA, place special restrictions on development to reduce safety and noise conflicts between aviation activity and industrial activity.
  - Aviation Goal 4.d. Provide for future private construction of aircraft taxiways between Napa County Airport and adjacent industrial sites.

City of Napa - Title 17 – Zoning, Chapter 17.34: AC – Airport Compatibility Overlay District

- Protect public health, safety, and welfare within the land use compatibility zones of Napa County Airport identified by the *ALUCP* (17.34.020 Purpose).
- May overlay or be combined with any zoning district consistent with the purpose and provisions of this district (17.34.030 Designation).

Notes:
[a] Napa County Airport, Master Plan, March 2007
[b] Napa County Airport Land Use Compatibility Plan, Adopted April 22, 1991, Revised December 15, 1999
[c] Napa County Land Use Plan Map, December 20, 2016
[d] Napa County General Plan, June 2008
[e] City of Napa General Plan, October 2022
[f] Airport Industrial Area Specific Plan, July 1968 (Amended through October 2013)
[g] City of Napa, General Plan, October 2022
[h] City of American Canyon, General Plan, November 1994

Source: data compiled by Mead & Hunt, 2023.

EXHIBIT 7-13: GENERAL PLAN LAND USE DESIGNATIONS – COUNTY OF NAPA

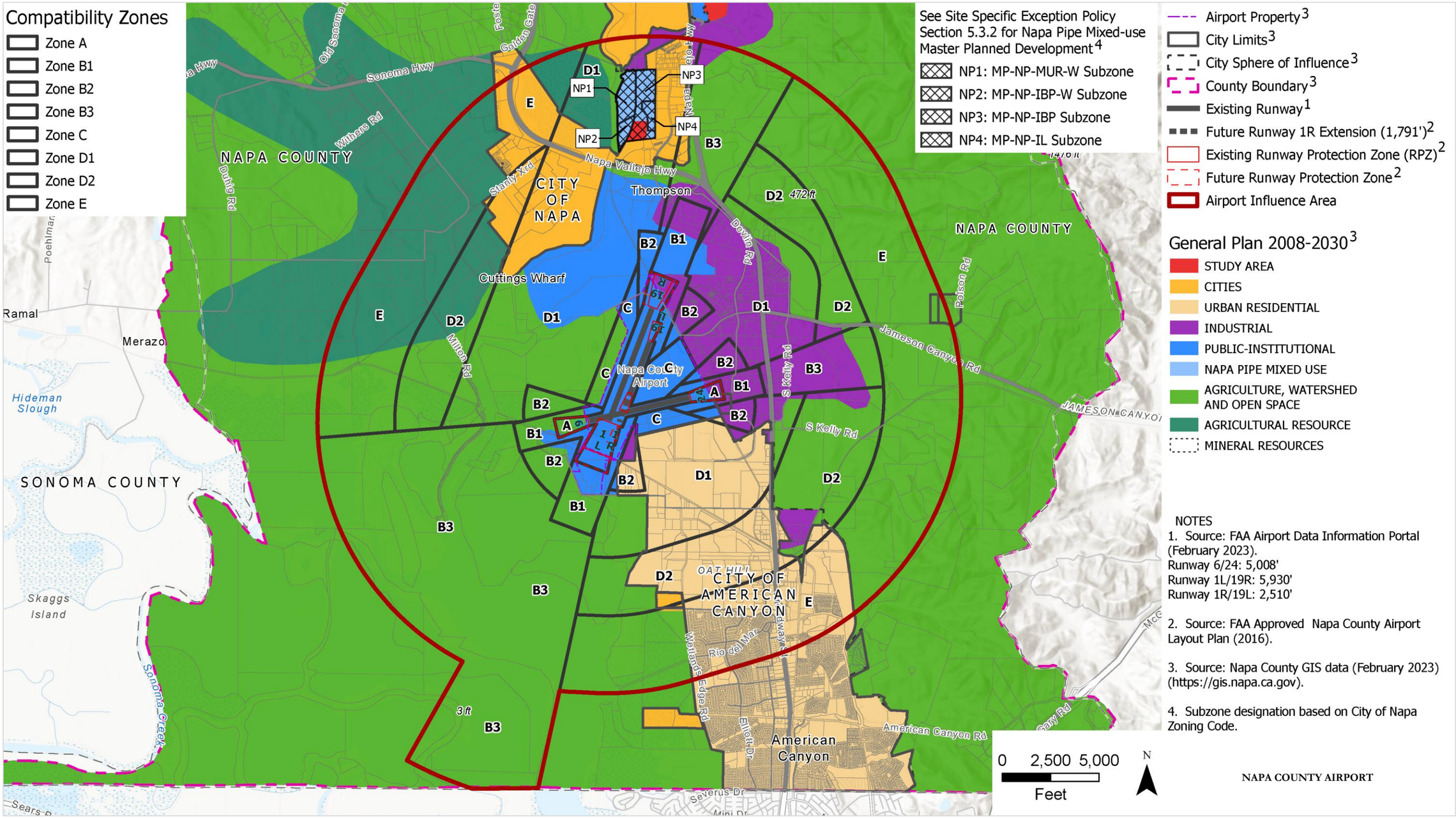

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EXHIBIT 7-14: GENERAL PLAN LAND USE DESIGNATIONS – CITY OF NAPA AND CITY OF AMERICAN CANYON

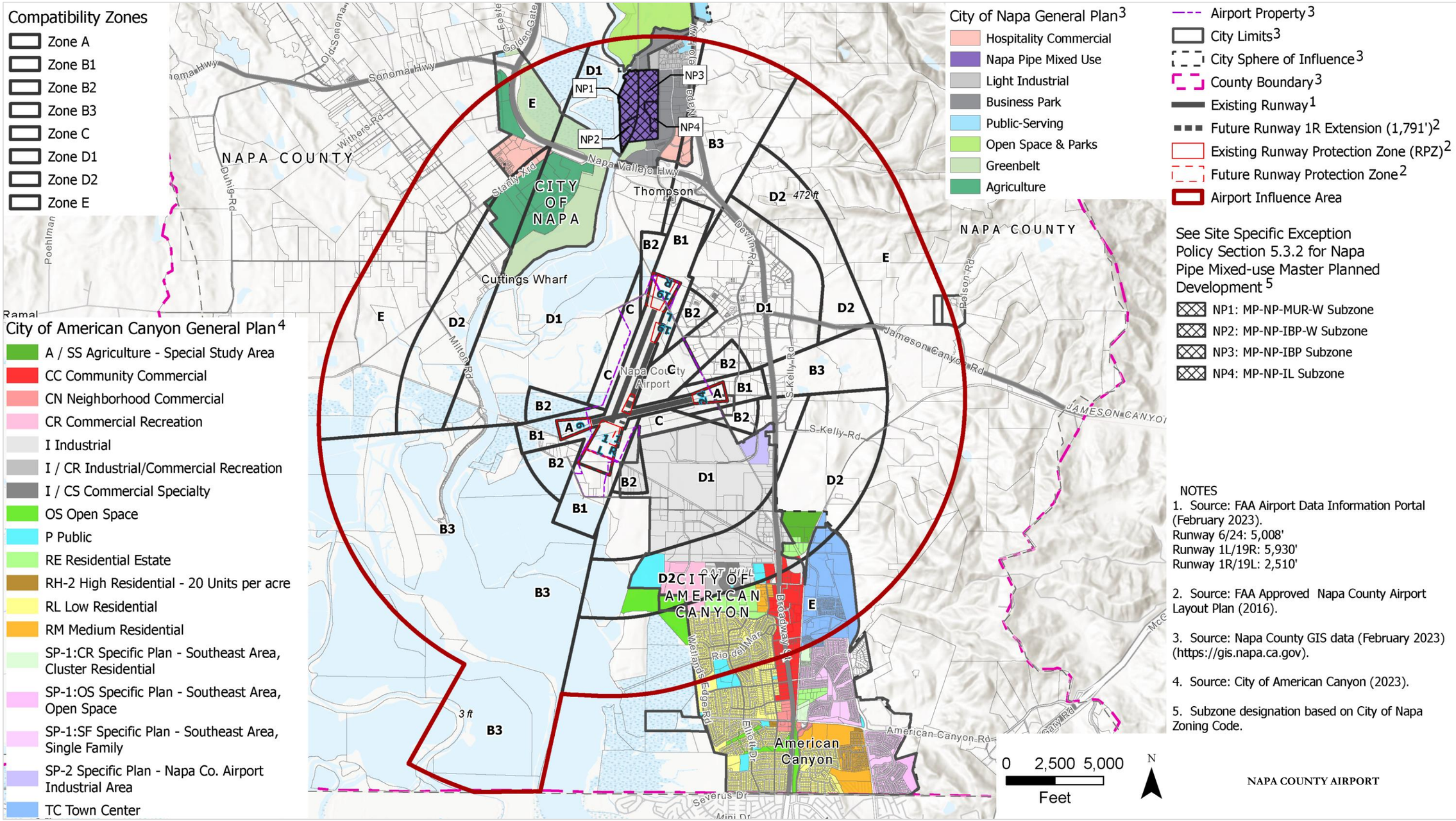

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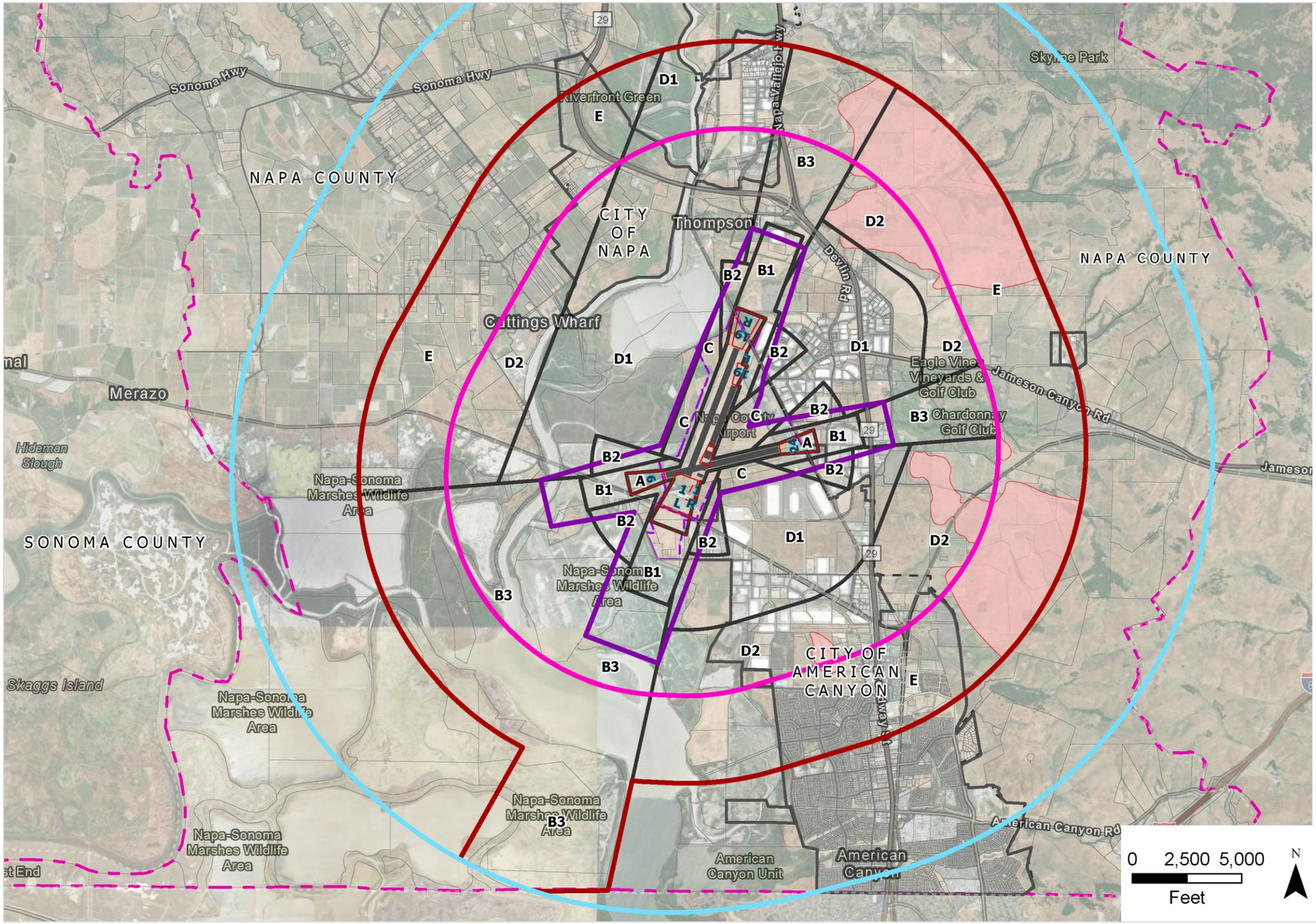
EXHIBIT 7-15: AERIAL



- Airport Property[4]
- City Limits[4]
- City Sphere of Influence[4]
- County Boundary[4]
- Existing Runway[1]
- Future Runway 1R Extension (1,791')[2]
- Existing Runway Protection Zone (RPZ)[2]
- Future Runway Protection Zone[2]
- Airport Influence Area
- Compatibility Zones A - E

Airspace Policy Zones

- Airspace Critical Protection Zone[5]
- Airspace High Terrain Zone[3]
- Wildlife Hazard Critical Zone (10,000 ft)[6]
- FAA Notification Area (100:1 Slope for 20,000 ft)[7]

1. Source: FAA Airport Data Information Portal (February 2023).
Runway 6/24: 5,008'
Runway 1L/19R: 5,930'
Runway 1R/19L: 2,510'

2. Source: FAA Approved Napa County Airport Layout Plan (2016).

3. Source: Napa County Airport Airspace Plan (2016).

4. Source: Napa County GIS data (https://gis.napa.ca.gov).

5. Includes the Part 77 airspace surfaces where these surfaces intersect with the horizontal surface together with the Airspace High Terrain Zone (Policy 3.5.1(b)).

6. Source: FAA Advisory Circular 150/5200-33C; Hazard Wildlife Attractants on or near Airports.

7. Source: FAA - CFR Part 77; Objects Affecting Navigable Airspace.

NAPA COUNTY AIRPORT

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Appendix **A**

State Laws Related to Airport Land Use Planning

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50710.1 Special Housing Program for Migratory Workers A-79
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AERONAUTICS LAW

PUBLIC UTILITIES CODE

D9(P1) – CH4(3.5)

Division 9–Aviation
Part 1–State Aeronautics Act
Chapter 4–Airports and Air Navigation Facilities
Article 3.5–Airport Land Use Commission

21670 Creation; Membership; Selection

(a) The Legislature hereby finds and declares that:

(1) It is in the public interest to provide for the orderly development of each public use airport in this state and the area surrounding these airports so as to promote the overall goals and objectives of the California airport noise standards adopted pursuant to Section 21669 and to prevent the creation of new noise and safety problems.

(2) It is the purpose of this article to protect public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses.

(b) In order to achieve the purposes of this article, every county in which there is located an airport which is served by a scheduled airline shall establish an airport land use commission. Every county, in which there is located an airport which is not served by a scheduled airline, but is operated for the benefit of the general public, shall establish an airport land use commission, except that the board of supervisors of the county may, after consultation with the appropriate airport operators and affected local entities and after a public hearing, adopt a resolution finding that there are no noise, public safety, or land use issues affecting any airport in the county which require the creation of a commission and declaring the county exempt from that requirement. The board shall, in this event, transmit a copy of the resolution to the Director of Transportation. For purposes of this section, "commission" means an airport land use commission. Each commission shall consist of seven members to be selected as follows:

(1) Two representing the cities in the county, appointed by a city selection committee comprised of the mayors of all the cities within that county, except that if there are any cities contiguous or adjacent to the qualifying airport, at least one representative shall be appointed therefrom. If there are no cities within a county, the number of representatives provided for by paragraphs (2) and (3) shall each be increased by one.

(2) Two representing the county, appointed by the board of supervisors.

(3) Two having expertise in aviation, appointed by a selection committee comprised of the managers of all of the public airports within that county.

(4) One representing the general public, appointed by the other six members of the commission.

(c) Public officers, whether elected or appointed, may be appointed and serve as members of the commission during their terms of public office.

(d) Each member shall promptly appoint a single proxy to represent him or her in commission affairs and to vote on all matters when the member is not in attendance. The proxy shall be designated in a signed written instrument which shall be kept on file at the commission offices, and the proxy shall serve at the pleasure of the appointing member. A vacancy in the office of proxy shall be filled promptly by appointment of a new proxy.

(e) A person having an "expertise in aviation" means a person who, by way of education, training, business, experience, vocation, or avocation has acquired and possesses particular knowledge of, and familiarity with, the function, operation, and role of airports, or is an elected official of a local agency which owns or operates an airport.

(f) It is the intent of the Legislature to clarify that, for the purposes of this article that special districts, school districts and community college districts are included among the local agencies that are subject to airport land use laws and other requirements of this article.

21670.1 Action by Designated Body Instead of Commission

(a) Notwithstanding any other provision of this article, if the board of supervisors and the city selection committee of mayors in the county each makes a determination by a majority vote that proper land use planning can be accomplished through the actions of an appropriately designated body, then the body so designated shall assume the planning responsibilities of an airport land use commission as provided for in this article, and a commission need not be formed in that county.

(b) A body designated pursuant to subdivision (a) that does not include among its membership at least two members having expertise in aviation, as defined in subdivision (e) of Section 21670, shall, when acting in the capacity of an airport land use commission, be augmented so that body, as augmented, will have at least two members having that expertise. The commission shall be constituted pursuant to this section on and after March 1, 1988.

(c) (1) Notwithstanding subdivisions (a) and (b), and subdivision (b) of Section 21670, if the board of supervisors of a county and each affected city in that county each makes a determination that proper land use planning pursuant to this article can be accomplished pursuant to this subdivision, then a commission need not be formed in that county.

(2) If the board of supervisors of a county and each affected city makes a determination that proper land use planning may be accomplished and a commission is not formed pursuant to paragraph (1), that county and the appropriate affected cities having jurisdiction over an airport, subject to the review and approval by the Division of Aeronautics of the department, shall do all of the following:

(A) Adopt processes for the preparation, adoption, and amendment of the airport land use compatibility plan for each airport that is served by a scheduled airline or operated for the benefit of the general public.

(B) Adopt processes for the notification of the general public, landowners, interested groups, and other public agencies regarding the preparation, adoption, and amendment of the airport land use compatibility plans.

(C) Adopt processes for the mediation of disputes arising from the preparation, adoption, and amendment of the airport land use compatibility plans.

(D) Adopt processes for the amendment of general and specific plans to be consistent with the airport land use compatibility plans.

(E) Designate the agency that shall be responsible for the preparation, adoption, and amendment of each airport land use compatibility plan.

(3) The Division of Aeronautics of the department shall review the processes adopted pursuant to paragraph (2), and shall approve the processes if the division determines that the processes are consistent with the procedure required by this article and will do all of the following:

(A) Result in the preparation, adoption, and implementation of plans within a reasonable amount of time.

(B) Rely on the height, use, noise, safety, and density criteria that are compatible with airport operations, as established by this article, and referred to as the Airport Land Use Planning Handbook, published by the division, and any applicable federal aviation regulations, including, but not limited to, Part 77 (commencing with Section 77.1) of Title 14 of the Code of Federal Regulations.

(C) Provide adequate opportunities for notice to, review of, and comment by the general public, landowners, interested groups, and other public agencies.

(4) If the county does not comply with the requirements of paragraph (2) within 120 days, then the airport land use compatibility plan and amendments shall not be considered adopted pursuant to this article and a commission shall be established within 90 days of the determination of noncompliance by the division and an airport land use compatibility plan shall be adopted pursuant to this article within 90 days of the establishment of the commission.

(d) A commission need not be formed in a county that has contracted for the preparation of airport land use compatibility plans with the Division of Aeronautics under the California Aid to Airports Program (Chapter 4 (commencing with Section 4050 of Division 2.5 of Title 21 of the California Code of Regulations), and that submits all of the following information to the Division of Aeronautics for review and comment that the county and the cities affected by the airports within the county, as defined by the airport land use compatibility plans:

(1) Agree to adopt and implement the airport land use compatibility plans that have been developed under contract.

(2) Incorporated the height, use, noise, safety, and density criteria that are compatible with airport operations as established by this article, and referred to as the Airport Land Use Planning Handbook, published by the division, and any applicable federal aviation regulations, including, but not limited to, Part 77 (commencing with Section 77.1) of Title 14 of the Code of Federal Regulations as part of the general and specific plans for the county and for each affected city.

(3) If the county does not comply with this subdivision on or before May 1, 1995, then a commission shall be established in accordance with this article.

(e) (1) A commission need not be formed in a county if all of the following conditions are met:

(A) The county has only one public use airport that is owned by a city.

(B) (i) The county and the affected city adopt the elements in paragraph (2) of subdivision (d), as part of their general and specific plans for the county and the affected city.

(ii) The general and specific plans shall be submitted, upon adoption, to the Division of Aeronautics. If the county and the affected city do not submit the elements specified in paragraph (2) of subdivision (d), on or before May 1, 1996, then a commission shall be established in accordance with this article.

(*Amended by Stats. 2018, Ch. 198, Sec. 5. (AB 3246) Effective January 1, 2019.)*

21670.2 Application to Counties Having Over 4 Million in Population

(a) Sections 21670 and 21670.1 do not apply to the County of Los Angeles. In that county, the county regional planning commission has the responsibility for coordinating the airport planning of public agencies within the county. In instances where impasses result relative to this planning, an appeal may be made to the county regional planning commission by any public agency involved. The action taken by the county regional planning commission on an appeal may be overruled by a four-fifths vote of the governing body of a public agency whose planning led to the appeal.

(b) By January 1, 1992, the county regional planning commission shall adopt the airport land use compatibility plans required pursuant to Section 21675.

(c) Sections 21675.1, 21675.2, and 21679.5 do not apply to the County of Los Angeles until January 1, 1992. If the airport land use compatibility plans required pursuant to Section 21675 are not adopted by the county regional planning commission by January 1, 1992, Sections 21675.1 and 21675.2 shall apply to the County of Los Angeles until the airport land use compatibility plans are adopted.

(Amended by Stats. 2002, Ch. 438, Sec. 11. Effective January 1, 2003.)

21670.3 San Diego County

(a) Sections 21670 and 21670.1 do not apply to the County of San Diego. In that county, the San Diego County Regional Airport Authority, as established pursuant to Section 170002, shall be responsible for the preparation, adoption, and amendment of an airport land use compatibility plan for each airport in San Diego County.

(b) The San Diego County Regional Airport Authority shall engage in a public collaborative planning process when preparing and updating an airport land use compatibility plan.

21670.4 Intercounty Airports

(a) As used in this section, "intercounty airport" means any airport bisected by a county line through its runways, runway protection zones, inner safety zones, inner turning zones, outer safety zones, or sideline safety zones, as defined by the department's Airport Land Use Planning Handbook and referenced in the airport land use compatibility plan formulated under Section 21675.

(b) It is the purpose of this section to provide the opportunity to establish a separate airport land use commission so that an intercounty airport may be served by a single airport land use planning agency, rather than having to look separately to the airport land use commissions of the affected counties.

(c) In addition to the airport land use commissions created under Section 21670 or the alternatives established under Section 21670.1, for their respective counties, the boards of supervisors and city selection committees for the affected counties, by independent majority vote of each county's two delegations, for any intercounty airport, may do either of the following:

(1) Establish a single separate airport land use commission for that airport. That commission shall consist of seven members to be selected as follows:

(A) One representing the cities in each of the counties, appointed by that county's city selection committee.

(B) One representing each of the counties, appointed by the board of supervisors of each county.

(C) One from each county having expertise in aviation, appointed by a selection committee comprised of the managers of all the public airports within that county.

(D) One representing the general public, appointed by the other six members of the commission.

(2) In accordance with subdivision (a) or (b) of Section 21670.1, designate an existing appropriate entity as that airport's land use commission.

(Amended by Stats. 2002, Ch. 438, Sec. 12. Effective January 1, 2003.)

21670.6 Court and Mediation Proceedings

Any action brought in the superior court relating to this article may be subject to mediation proceeding conducted pursuant to Chapter 9.3 (commencing with Section 66030) of Division I of Title 7 of the Government Code.

(Added by Stats. 2010, Ch. 699, Sec. 37. (SB 894) Effective January 1, 2011.)

21671 Airports Owned by a City, District or County

In any county where there is an airport operated for the general public which is owned by a city or district in another county or by another county, one of the representatives provided by paragraph (1) of subdivision (b) of Section 21670 shall be appointed by the city selection committee of mayors of the cities of the county in which the owner of that airport is located, and one of the representatives provided by paragraph (2) of subdivision (b) of Section 21670 shall be appointed by the board of supervisors of the county in which the owner of that airport is located.

(Amended (as amended by Stats. 1984, Ch. 1117, Sec. 4) by Stats. 1987, Ch. 1018, Sec. 5.)

21671.5 Term of Office

(a) Except for the terms of office of the members of the first commission, the term of office of each member shall be four years and until the appointment and qualification of his or her successor. The members of the first commission shall classify themselves by lot so that the term of office of one member is one year, of two members is two years, of two members is three years, and of two members is four years. The body that originally appointed a member whose term has expired shall appoint his or her successor for a full term of four years. Any member may be removed at any time and without cause by the body appointing that member. The expiration date of the term of office of each member shall be the first Monday in May in the year in which that member's

term is to expire. Any vacancy in the membership of the commission shall be filled for the unexpired term by appointment by the body which originally appointed the member whose office has become vacant. The chairperson of the commission shall be selected by the members thereof.

(b) Compensation, if any, shall be determined by the board of supervisors.

(c) Staff assistance, including the mailing of notices and the keeping of minutes and necessary quarters, equipment, and supplies, shall be provided by the county. The usual and necessary operating expenses of the commission shall be a county charge.

(d) Notwithstanding any other provisions of this article, the commission shall not employ any personnel either as employees or independent contractors without the prior approval of the board of supervisors.

(e) The commission shall meet at the call of the commission chairperson or at the request of the majority of the commission members. A majority of the commission members shall constitute a quorum for the transaction of business. No action shall be taken by the commission except by the recorded vote of a majority of the full membership.

(f) The commission may establish a schedule of fees necessary to comply with this article. Those fees shall be charged to the proponents of actions, regulations, or permits, shall not exceed the estimated reasonable cost of providing the service, and shall be imposed pursuant to Section 66016 of the Government Code. Except as provided in subdivision (g), after June 30, 1991, a commission that has not adopted the airport land use compatibility plan required by Section 21675 shall not charge fees pursuant to this subdivision until the commission adopts the plan.

(g) In any county that has undertaken by contract or otherwise completed airport land use compatibility plans for at least one-half of all public use airports in the county, the commission may continue to charge fees necessary to comply with this article until June 30, 1992, and, if the airport land use compatibility plans are complete by that date, may continue charging fees after June 30, 1992. If the airport land use compatibility plans are not complete by June 30, 1992, the commission shall not charge fees pursuant to subdivision (f) until the commission adopts the land use plans.

(Amended by Stats. 2002, Ch. 438, Sec. 13. Effective January 1, 2003.)

21672 Rules and Regulations

Each commission shall adopt rules and regulations with respect to the temporary disqualification of its members from participating in the review or adoption of a proposal because of conflict of interest and with respect to appointment of substitute members in such cases.

(Added by Stats. 1967, Ch. 852.)

21673 Initiation of Proceedings for Creation by Owner of Airport

In any county not having a commission or a body designated to carry out the responsibilities of a commission, any owner of a public airport may initiate proceedings for the creation of a commission by presenting a request to the board of supervisors that a commission be created and showing the need therefor to the satisfaction of the board of supervisors.

(Amended by Stats. 2002, Ch. 438, Sec. 14. Effective January 1, 2003.)

21674 Powers and Duties

The commission has the following powers and duties, subject to the limitations upon its jurisdiction set forth in Section 21676:

(a) To assist local agencies in ensuring compatible land uses in the vicinity of all new airports and in the vicinity of existing airports to the extent that the land in the vicinity of those airports is not already devoted to incompatible uses.

(b) To coordinate planning at the state, regional, and local levels so as to provide for the orderly development of air transportation, while at the same time protecting the public health, safety, and welfare.

(c) To prepare and adopt an airport land use compatibility plan pursuant to Section 21675.

(d) To review the plans, regulations, and other actions of local agencies and airport operators pursuant to Section 21676.

(e) The powers of the commission shall in no way be construed to give the commission jurisdiction over the operation of any airport.

(f) In order to carry out its responsibilities, the commission may adopt rules and regulations consistent with this article.

21674.5 Training of Airport Land Use Commission's Staff

(a) The Department of Transportation shall develop and implement a program or programs to assist in the training and development of the staff of airport land use commissions, after consulting with airport land use commissions, cities, counties, and other appropriate public entities.

(b) The training and development program or programs are intended to assist the staff of airport land use commissions in addressing high priority needs, and may include, but need not be limited to, the following:

  (1) The establishment of a process for the development and adoption of airport land use compatibility plans.

  (2) The development of criteria for determining the airport influence area.

  (3) The identification of essential elements that should be included in the airport land use compatibility plans.

  (4) Appropriate criteria and procedures for reviewing proposed developments and determining whether proposed developments are compatible with the airport use.

  (5) Any other organizational, operational, procedural, or technical responsibilities and functions that the department determines to be appropriate to provide to commission staff and for which it determines there is a need for staff training or development.

(c) The department may provide training and development programs for airport land use commission staff pursuant to this section by any means it deems appropriate. Those programs may be presented in any of the following ways:

  (1) By offering formal courses or training programs.

(2) By sponsoring or assisting in the organization and sponsorship of conferences, seminars, or other similar events.

(3) By producing and making available written information.

(4) Any other feasible method of providing information and assisting in the training and development of airport land use commission staff.

(Amended by Stats. 2004, Ch. 615, Sec. 3. Effective January 1, 2005.)

21674.7 Airport Land Use Planning Handbook

(a) An airport land use commission that formulates, adopts or amends an airport land use compatibility plan shall be guided by information prepared and updated pursuant to Section 21674.5 and referred to as the Airport Land Use Planning Handbook published by the Division of Aeronautics of the Department of Transportation.

(b) It is the intent of the Legislature to discourage incompatible land uses near existing airports. Therefore, prior to granting permits for the renovation or remodeling of an existing building, structure, or facility, and before the construction of a new building, it is the intent of the Legislature that local agencies shall be guided by the height, use, noise, safety, and density criteria that are compatible with airport operations, as established by this article, and referred to as the Airport Land Use Planning Handbook, published by the division, and any applicable federal aviation regulations, including, but not limited to, Part 77 (commencing with Section 77.1) of Title 14 of the Code of Federal Regulations, to the extent that the criteria has been incorporated into the plan prepared by a commission pursuant to Section 21675. This subdivision does not limit the jurisdiction of a commission as established by this article. This subdivision does not limit the authority of local agencies to overrule commission actions or recommendations pursuant to Sections 21676, 21676.5, or 21677.

(Amended by Stats. 2003, Ch. 351, Sec. 2. Effective January 1, 2004.)

21675 Land Use Plan

(a) Each commission shall formulate an airport land use compatibility plan that will provide for the orderly growth of each public airport and the area surrounding the airport within the jurisdiction of the commission, and will safeguard the general welfare of the inhabitants within the vicinity of the airport and the public in general. The commission airport land use compatibility plan shall include and shall be based on a long-range master plan or an airport layout plan, as determined by the Division of Aeronautics of the Department of Transportation that reflects the anticipated growth of the airport during at least the next 20 years. In formulating an airport land use compatibility plan, the commission may develop height restrictions on buildings, specify use of land, and determine building standards, including soundproofing adjacent to airports, within the airport influence area. The airport land use compatibility plan shall be reviewed as often as necessary in order to accomplish its purposes, but shall not be amended more than once in any calendar year.

(b) The commission shall include, within its airport land use compatibility plan formulated pursuant to subdivision (a), the area within the jurisdiction of the commission surrounding any military airport for all of the purposes specified in subdivision (a). The airport land use compatibility plan shall be consistent with the safety and noise standards in the Air Installation Compatible Use

Zone prepared for that military airport. This subdivision does not give the commission any jurisdiction or authority over the territory or operations of any military airport.

(c) The airport influence area shall be established by the commission after hearing and consultation with the involved agencies.

(d) The commission shall submit to the Division of Aeronautics of the department one copy of the airport land use compatibility plan and each amendment to the plan.

(e) If an airport land use compatibility plan does not include the matters required to be included pursuant to this article, the Division of Aeronautics of the department shall notify the commission responsible for the plan.

(Amended by Stats. 2004, Ch. 615, Sec. 4. Effective January 1, 2005.)

21675.1 Adoption of Land Use Plan

(a) By June 30, 1991, each commission shall adopt the airport land use compatibility plan required pursuant to Section 21675, except that any county that has undertaken by contract or otherwise completed airport land use compatibility plans for at least one-half of all public use airports in the county, shall adopt that airport land use compatibility plan on or before June 30, 1992.

(b) Until a commission adopts an airport land use compatibility plan, a city or county shall first submit all actions, regulations, and permits within the vicinity of a public airport to the commission for review and approval. Before the commission approves or disapproves any actions, regulations, or permits, the commission shall give public notice in the same manner as the city or county is required to give for those actions, regulations, or permits. As used in this section, "vicinity" means land that will be included or reasonably could be included within the airport land use compatibility plan. If the commission has not designated an airport influence area for the airport land use compatibility plan, then "vicinity" means land within two miles of the boundary of a public airport.

(c) The commission may approve an action, regulation, or permit if it finds, based on substantial evidence in the record, all of the following:

(1) The commission is making substantial progress toward the completion of the airport land use compatibility plan.

(2) There is a reasonable probability that the action, regulation, or permit will be consistent with the airport land use compatibility plan being prepared by the commission.

(3) There is little or no probability of substantial detriment to or interference with the future adopted airport land use compatibility plan if the action, regulation, or permit is ultimately inconsistent with the airport land use compatibility plan.

(d) If the commission disapproves an action, regulation, or permit, the commission shall notify the city or county. The city or county may overrule the commission, by a two-thirds vote of its governing body, if it makes specific findings that the proposed action, regulation, or permit is consistent with the purposes of this article, as stated in Section 21670.

(e) If a city or county overrules the commission pursuant to subdivision (d), that action shall not relieve the city or county from further compliance with this article after the commission adopts the airport land use compatibility plan.

(f) If a city or county overrules the commission pursuant to subdivision (d) with respect to a publicly owned airport that the city or county does not operate, the operator of the airport is not liable for damages to property or personal injury resulting from the city's or county's decision to proceed with the action, regulation, or permit.

(g) A commission may adopt rules and regulations that exempt any ministerial permit for single-family dwellings from the requirements of subdivision (b) if it makes the findings required pursuant to subdivision (c) for the proposed rules and regulations, except that the rules and regulations may not exempt either of the following:

(1) More than two single-family dwellings by the same applicant within a subdivision prior to June 30, 1991.

(2) Single-family dwellings in a subdivision where 25 percent or more of the parcels are undeveloped.

(Amended by Stats. 2004, Ch. 615, Sec. 5. Effective January 1, 2005.)

21675.2 Approval or Disapproval of Actions, Regulations, or Permits

(a) If a commission fails to act to approve or disapprove any actions, regulations, or permits within 60 days of receiving the request pursuant to Section 21675.1, the applicant or his or her representative may file an action pursuant to Section 1094.5 of the Code of Civil Procedure to compel the commission to act, and the court shall give the proceedings preference over all other actions or proceedings, except previously filed pending matters of the same character.

(b) The action, regulation, or permit shall be deemed approved only if the public notice required by this subdivision has occurred. If the applicant has provided seven days advance notice to the commission of the intent to provide public notice pursuant to this subdivision, then, not earlier than the date of the expiration of the time limit established by Section 21675.1, an applicant may provide the required public notice. If the applicant chooses to provide public notice, that notice shall include a description of the proposed action, regulation, or permit substantially similar to the descriptions which are commonly used in public notices by the commission, the location of any proposed development, the application number, the name and address of the commission, and a statement that the action, regulation, or permit shall be deemed approved if the commission has not acted within 60 days. If the applicant has provided the public notice specified in this subdivision, the time limit for action by the commission shall be extended to 60 days after the public notice is provided. If the applicant provides notice pursuant to this section, the commission shall refund to the applicant any fees which were collected for providing notice and which were not used for that purpose.

(c) Failure of an applicant to submit complete or adequate information pursuant to Sections 65943 to 65946, inclusive, of the Government Code, may constitute grounds for disapproval of actions, regulations, or permits.

(d) Nothing in this section diminishes the commission's legal responsibility to provide, where applicable, public notice and hearing before acting on an action, regulation, or permit.

(Added by Stats. 1989, Ch. 306, Sec. 5.)

21676 Review of Local General Plans

(a) Each local agency whose general plan includes areas covered by an airport land use compatibility plan shall, by July 1, 1983, submit a copy of its plan or specific plans to the airport land use commission. The commission shall determine by August 31, 1983, whether the plan or plans are consistent or inconsistent with the airport land use compatibility plan. If the plan or plans are inconsistent with the airport land use compatibility plan, the local agency shall be notified and that local agency shall have another hearing to reconsider its airport land use compatibility plans. The local agency may propose to overrule the commission after the hearing by a two-thirds vote of its governing body if it makes specific findings that the proposed action is consistent with the purposes of this article stated in Section 21670. At least 45 days prior to the decision to overrule the commission, the local agency governing body shall provide the commission and the division a copy of the proposed decision and findings. The commission and the division may provide comments to the local agency governing body within 30 days of receiving the proposed decision and findings. If the commission or the division's comments are not available within this time limit, the local agency governing body may act without them. The comments by the division or the commission are advisory to the local agency governing body. The local agency governing body shall include comments from the commission and the division in the final record of any final decision to overrule the commission, which may only be adopted by a two-thirds vote of the governing body.

(b) Prior to the amendment of a general plan or specific plan, or the adoption or approval of a zoning ordinance or building regulation within the planning boundary established by the airport land use commission pursuant to Section 21675, the local agency shall first refer the proposed action to the commission. If the commission determines that the proposed action is inconsistent with the commission's plan, the referring agency shall be notified. The local agency may, after a public hearing, propose to overrule the commission by a two-thirds vote of its governing body if it makes specific findings that the proposed action is consistent with the purposes of this article stated in Section 21670. At least 45 days prior to the decision to overrule the commission, the local agency governing body shall provide the commission and the division a copy of the proposed decision and findings. The commission and the division may provide comments to the local agency governing body within 30 days of receiving the proposed decision and findings. If the commission or the division's comments are not available within this time limit, the local agency governing body may act without them. The comments by the division or the commission are advisory to the local agency governing body. The local agency governing body shall include comments from the commission and the division in the public record of any final decision to overrule the commission, which may only be adopted by a two-thirds vote of the governing body.

(c) Each public agency owning any airport within the boundaries of an airport land use compatibility plan shall, prior to modification of its airport master plan, refer any proposed change to the airport land use commission. If the commission determines that the proposed action is inconsistent with the commission's plan, the referring agency shall be notified. The public agency may, after a public hearing, propose to overrule the commission by a two-thirds vote of its governing body if it makes specific findings that the proposed action is consistent with the purposes of this article stated in Section 21670. At least 45 days prior to the decision to overrule the commission, the public agency governing body shall provide the commission and the division a copy of the proposed decision and findings. The commission and the division may provide comments to the public agency governing body within 30 days of receiving the proposed decision and findings. If the commission or the division's comments are not available within this time

limit, the public agency governing body may act without them. The comments by the division or the commission are advisory to the public agency governing body. The public agency governing body shall include comments from the commission and the division in the final decision to overrule the commission, which may only be adopted by a two-thirds vote of the governing body.

(d) Each commission determination pursuant to subdivision (b) or (c) shall be made within 60 days from the date of referral of the proposed action. If a commission fails to make the determination within that period, the proposed action shall be deemed consistent with the airport land use compatibility plan.

(Amended by Stats. 2003, Ch. 351, Sec. 3. Effective January 1, 2004.)

21676.5 Review of Local Plans

(a) If the commission finds that a local agency has not revised its general plan or specific plan or overruled the commission by a two-thirds vote of its governing body after making specific findings that the proposed action is consistent with the purposes of this article as stated in Section 21670, the commission may require that the local agency submit all subsequent actions, regulations, and permits to the commission for review until its general plan or specific plan is revised or the specific findings are made. If, in the determination of the commission, an action, regulation, or permit of the local agency is inconsistent with the airport land use compatibility plan, the local agency shall be notified and that local agency shall hold a hearing to reconsider its plan. The local agency may propose to overrule the commission after the hearing by a two-thirds vote of its governing body if it makes specific findings that the proposed action is consistent with the purposes of this article as stated in Section 21670. At least 45 days prior to the decision to overrule the commission, the local agency governing body shall provide the commission and the division a copy of the proposed decision and findings. The commission and the division may provide comments to the local agency governing body within 30 days of receiving the proposed decision and findings. If the commission or the division's comments are not available within this time limit, the local agency governing body may act without them. The comments by the division or the commission are advisory to the local agency governing body. The local agency governing body shall include comments from the commission and the division in the final decision to overrule the commission, which may only be adopted by a two-thirds vote of the governing body.

(b) Whenever the local agency has revised its general plan or specific plan or has overruled the commission pursuant to subdivision (a), the proposed action of the local agency shall not be subject to further commission review, unless the commission and the local agency agree that individual projects shall be reviewed by the commission.

(Amended by Stats. 2003, Ch. 351, Sec. 4. Effective January 1, 2004.)

21677 Marin County Override Provisions

Notwithstanding the two-thirds vote required by Section 21676, any public agency in the County of Marin may overrule the Marin County Airport Land Use Commission by a majority vote of its governing body. At least 45 days prior to the decision to overrule the commission, the public agency governing body shall provide the commission and the division a copy of the proposed decision and findings. The commission and the division may provide comments to the public agency governing body within 30 days of receiving the proposed decision and findings. If the commission or the division's comments are not available within this time limit, the public agency governing body may act

without them. The comments by the division or the commission are advisory to the public agency governing body. The public agency governing body shall include comments from the commission and the division in the public record of the final decision to overrule the commission, which may be adopted by a majority vote of the governing body.

(Amended by Stats. 2003, Ch. 351, Sec. 5. Effective January 1, 2004.)

21678 Airport Owner's Immunity

With respect to a publicly owned airport that a public agency does not operate, if the public agency pursuant to Section 21676, 21676.5, or 21677 overrules a commission's action or recommendation, the operator of the airport shall be immune from liability for damages to property or personal injury caused by or resulting directly or indirectly from the public agency's decision to overrule the commission's action or recommendation.

(Amended by Stats. 2003, Ch. 351, Sec. 6. Effective January 1, 2004.)

21679 Court Review

(a) In any county in which there is no airport land use commission or other body designated to assume the responsibilities of an airport land use commission, or in which the commission or other designated body has not adopted an airport land use compatibility plan, an interested party may initiate proceedings in a court of competent jurisdiction to postpone the effective date of a zoning change, a zoning variance, the issuance of a permit, or the adoption of a regulation by a local agency, that directly affects the use of land within one mile of the boundary of a public airport within the county.

(b) The court may issue an injunction that postpones the effective date of the zoning change, zoning variance, permit, or regulation until the governing body of the local agency that took the action does one of the following:

  (1) In the case of an action that is a legislative act, adopts a resolution declaring that the proposed action is consistent with the purposes of this article stated in Section 21670.

  (2) In the case of an action that is not a legislative act, adopts a resolution making findings based on substantial evidence in the record that the proposed action is consistent with the purposes of this article stated in Section 21670.

  (3) Rescinds the action.

  (4) Amends its action to make it consistent with the purposes of this article stated in Section 21670, and complies with either paragraph (1) or (2), whichever is applicable.

(c) The court shall not issue an injunction pursuant to subdivision (b) if the local agency that took the action demonstrates that the general plan and any applicable specific plan of the agency accomplishes the purposes of an airport land use compatibility plan as provided in Section 21675.

(d) An action brought pursuant to subdivision (a) shall be commenced within 30 days of the decision or within the appropriate time periods set by Section 21167 of the Public Resources Code, whichever is longer.

(e) If the governing body of the local agency adopts a resolution pursuant to subdivision (b) with respect to a publicly owned airport that the local agency does not operate, the operator of the

airport shall be immune from liability for damages to property or personal injury from the local agency's decision to proceed with the zoning change, zoning variance, permit, or regulation.

(f) As used in this section, "interested party" means any owner of land within two miles of the boundary of the airport or any organization with a demonstrated interest in airport safety and efficiency.

(Amended by Stats. 2002, Ch. 438, Sec. 21. Effective January 1, 2003.)

21679.5 Deferral of Court Review

(a) Until June 30, 1991, no action pursuant to Section 21679 to postpone the effective date of a zoning change, a zoning variance, the issuance of a permit, or the adoption of a regulation by a local agency, directly affecting the use of land within one mile of the boundary of a public airport, shall be commenced in any county in which the commission or other designated body has not adopted an airport land use compatibility plan, but is making substantial progress toward the completion of the airport land use compatibility plan.

(b) If a commission has been prevented from adopting the airport land use compatibility plan by June 30, 1991, or if the adopted airport land use compatibility plan could not become effective, because of a lawsuit involving the adoption of the airport land use compatibility plan, the June 30, 1991 date in subdivision (a) shall be extended by the period of time during which the lawsuit was pending in a court of competent jurisdiction.

(c) Any action pursuant to Section 21679 commenced prior to January 1, 1990, in a county in which the commission or other designated body has not adopted an airport land use compatibility plan, but is making substantial progress toward the completion of the airport land use compatibility plan, which has not proceeded to final judgment, shall be held in abeyance until June 30, 1991. If the commission or other designated body adopts an airport land use compatibility plan on or before June 30, 1991, the action shall be dismissed. If the commission or other designated body does not adopt an airport land use compatibility plan on or before June 30, 1991, the plaintiff or plaintiffs may proceed with the action.

(d) An action to postpone the effective date of a zoning change, a zoning variance, the issuance of a permit, or the adoption of a regulation by a local agency, directly affecting the use of land within one mile of the boundary of a public airport for which an airport land use compatibility plan has not been adopted by June 30, 1991, shall be commenced within 30 days of June 30, 1991, or within 30 days of the decision by the local agency, or within the appropriate time periods set by Section 21167 of the Public Resources Code, whichever date is later.

(Amended by Stats. 2002, Ch. 438, Sec. 22. Effective January 1, 2003.)

D9(P1) – CH3(EXCERPTS)

Division 9–Aviation
Part 1–State Aeronautics Act
Chapter 3–Regulation of Aeronautics (excerpts)

21402 Ownership; Prohibited Use of Airspace

The ownership of the space above the land and waters of this State is vested in the several owners of the surface beneath, subject to the right of flight described in Section 21403. No use shall be made of such airspace which would interfere with such right of flight; provided that any use of property in conformity with an original zone of approach of an airport shall not be rendered unlawful by reason of a change in such zone of approach.

(Amended by Stats. 1957, Ch. 1651.)

21403 Lawful Flight; Flight Within Airport Approach Zone

(a) Flight in aircraft over the land and waters of this state is lawful, unless at altitudes below those prescribed by federal authority, or unless conducted so as to be imminently dangerous to persons or property lawfully on the land or water beneath. The landing of an aircraft on the land or waters of another, without his or her consent, is unlawful except in the case of a forced landing or pursuant to Section 21662.1. The owner, lessee, or operator of the aircraft is liable, as provided by law, for damages caused by a forced landing.

(b) The landing, takeoff, or taxiing of an aircraft on a public freeway, highway, road, or street is unlawful except in the following cases:

(1) A forced landing.

(2) A landing during a natural disaster or other public emergency if the landing has received prior approval from the public agency having primary jurisdiction over traffic upon the freeway, highway, road, or street.

(3) When the landing, takeoff, or taxiing has received prior approval from the public agency having primary jurisdiction over traffic upon the freeway, highway, road or street.

The prosecution bears the burden of proving that none of the exceptions apply to the act which is alleged to be unlawful.

(c) The right of flight in aircraft includes the right of safe access to public airports, which includes the right of flight within the zone of approach of any public airport without restriction or hazard. The zone of approach of an airport shall conform to the specifications of Part 77 of the Federal Aviation Regulations of the Federal Aviation Administration, Department of Transportation.

(Amended by Stats. 1987, Ch. 1215, Sec. 3.)

D9(P1) – CH4(2.7 EXCERPTS)

Division 9–Aviation
Part 1–State Aeronautics Act
Chapter 4–Airports and Air Navigation Facilities
Article 2.7–Regulation of Obstructions (excerpts)

21655 Proposed Site for Construction of State Building Within Two Miles of Airport Boundary

Notwithstanding any other provision of law, if the proposed site of any state building or other enclosure is within two miles, measured by air line, of that point on an airport runway, or runway proposed by an airport master plan, which is nearest the site, the state agency or office which proposes to construct the building or other enclosure shall, before acquiring title to property for the new state building or other enclosure site or for an addition to a present site, notify the Department of Transportation, in writing, of the proposed acquisition. The department shall investigate the proposed site and, within 30 working days after receipt of the notice, shall submit to the state agency or office which proposes to construct the building or other enclosure a written report of the investigation and its recommendations concerning acquisition of the site.

If the report of the department does not favor acquisition of the site, no state funds shall be expended for the acquisition of the new state building or other enclosure site, or the expansion of the present site, or for the construction of the state building or other enclosure, provided that the provisions of this section shall not affect title to real property once it is acquired.

21658 Construction of Utility Pole or Line in Vicinity of Aircraft Landing Area

No public utility shall construct any pole, pole line, distribution or transmission tower, or tower line, or substation structure in the vicinity of the exterior boundary of an aircraft landing area of any airport open to public use, in a location with respect to the airport and at a height so as to constitute an obstruction to air navigation, as an obstruction is defined in accordance with Part 77 of the Federal Aviation Regulations, Federal Aviation Administration, or any corresponding rules or regulations of the Federal Aviation Administration, unless the Federal Aviation Administration has determined that the pole, line, tower, or structure does not constitute a hazard to air navigation. This section shall not apply to existing poles, lines, towers, or structures or to the repair, replacement, or reconstruction thereof if the original height is not materially exceeded and this section shall not apply unless compensation shall have first been paid to the public utility by the owner of any airport for any property or property rights which would be taken or damaged hereby.

(Amended by Stats. 1982, Ch. 681, Sec. 37.)

21659 Hazards Near Airports Prohibited

(a) No person shall construct or alter any structure or permit any natural growth to grow at a height which exceeds the obstruction standards set forth in the regulations of the Federal Aviation Administration relating to objects affecting navigable airspace contained in Title 14 of the Code of Federal Regulations, Part 77, Subpart C, unless the Federal Aviation Administration has determined that the construction, alteration, or growth does not constitute a hazard to air navigation or would not create an unsafe condition for air navigation.

(b) Subdivision (a) does not apply to a pole, pole line, distribution or transmission tower, or tower line or substation of a public utility, as specified in Section 21658.

(Amended by Stats. 2018, Ch. 198, Sec. 3. (AB 3246) Effective January 1, 2019.)

D(9) – CH4(3 EXCERPTS)

Division 9–Aviation
Part 1–State Aeronautics Act
Chapter 4–Airports and Air Navigation Facilities
Article 3–Regulation of Airports (excerpts)

21661.5 City Council or Board of Supervisors and *ALUC* Approvals

(a) No political subdivision, any of its officers or employees, or any person may submit any application for the construction of a new airport to any local, regional, state, or federal agency unless the plan for construction is first approved by the board of supervisors of the county, or the city council of the city, in which the airport is to be located and unless the plan is submitted to the appropriate commission exercising powers pursuant to Article 3.5 (commencing with Section 21670) of Chapter 4 of Part 1 of Division 9, and acted upon by that commission in accordance with the provisions of that article.

(b) A county board of supervisors or a city council may, pursuant to Section 65100 of the Government Code, delegate its responsibility under this section for the approval of a plan for construction of new helicopter landing and takeoff areas, to the county or city planning agency.

(Amended by Stats. 2005, Ch. 22, Sec. 172. Effective January 1, 2006.)

21664.5 Amended Airport Permits; Airport Expansion Defined

(a) An amended airport permit shall be required for every expansion of an existing airport. An applicant for an amended airport permit shall comply with each requirement of this article pertaining to permits for new airports. The department may by regulation provide for exemptions from the operation of this section pursuant to Section 21661, except that no exemption shall be made limiting the applicability of subdivision (e) of Section 21666, pertaining to environmental considerations, including the requirement for public hearings in connection therewith.

(b) As used in this section, "airport expansion" includes any of the following:

(1) The acquisition of runway protection zones, as defined in Federal Aviation Administration Advisory Circular 150/1500-13 or of any interest in land for the purpose of any other expansion as set forth in this section.

(2) The construction of a new runway.

(3) The extension or realignment of an existing runway.

(4) Any other expansion of the airport's physical facilities for the purpose of accomplishing or which are related to the purpose of paragraph (1), (2), or (3).

(c) This section does not apply to any expansion of an existing airport if the expansion commenced on or prior to the effective date of this section and the expansion met the approval, on or prior to that effective date, of each governmental agency that required the approval by law.

(Amended by Stats. 1998, Ch. 877, Sec. 1. Effective January 1, 1999.)

D(9) – CH2(1)

Division 9–Aviation
Part 1–State Aeronautics Act
Chapter 2–Department of Transportation and State Aeronautics Board
Article 1–Department of Transportation

21208

(a) The department shall establish an advisory panel to be known as the Advanced Air Mobility, Zero-Emission, and Electrification Aviation Advisory Panel to assess all of the following:

(1) The feasibility and readiness of existing infrastructure in the state to support a vertiport network to facilitate the development of advanced air mobility services.

(2) The development of a three-year prioritized workplan that maps out medium-term state activities necessary for the state to advance advanced air mobility services for Californians.

(3) Pathways for promoting equity of access to advanced air mobility infrastructure to ensure open access and prohibit the monopolization of advanced air mobility infrastructure ownership and operations.

(b) Members of the advisory panel shall be appointed by the department as follows:

(1) Representatives from appropriate state agencies and departments, as determined by the department, including, but not limited to, the Office of Planning and Research and the State Air Resources Board.

(2) A representative from the general aviation industry.

(3) A representative from commercial airports.

(4) Representatives of local government.

(5) Representatives of the advanced air mobility industry.

(6) Other representatives as deemed necessary by the department.

(c) (1) Not later than January 1, 2025, the department shall report to the Legislature on the infrastructure feasibility and readiness study and the three-year prioritized workplan described in subdivision (a).

(2) A report to be submitted to the Legislature pursuant to this subdivision shall be submitted in compliance with Section 9795 of the Government Code.

(d) The Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code) shall not apply to meetings of the advisory panel established pursuant to this section.

(e) This section shall remain in effect only until January 1, 2026, and as of that date is repealed.

(Added by Stats. 2023, Ch. 416, Sec. 1. (SB 800) Effective January 1, 2024. Repealed as of January 1, 2026, by its own provisions.)

PLANNING AND ZONING LAW

GOVERNMENT CODE

T7(D1) – CH3(5 EXCERPTS)

Title 7–Planning and Land Use
Division 1–Planning and Zoning
Chapter 3–Local Planning
Article 5–Authority for and Scope of General Plans (excerpts)

65302.3 General and Applicable Specific Plans; Consistency with Airport Land Use Plans; Amendment; Nonconcurrence Findings

(a) The general plan, and any applicable specific plan prepared pursuant to Article 8 (commencing with Section 65450), shall be consistent with the plan adopted or amended pursuant to Section 21675 of the Public Utilities Code.

(b) The general plan, and any applicable specific plan, shall be amended, as necessary, within 180 days of any amendment to the plan required under Section 21675 of the Public Utilities Code.

(c) If the legislative body does not concur with any provision of the plan required under Section 21675 of the Public Utilities Code, it may satisfy the provisions of this section by adopting findings pursuant to Section 21676 of the Public Utilities Code.

(d) In each county where an airport land use commission does not exist, but where there is a military airport, the general plan, and any applicable specific plan prepared pursuant to Article 8 (commencing with Section 65450), shall be consistent with the safety and noise standards in the Air Installation Compatible Use Zone prepared for that military airport.

(Amended by Stats. 2002, Ch. 971, Sec. 4. Effective January 1, 2003.)

T7(D1) – CH3(10.6 EXCERPTS)

Title 7–Planning and Land Use
Division 1–Planning and Zoning
Chapter 3–Local Planning
Article 10–Housing Elements (excerpts)

65589.5 (d)

A local agency shall not disapprove a housing development project, including farmworker housing as defined in subdivision (h) of Section 50199.7 of the Health and Safety Code, for very low, low-, or moderate-income households, or an emergency shelter, or condition approval in a manner that renders the housing development project infeasible for development for the use of very low, low-, or moderate-income households, or an emergency shelter, including through the use of design review standards, unless it makes written findings, based upon a preponderance of the evidence in the record, as to one of the following:

(1) The jurisdiction has adopted a housing element pursuant to this article that has been revised in accordance with Section 65588, is in substantial compliance with this article, and the jurisdiction has met or exceeded its share of the regional housing need allocation pursuant to Section 65584 for the planning period for the income category proposed for the housing development project, provided that any disapproval or conditional approval shall not be based on any of the reasons prohibited by Section 65008. If the housing development project includes a mix of income categories, and the jurisdiction has not met or exceeded its share of the regional housing need for one or more of those categories, then this paragraph shall not be used to disapprove or conditionally approve the housing development project. The share of the regional housing need met by the jurisdiction shall be calculated consistently with the forms and definitions that may be adopted by the Department of Housing and Community Development pursuant to Section 65400. In the case of an emergency shelter, the jurisdiction shall have met or exceeded the need for emergency shelter, as identified pursuant to paragraph (7) of subdivision (a) of Section 65583. Any disapproval or conditional approval pursuant to this paragraph shall be in accordance with applicable law, rule, or standards.

(2) The housing development project or emergency shelter as proposed would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact without rendering the development unaffordable to low- and moderate-income households or rendering the development of the emergency shelter financially infeasible. As used in this paragraph, a "specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete. The following shall not constitute a specific, adverse impact upon the public health or safety:

   (A) Inconsistency with the zoning ordinance or general plan land use designation.

   (B) The eligibility to claim a welfare exemption under subdivision (g) of Section 214 of the Revenue and Taxation Code.

(3) The denial of the housing development project or imposition of conditions is required in order to comply with specific state or federal law, and there is no feasible method to comply without

rendering the development unaffordable to low- and moderate-income households or rendering the development of the emergency shelter financially infeasible.

(4) The housing development project or emergency shelter is proposed on land zoned for agriculture or resource preservation that is surrounded on at least two sides by land being used for agricultural or resource preservation purposes, or which does not have adequate water or wastewater facilities to serve the project.

(5) The housing development project or emergency shelter is inconsistent with both the jurisdiction's zoning ordinance and general plan land use designation as specified in any element of the general plan as it existed on the date the application was deemed complete, and the jurisdiction has adopted a revised housing element in accordance with Section 65588 that is in substantial compliance with this article. For purposes of this section, a change to the zoning ordinance or general plan land use designation subsequent to the date the application was deemed complete shall not constitute a valid basis to disapprove or condition approval of the housing development project or emergency shelter.

(A) This paragraph cannot be utilized to disapprove or conditionally approve a housing development project if the housing development project is proposed on a site that is identified as suitable or available for very low, low-, or moderate-income households in the jurisdiction's housing element, and consistent with the density specified in the housing element, even though it is inconsistent with both the jurisdiction's zoning ordinance and general plan land use designation.

(B) If the local agency has failed to identify in the inventory of land in its housing element sites that can be developed for housing within the planning period and are sufficient to provide for the jurisdiction's share of the regional housing need for all income levels pursuant to Section 65584, then this paragraph shall not be utilized to disapprove or conditionally approve a housing development project proposed for a site designated in any element of the general plan for residential uses or designated in any element of the general plan for commercial uses if residential uses are permitted or conditionally permitted within commercial designations. In any action in court, the burden of proof shall be on the local agency to show that its housing element does identify adequate sites with appropriate zoning and development standards and with services and facilities to accommodate the local agency's share of the regional housing need for the very low, low-, and moderate-income categories.

(C) If the local agency has failed to identify a zone or zones where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit, has failed to demonstrate that the identified zone or zones include sufficient capacity to accommodate the need for emergency shelter identified in paragraph (7) of subdivision (a) of Section 65583, or has failed to demonstrate that the identified zone or zones can accommodate at least one emergency shelter, as required by paragraph (4) of subdivision (a) of Section 65583, then this paragraph shall not be utilized to disapprove or conditionally approve an emergency shelter proposed for a site designated in any element of the general plan for industrial, commercial, or multifamily residential uses. In any action in court, the burden of proof shall be on the local agency to show that its housing element does satisfy the requirements of paragraph (4) of subdivision (a) of Section 65583.

(Amended by Stats. 2023, Ch. 768, Sec. 2. (AB 1633) Effective January 1, 2024. Inoperative January 1, 2031, pursuant to Sec. 1 of Stats. 2023, Ch. 768.)

T7(D1) – CH4.1(2 EXCERPTS)

Title 7–Planning and Land Use
Division 1–Planning and Zoning
Chapter 4.1– Affordable Housing and High Road Jobs Act of 2022
Article 2–Affordable Housing Developments in Commercial Zones (excerpts)

65912.110

Notwithstanding any inconsistent provision of a local government's general plan, specific plan, zoning ordinance, or regulation, a development proponent may submit an application for a housing development that shall be a use by right and that shall be subject to a streamlined, ministerial review pursuant to Section 65912.114 if the proposed housing development satisfies all of the requirements in Sections 65912.111, 65912.112, and 65912.113.

(Added by Stats. 2022, Ch. 647, Sec. 3. (AB 2011) Effective January 1, 2023. Operative July 1, 2023, pursuant to Sec. 7 of Stats. 2022, Ch. 647. Repealed as of January 1, 2033, pursuant to Sec. 65912.105.)

65912.111

A development project shall not be subject to the streamlined, ministerial review process provided by Section 65912.114 unless the development is proposed to be located on a site that satisfies all of the following criteria:

(a) It is located in a zone where office, retail, or parking are a principally permitted use.

(b) It is a legal parcel or parcels that meet either of the following:

  (1) It is within a city where the city boundaries include some portion of either an urbanized area or urban cluster, as designated by the United States Census Bureau.

  (2) It is in an unincorporated area, and the legal parcel or parcels are wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.

(c) At least 75 percent of the perimeter of the site adjoins parcels that are developed with urban uses. For purposes of this subdivision, parcels that are only separated by a street or highway shall be considered to be adjoined.

(d) (1) It is not on a site or adjoined to any site where more than one-third of the square footage on the site is dedicated to industrial use.

  (2) For purposes of this subdivision, parcels only separated by a street or highway shall be considered to be adjoined.

  (3) For purposes of this subdivision, "dedicated to industrial use" means any of the following:

    (A) The square footage is currently being used as an industrial use.

    (B) The most recently permitted use of the square footage is an industrial use.

    (C) The site was designated for industrial use in the latest version of a local government's general plan adopted before January 1, 2022.

(e) It satisfies the requirements specified in subparagraphs (B) to (K), inclusive, of paragraph (6) of subdivision (a) of Section 65913.4.

(f) It is not an existing parcel of land or site that is governed under the Mobilehome Residency Law (Chapter 2.5 (commencing with Section 798) of Title 2 of Part 2 of Division 2 of the Civil Code), the Recreational Vehicle Park Occupancy Law (Chapter 2.6 (commencing with Section 799.20) of Title 2 of Part 2 of Division 2 of the Civil Code), the Mobilehome Parks Act (Part 2.1 (commencing with Section 18200) of Division 13 of the Health and Safety Code), or the Special Occupancy Parks Act (Part 2.3 (commencing with Section 18860) of Division 13 of the Health and Safety Code).

(g) For a site within a neighborhood plan area, the site satisfies either of the following conditions:

  (1) As of January 1, 2022, there was a neighborhood plan applicable to the site that permitted multifamily housing development on the site.

  (2) As of January 1, 2024, there was a neighborhood plan applicable to the site that permitted multifamily housing development on the site and all of the following occurred:

    (A) A notice of preparation for the neighborhood plan was issued before January 1, 2022, pursuant to the requirements of Sections 21080.4 and 21092 of the Public Resources Code.

    (B) The neighborhood plan was adopted on or after January 1, 2022, and before January 1, 2024.

    (C) The environmental review for the neighborhood plan was completed before January 1, 2024.

(h) For a vacant site, the site satisfies both of the following:

  (1) It does not contain tribal cultural resources, as defined by Section 21074 of the Public Resources Code, that could be affected by the development that were found pursuant to a consultation as described by Section 21080.3.1 of the Public Resources Code and the effects of which cannot be mitigated pursuant to the process described in Section 21080.3.2 of the Public Resources Code.

  (2) It is not within a very high fire hazard severity zone, as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Section 4202 of the Public Resources Code or as designated pursuant to subdivisions (a) and (b) of Section 51179.

(Added by Stats. 2022, Ch. 647, Sec. 3. (AB 2011) Effective January 1, 2023. Operative July 1, 2023, pursuant to Sec. 7 of Stats. 2022, Ch. 647. Repealed as of January 1, 2033, pursuant to Sec. 65912.105.)

65912.112

A development project shall not be subject to the streamlined, ministerial review process provided by Section 65912.114 unless the development proposal meets all of the following affordability criteria:

(a) One hundred percent of the units within the development project, excluding managers' units, shall be dedicated to lower income households at an affordable cost, as defined by Section 50052.5 of the Health and Safety Code, or an affordable rent set in an amount consistent with the rent limits established by the California Tax Credit Allocation Committee.

(b) The units shall be subject to a recorded deed restriction for a period of 55 years for rental units and 45 years for owner-occupied units.

(Added by Stats. 2022, Ch. 647, Sec. 3. (AB 2011) Effective January 1, 2023. Operative July 1, 2023, pursuant to Sec. 7 of Stats. 2022, Ch. 647. Repealed as of January 1, 2033, pursuant to Sec. 65912.105.)

65912.113

A development project shall not be subject to the streamlined, ministerial review process provided by Section 65912.114 unless the development proposal meets all of the following objective development standards:

(a) The development shall be a multifamily housing development project.

(b) The residential density for the development will meet or exceed the applicable density deemed appropriate to accommodate housing for lower income households in that jurisdiction as specified in paragraph (3) of subdivision (c) of Section 65583.2.

(c) (1) The development proponent shall complete a phase I environmental assessment, as defined in Section 78090 of the Health and Safety Code.

(2) If a recognized environmental condition is found, the development proponent shall undertake a preliminary endangerment assessment, as defined in Section 78095 of the Health and Safety Code, prepared by an environmental assessor to determine the existence of any release of a hazardous substance on the site and to determine the potential for exposure of future occupants to significant health hazards from any nearby property or activity.

(A) If a release of a hazardous substance is found to exist on the site, the release shall be removed, or any significant effects of the release shall be mitigated to a level of insignificance in compliance with current state and federal requirements.

(B) If a potential for exposure to significant hazards from surrounding properties or activities is found to exist, the effects of the potential exposure shall be mitigated to a level of insignificance in compliance with current state and federal requirements.

(d) None of the housing on the site is located within 500 feet of a freeway, as defined in Section 332 of the Vehicle Code.

(e) None of the housing on the site is located within 3,200 feet of a facility that actively extracts or refines oil or natural gas.

(f) The development will meet the following objective zoning standards, objective subdivision standards, and objective design review standards:

(1) The applicable objective standards shall be those for the zone that allows residential use at a greater density between the following:

(A) The existing zoning designation for the parcel if existing zoning allows multifamily residential use.

(B) The zoning designation for the closest parcel that allows residential use at a density that meets the requirements of subdivision (b).

(2) The applicable objective standards shall be those in effect at the time that the development application is submitted to the local government pursuant to this article.

(g) For purposes of this section, "objective zoning standards," "objective subdivision standards," and "objective design review standards" mean standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official before submittal. These standards may be embodied in alternative objective land use specifications adopted by a city or county, and may include, but are not limited to, housing overlay zones, specific plans, inclusionary zoning ordinances, and density bonus ordinances, subject to the following:

(1) A development shall be deemed consistent with the objective zoning standards related to housing density, as applicable, if the density proposed is compliant with the maximum density allowed within that land use designation, notwithstanding any specified maximum unit allocation that may result in fewer units of housing being permitted.

(2) In the event that objective zoning, general plan, subdivision, or design review standards are mutually inconsistent, a development shall be deemed consistent with the objective zoning and subdivision standards pursuant to this section if the development is consistent with the standards set forth in the general plan.

(Amended by Stats. 2023, Ch. 131, Sec. 97. (AB 1754) Effective January 1, 2024. Repealed as of January 1, 2033, pursuant to Sec. 65912.105.)

65912.114

(a) (1) If the local government determines that a development submitted pursuant to this article is consistent with the objective planning standards specified in this article, it shall approve the development.

(2) If a local government determines that a development submitted pursuant to this article is in conflict with any of the objective planning standards specified in this article, it shall provide the development proponent written documentation of which standard or standards the development conflicts with, and an explanation for the reason or reasons the development conflicts with that standard or standards, within the following timeframes:

(A) Within 60 days of submittal of the development proposal to the local government if the development contains 150 or fewer housing units.

(B) Within 90 days of submittal of the development proposal to the local government if the development contains more than 150 housing units.

(b) If the local government fails to provide the required documentation pursuant to subdivision (a), the development shall be deemed to satisfy the required objective planning standards.

(c) (1) For purposes of this section, a development is consistent with the objective planning standards if there is substantial evidence that would allow a reasonable person to conclude that the development is consistent with the objective planning standards.

(2) For purposes of this section, a development is not in conflict with the objective planning standards solely on the basis that application materials are not included, if the application contains substantial evidence that would allow a reasonable person to conclude that the development is consistent with the objective planning standards.

(d) The determination of whether a proposed project submitted pursuant to this section is or is not in conflict with the objective planning standards is not a "project" as defined in Section 21065 of the Public Resources Code.

(e) Design review of the development may be conducted by the local government's planning commission or any equivalent board or commission responsible for review and approval of development projects, or the city council or board of supervisors, as appropriate. That design review shall be objective and be strictly focused on assessing compliance with criteria required for streamlined, ministerial review of projects, as well as any reasonable objective design standards published and adopted by ordinance or resolution by a local jurisdiction before submittal of the development to the local government, and shall be broadly applicable to developments within the jurisdiction. That design review shall be completed as follows and shall not in any way inhibit, chill, or preclude the ministerial approval provided by this section or its effect, as applicable:

(1) Within 90 days of submittal of the development proposal to the local government pursuant to this section if the development contains 150 or fewer housing units.

(2) Within 180 days of submittal of the development proposal to the local government pursuant to this section if the development contains more than 150 housing units.

(f) A development proposed pursuant to this article shall be eligible for a density bonus, incentives or concessions, waivers or reductions of development standards, and parking ratios pursuant to Section 65915.

(g) The local government shall ensure that the project satisfies the requirements specified in Article 2 (commencing with Section 66300.5) of Chapter 12, regardless of whether the development is within or not within an affected city or within or not within an affected county.

(h) If the development is consistent with all objective subdivision standards in the local subdivision ordinance, an application for a subdivision pursuant to the Subdivision Map Act (Division 2 (commencing with Section 66410)) shall be exempt from the requirements of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).

(i) A local government may, by ordinance adopted to implement this article, exempt a parcel from this section before a development proponent submits a development application on a parcel pursuant to this article if the local government makes written findings establishing all of the following:

(1) The local government has identified one or more parcels that meet the criteria described in subdivisions (b) through (f) of Section 65912.111.

(2) (A) If a parcel identified in paragraph (1) would not otherwise be eligible for development pursuant to this chapter, the implementing ordinance authorizes the parcel to be developed pursuant to the requirements of this chapter. A parcel reclassified for development pursuant to this subparagraph shall be suitable for residential development. For purposes of this subparagraph, a parcel suitable for residential development shall have the same meaning as "land suitable for residential development," as defined in Section 65583.2.

(B) If a parcel identified in paragraph (1) would otherwise be eligible for development pursuant to this chapter, the implementing ordinance authorizes the parcel to be developed ministerially at residential densities above the residential density required in subdivision (b) of Section 65912.113.

(3) The substitution of the parcel or parcels identified in this subdivision for parcels reclassified pursuant to paragraph (2) will result in all of the following:

(A) No net loss of the total potential residential capacity in the jurisdiction relative to the total capacity that existed in the jurisdiction through the combined effect of this chapter and local law as of the date of the adoption of the ordinance. In making the no net loss calculation specified by this subparagraph, the local government need only factor in the parcels substituted and reclassified pursuant to this subdivision.

(B) No net loss of the total potential residential capacity of housing affordable to lower income households in the jurisdiction relative to the total capacity that existed in the jurisdiction through the combined effect of this chapter and local law as of the date of the adoption of the ordinance. In making the no net loss calculation specified by this subparagraph, the local government need only factor in the parcels substituted and reclassified pursuant to this subdivision.

(C) Affirmative furthering of fair housing.

(4) A parcel or parcels reclassified for development pursuant to subparagraph (A) of paragraph (2) shall be eligible for development pursuant to this chapter notwithstanding any contrary provision of the local government's charter, general plan, or ordinances, and a parcel or parcels reclassified for development pursuant to subparagraph (B) of paragraph (2) shall be developed ministerially at the densities and heights specified in the ordinance notwithstanding any contrary provision of the local government's charter, general plan, or ordinances.

(5) The local government has completed all of the rezonings required pursuant to subdivision (c) of Section 65583 for the sixth revision of its housing element.

(j) A local government's approval of a development pursuant to this section shall, notwithstanding any other law, be subject to the expiration timeframes specified in subdivision (f) of Section 65913.4.

(k) Any proposed modifications to a development project approved pursuant to this section shall be undertaken pursuant to subdivision (g) of Section 65913.4.

(l) A local government shall not adopt or impose any requirement, including, but not limited to, increased fees or inclusionary housing requirements, that applies to a project solely or partially on the basis that the project is eligible to receive streamlined, ministerial review pursuant to this section.

(m) A local government shall issue a subsequent permit required for a development approved under this section pursuant to paragraph (2) of subdivision (h) of Section 65913.4.

(n) A public improvement that is necessary to implement a development that is approved pursuant to this section shall be undertaken pursuant to paragraph (3) of subdivision (h) of Section 65913.4.

(o) A local government may adopt an ordinance to implement the provisions of this article. An ordinance adopted to implement this section shall not be considered a "project" under Division 13 (commencing with Section 21000) of the Public Resources Code.

(Amended by Stats. 2023, Ch. 754, Sec. 1. (AB 1218) Effective January 1, 2024. Repealed as of January 1, 2033, pursuant to Sec. 65912.105.)

T7(D1) – CH4.1(3 EXCERPTS)

Title 7–Planning and Land Use
Division 1–Planning and Zoning
Chapter 4.1– Affordable Housing and High Road Jobs Act of 2022
Article 3–Mixed-Income Housing Developments Along Commercial Corridors (excerpts)

65912.120

Notwithstanding any inconsistent provision of a local government's general plan, specific plan, zoning ordinance, or regulation, a development proponent may submit an application for a housing development that shall be a use by right and that shall be subject to a streamlined, ministerial review pursuant to Section 65912.124 if the proposed housing development satisfies all of the requirements in Sections 65912.121, 65912.122, and 65912.123.

(Added by Stats. 2022, Ch. 647, Sec. 3. (AB 2011) Effective January 1, 2023. Operative July 1, 2023, pursuant to Sec. 7 of Stats. 2022, Ch. 647. Repealed as of January 1, 2033, pursuant to Sec. 65912.105.)

65912.121

A development project shall not be subject to the streamlined, ministerial review process provided by Section 65912.124 unless the development project is on a site that satisfies all of the following criteria:

(a) It is located within a zone where office, retail, or parking are principally permitted use.

(b) It is located on a legal parcel or parcels that meet either of the following:

  (1) It is within a city where the city boundaries include some portion of either an urbanized area or urban cluster, as designated by the United States Census Bureau.

  (2) It is in an unincorporated area, and the legal parcel or parcels are wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.

(c) The project site abuts a commercial corridor and has a frontage along the commercial corridor of a minimum of 50 feet.

(d) The site is not greater than 20 acres.

(e) At least 75 percent of the perimeter of the site adjoins parcels that are developed with urban uses. For purposes of this subdivision, parcels that are only separated by a street or highway shall be considered to be adjoined.

(f) (1) It is not on a site or adjoined to any site where more than one-third of the square footage on the site is dedicated to industrial use.

  (2) For purposes of this subdivision, parcels only separated by a street or highway shall be considered to be adjoined.

  (3) For purposes of this subdivision, "dedicated to industrial use" means any of the following:

    (A) The square footage is currently being used as an industrial use.

    (B) The most recently permitted use of the square footage is an industrial use.

(C) The site was designated for industrial use in the latest version of a local government's general plan adopted before January 1, 2022.

(g) It satisfies the requirements specified in subparagraphs (B) to (K), inclusive, of paragraph (6) of subdivision (a) of Section 65913.4.

(h) The development is not located on a site where any of the following apply:

(1) The development would require the demolition of the following types of housing:

(A) Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.

(B) Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.

(C) Housing that has been occupied by tenants within the past 10 years, excluding any manager's units.

(2) The site was previously used for permanent housing that was occupied by tenants, excluding any manager's units, that was demolished within 10 years before the development proponent submits an application under this article.

(3) The development would require the demolition of a historic structure that was placed on a national, state, or local historic register.

(4) The property contains one to four dwelling units.

(5) The property is vacant and zoned for housing but not for multifamily residential use.

(6) The existing parcel of land or site is governed under the Mobilehome Residency Law (Chapter 2.5 (commencing with Section 798) of Title 2 of Part 2 of Division 2 of the Civil Code), the Recreational Vehicle Park Occupancy Law (Chapter 2.6 (commencing with Section 799.20) of Title 2 of Part 2 of Division 2 of the Civil Code), the Mobilehome Parks Act (Part 2.1 (commencing with Section 18200) of Division 13 of the Health and Safety Code), or the Special Occupancy Parks Act (Part 2.3 (commencing with Section 18860) of Division 13 of the Health and Safety Code).

(i) For a site within a neighborhood plan area, the site satisfies either of the following conditions:

(1) As of January 1, 2022, there was a neighborhood plan applicable to the site that permitted multifamily housing development on the site.

(2) As of January 1, 2024, there was a neighborhood plan applicable to the site that permitted multifamily housing development on the site and all of the following occurred:

(A) A notice of preparation for the neighborhood plan was issued before January 1, 2022, pursuant to the requirements of Sections 21080.4 and 21092 of the Public Resources Code.

(B) The neighborhood plan was adopted on or after January 1, 2022, and before January 1, 2024.

(C) The environmental review for the neighborhood plan was completed before January 1, 2024.

(j) For a vacant site, the site satisfies both of the following:

(1) It does not contain tribal cultural resources, as defined by Section 21074 of the Public Resources Code, that could be affected by the development that were found pursuant to a consultation as described by Section 21080.3.1 of the Public Resources Code and the effects of which cannot be mitigated pursuant to the process described in Section 21080.3.2 of the Public Resources Code.

(2) It is not within a very high fire hazard severity zone, as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Section 4202 of the Public Resources Code or as designated pursuant to subdivisions (a) and (b) of Section 51179.

(Added by Stats. 2022, Ch. 647, Sec. 3. (AB 2011) Effective January 1, 2023. Operative July 1, 2023, pursuant to Sec. 7 of Stats. 2022, Ch. 647. Repealed as of January 1, 2033, pursuant to Sec. 65912.105.)

65912.122

A development project shall not be subject to the streamlined, ministerial review process provided by Section 65912.124 unless the development project meets all of the following affordability criteria:

(a) (1) A rental housing development shall include either of the following:

(A) Eight percent of the units for very low income households and 5 percent of the units for extremely low income households.

(B) Fifteen percent of the units for lower income households.

(2) The development proponent shall agree to, and the local government shall ensure, the continued affordability of all affordable rental units included pursuant to this subdivision for 55 years. Rents shall be set at an affordable rent, as defined in Section 50053 of the Health and Safety Code.

(b) (1) An owner-occupied housing development shall include either of the following:

(A) Thirty percent of the units must be offered at an affordable housing cost, as defined in Section 50052.5 of the Health and Safety Code, to moderate-income households.

(B) Fifteen percent of the units must be offered at an affordable housing cost, as defined in Section 50052.5 of the Health and Safety Code, to lower income households.

(2) The development proponent shall agree to, and the local government shall ensure, the continued affordability of all affordable ownership units for a period of 45 years.

(c) If the local government has a local affordable housing requirement, the housing development project shall comply with all of the following:

(1) The development project shall include the percentage of affordable units required by this section or the local requirement, whichever is higher.

(2) The development project shall meet the lowest income targeting in either policy.

(3) If the local affordable housing requirement requires greater than 15 percent of the units to be dedicated for lower income households and does not require the inclusion of units affordable to very low and extremely low income households, then the rental housing development shall do both of the following:

(A) Include 8 percent of the units for very low income households and 5 percent of the units for extremely low income households.

(B) Fifteen percent of units affordable to lower income households shall be subtracted from the percentage of units required by the local policy at the highest required affordability level.

(d) Affordable units in the development project shall have the same bedroom and bathroom count ratio as the market rate units, be equitably distributed within the project, and have the same type or quality of appliances, fixtures, and finishes.

(Added by Stats. 2022, Ch. 647, Sec. 3. (AB 2011) Effective January 1, 2023. Operative July 1, 2023, pursuant to Sec. 7 of Stats. 2022, Ch. 647. Repealed as of January 1, 2033, pursuant to Sec. 65912.105.)

65912.123

A development project shall not be subject to the streamlined, ministerial review process provided by Section 65912.124 unless the development project meets all of the following objective development standards:

(a) The development shall be a multifamily housing development project.

(b) The residential density for the development shall be determined as follows:

(1) In a metropolitan jurisdiction, as determined pursuant to subdivisions (d) and (e) of Section 65583.2, the residential density for the development shall meet or exceed the greater of the following:

(A) The residential density allowed on the parcel by the local government.

(B) For sites of less than one acre in size, 30 units per acre.

(C) For sites of one acre in size or greater located on a commercial corridor of less than 100 feet in width, 40 units per acre.

(D) For sites of one acre in size or greater located on a commercial corridor of 100 feet in width or greater, 60 units per acre.

(E) Notwithstanding subparagraph (B), (C), or (D), for sites within one-half mile of a major transit stop, 80 units per acre.

(2) In a jurisdiction that is not a metropolitan jurisdiction, as determined pursuant to subdivisions (d) and (e) of Section 65583.2, the residential density for the development shall meet or exceed the greater of the following:

(A) The residential density allowed on the parcel by the local government.

(B) For sites of less than one acre in size, 20 units per acre.

(C) For sites of one acre in size or greater located on a commercial corridor of less than 100 feet in width, 30 units per acre.

(D) For sites of one acre in size or greater located on a commercial corridor of 100 feet in width or greater, 50 units per acre.

(E) Notwithstanding subparagraph (B), (C), or (D), for sites within one-half mile of a major transit stop, 70 units per acre.

(c) The height limit applicable to the housing development shall be the greater of the following:

(1) The height allowed on the parcel by the local government.

(2) For sites on a commercial corridor of less than 100 feet in width, 35 feet.

(3) For sites on a commercial corridor of 100 feet in width or greater, 45 feet.

(4) Notwithstanding paragraphs (2) and (3), 65 feet for sites that meet all of the following criteria:

(A) They are within one-half mile of a major transit stop.

(B) They are within a city with a population of greater than 100,000.

(C) They are not within a coastal zone, as defined in Division 20 (commencing with Section 30000) of the Public Resources Code.

(d) The property meets the following setback standards:

(1) For the portion of the property that fronts a commercial corridor, the following shall occur:

(A) No setbacks shall be required.

(B) All parking must be set back at least 25 feet.

(C) On the ground floor, a building or buildings must abut within 10 feet of the property line for at least 80 percent of the frontage.

(2) For the portion of the property that fronts a side street, a building or buildings must abut within 10 feet of the property line for at least 60 percent of the frontage.

(3) For the portion of the property that abuts an adjoining property that also abuts the same commercial corridor as the property, no setbacks are required unless the adjoining property contains a residential use that was constructed prior to the enactment of this chapter, in which case the requirements of subparagraph (A) of paragraph (4) apply.

(4) For the portion of the property line that does not abut a commercial corridor, a side street, or an adjoining property that also abuts the same commercial corridor as the property, the following shall occur:

(A) Along property lines that abut a property that contains a residential use, the following shall occur:

(i)The ground floor of the development project shall be set back at 10 feet. The amount required to be set back may be decreased by the local government.

(ii) Starting with the second floor of the property, each subsequent floor of the development project shall be stepped back in an amount equal to seven feet multiplied by the floor number. For purposes of this paragraph, the ground floor counts as the first floor. The amount required to be stepped back may be decreased by the local government.

(B) Along property lines that abut a property that does not contain a residential use, the development shall be set back 15 feet. The amount required to be stepped back may be decreased by the local government.

(e) No parking shall be required, except that this article shall not reduce, eliminate, or preclude the enforcement of any requirement imposed on a new multifamily residential or nonresidential development to provide bicycle parking, electric vehicle supply equipment installed parking spaces, or parking spaces that are accessible to persons with disabilities that would have otherwise applied to the development if this article did not apply.

(f) (1) The development proponent shall complete a phase I environmental assessment, as defined in Section 78090 of the Health and Safety Code.

(2) If a recognized environmental condition is found, the development proponent shall undertake a preliminary endangerment assessment, as defined in Section 78095 of the Health and Safety Code, prepared by an environmental assessor to determine the existence of any release of a hazardous substance on the site and to determine the potential for exposure of future occupants to significant health hazards from any nearby property or activity.

(A) If a release of a hazardous substance is found to exist on the site, the release shall be removed, or any significant effects of the release shall be mitigated to a level of insignificance in compliance with current state and federal requirements.

(B) If a potential for exposure to significant hazards from surrounding properties or activities is found to exist, the effects of the potential exposure shall be mitigated to a level of insignificance in compliance with current state and federal requirements.

(g) None of the housing on the site is located within 500 feet of a freeway, as defined in Section 332 of the Vehicle Code.

(h) None of the housing on the site is located within 3,200 feet of a facility that actively extracts or refines oil or natural gas.

(i) (1) The development proponent shall provide written notice of the pending application to each commercial tenant on the parcel when the application is submitted.

(2) The development proponent shall provide relocation assistance to each eligible commercial tenant located on the site as follows:

(A) For a commercial tenant operating on the site for at least one year but less than five years, the relocation assistance shall be equivalent to six months' rent.

(B) For a commercial tenant operating on the site for at least 5 years but less than 10 years, the relocation assistance shall be equivalent to nine months' rent.

(C) For a commercial tenant operating on the site for at least 10 years but less than 15 years, the relocation assistance shall be equivalent to 12 months' rent.

(D) For a commercial tenant operating on the site for at least 15 years but less than 20 years, the relocation assistance shall be equivalent to 15 months' rent.

(E) For a commercial tenant operating on the site for at least 20 years, the relocation assistance shall be equivalent to 18 months' rent.

(3) The relocation assistance shall be provided to an eligible commercial tenant upon expiration of the lease of that commercial tenant.

(4) For purposes of this subdivision, a commercial tenant is eligible for relocation assistance if the commercial tenant meets all of the following criteria:

(A) The commercial tenant is an independently owned and operated business with its principal office located in the county in which the property on the site that is leased by the commercial tenant is located.

(B) The commercial tenant's lease expired and was not renewed by the property owner.

(C) The commercial tenant's lease expired within the three years following the development proponent's submission of the application for a housing development pursuant to this article.

(D) The commercial tenant employs 20 or fewer employees and has annual average gross receipts under one million dollars ($1,000,000) for the three-taxable-year period ending with the taxable year that precedes the expiration of their lease.

(E) The commercial tenant is still in operation on the site at the time of the expiration of its lease.

(5) Notwithstanding paragraph (4), for purposes of this subdivision, a commercial tenant is ineligible for relocation assistance if the commercial tenant meets both of the following criteria:

(A) The commercial tenant entered into a lease on the site after the development proponent's submission of the application for a housing development pursuant to this article.

(B) The commercial tenant had not previously entered into a lease on the site.

(6) (A) The commercial tenant shall utilize the funds provided by the development proponent to relocate the business or for costs of a new business.

(B) Notwithstanding paragraph (2), if the commercial tenant elects not to use the funds provided as required by subparagraph (A), the development proponent shall provide only assistance equal to three months' rent, regardless of the duration of the commercial tenant's lease.

(7) For purposes of this subdivision, monthly rent is equal to one-twelfth of the total amount of rent paid by the commercial tenant in the last 12 months.

(j) Other objective zoning standards, objective subdivision standards, and objective design review standards as follows:

(1) The applicable objective standards shall be those for the closest zone in the city, county, or city and county that allows multifamily residential use at the residential density determined pursuant to subdivision (b). If no zone exists that allows the residential density determined pursuant to subdivision (b), the applicable objective standards shall be those for the zone that allows the greatest density within the city, county, or city and county.

(2) The applicable objective standards shall be those in effect at the time that the development application is submitted to the local government pursuant to this article.

(3) The applicable objective standards may include a requirement that up to one-half of the ground floor of the housing development project be dedicated to retail use.

(4) For purposes of this section, "objective zoning standards," "objective subdivision standards," and "objective design review standards" mean standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official before submittal. These standards may be embodied in alternative objective land use specifications adopted by a city or county, and may include, but are not limited to, housing overlay zones, specific plans, inclusionary zoning ordinances, and density bonus ordinances. In the event that objective zoning, general plan, subdivision, or design review standards are mutually inconsistent, a development shall be deemed consistent with the objective zoning and subdivision standards pursuant to this subdivision if the development is consistent with the standards set forth in the general plan.

(Amended by Stats. 2023, Ch. 131, Sec. 98. (AB 1754) Effective January 1, 2024. Repealed as of January 1, 2033, pursuant to Sec. 65912.105.)

T7(D1) – CH4.5(3 EXCERPTS)

Title 7–Planning and Land Use
Division 1–Planning and Zoning
Chapter 4.5–Review and Approval of Development Projects
Article 3–Application for Development Projects (excerpts)

Note: The following government code sections are referenced in Section 21675.2(c) of the ALUC statutes.

65943 Completeness of Application; Determination; Time; Specification of Parts not Complete and Manner of Completion

(a) Not later than 30 calendar days after any public agency has received an application for a development project, the agency shall determine in writing whether the application is complete and shall immediately transmit the determination to the applicant for the development project. If the application is determined to be incomplete, the lead agency shall provide the applicant with an exhaustive list of items that were not complete. That list shall be limited to those items actually required on the lead agency's submittal requirement checklist. In any subsequent review of the application determined to be incomplete, the local agency shall not request the applicant to provide any new information that was not stated in the initial list of items that were not complete. If the written determination is not made within 30 days after receipt of the application, and the application includes a statement that it is an application for a development permit, the application shall be deemed complete for purposes of this chapter. Upon receipt of any resubmittal of the application, a new 30-day period shall begin, during which the public agency shall determine the completeness of the application. If the application is determined not to be complete, the agency's determination shall specify those parts of the application which are incomplete and shall indicate the manner in which they can be made complete, including a list and thorough description of the specific information needed to complete the application. The applicant shall submit materials to the public agency in response to the list and description.

(b) Not later than 30 calendar days after receipt of the submitted materials, described in subdivision (a), the public agency shall determine in writing whether the application as supplemented or amended by the submitted materials is complete and shall immediately transmit that determination to the applicant. In making this determination, the public agency is limited to determining whether the application as supplemented or amended includes the information required by the list and a thorough description of the specific information needed to complete the application required by subdivision (a). If the written determination is not made within that 30-day period, the application together with the submitted materials shall be deemed complete for purposes of this chapter.

(c) If the application together with the submitted materials are determined not to be complete pursuant to subdivision (b), the public agency shall provide a process for the applicant to appeal that decision in writing to the governing body of the agency or, if there is no governing body, to the director of the agency, as provided by that agency. A city or county shall provide that the right of appeal is to the governing body or, at their option, the planning commission, or both.

There shall be a final written determination by the agency on the appeal not later than 60 calendar days after receipt of the applicant's written appeal. The fact that an appeal is permitted to both

the planning commission and to the governing body does not extend the 60-day period. Notwithstanding a decision pursuant to subdivision (b) that the application and submitted materials are not complete, if the final written determination on the appeal is not made within that 60-day period, the application with the submitted materials shall be deemed complete for the purposes of this chapter.

(d) Nothing in this section precludes an applicant and a public agency from mutually agreeing to an extension of any time limit provided by this section.

(e) A public agency may charge applicants a fee not to exceed the amount reasonably necessary to provide the service required by this section. If a fee is charged pursuant to this section, the fee shall be collected as part of the application fee charged for the development permit.

(f) Each city and each county shall make copies of any list compiled pursuant to Section 65940 with respect to information required from an applicant for a housing development project, as that term is defined in paragraph (2) of subdivision (h) of Section 65589.5, available both (1) in writing to those persons to whom the agency is required to make information available under subdivision (a) of that section, and (2) publicly available on the internet website of the city or county.

(g) For purposes of this section, "development project" includes a housing development project as defined in paragraph (3) of subdivision (b) of Section 65905.5.

(h) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

(Amended (as amended by Stats. 2019, Ch. 654, Sec. 9) by Stats. 2021, Ch. 161, Sec. 7. (SB 8) Effective January 1, 2022. Repealed as of January 1, 2030, by its own provisions. See later operative version amended by Sec. 8 of Stats. 2021, Ch. 161.)

65943.5 Applications for Development Projects

(a) Notwithstanding any other provision of this chapter, any appeal pursuant to subdivision (c) of Section 65943 involving a permit application to a board, office, or department within the California Environmental Protection Agency shall be made to the Secretary for Environmental Protection.

(b) Notwithstanding any other provision of this chapter, any appeal pursuant to subdivision (c) of Section 65943 involving an application for the issuance of an environmental permit from an environmental agency shall be made to the Secretary for Environmental Protection under either of the following circumstances:

(1) The environmental agency has not adopted an appeals process pursuant to subdivision (c) of Section 65943.

(2) The environmental agency declines to accept an appeal for a decision pursuant to subdivision (c) of Section 65943.

(c) For purposes of subdivision (b), "environmental permit" has the same meaning as defined in Section 72012 of the Public Resources Code, and "environmental agency" has the same meaning as defined in Section 71012 of the Public Resources Code, except that "environmental agency" does not include the agencies described in subdivisions (c) and (h) of Section 71011 of the Public Resources Code.

(Added by Stats. 1993, Ch. 419, Sec. 3. Effective January 1, 1994.)

65944 Acceptance of Application as Complete; Requests for Additional Information; Restrictions; Clarification, Amplification, Correction, etc; Prior to Notice of Necessary Information

(a) After a public agency accepts an application as complete, the agency shall not subsequently request of an applicant any new or additional information which was not specified in the list prepared pursuant to Section 65940. The agency may, in the course of processing the application, request the applicant to clarify, amplify, correct, or otherwise supplement the information required for the application.

(b) The provisions of subdivision (a) shall not be construed as requiring an applicant to submit with an initial application the entirety of the information which a public agency may require in order to take final action on the application. Prior to accepting an application, each public agency shall inform the applicant of any information included in the list prepared pursuant to Section 65940 which will subsequently be required from the applicant in order to complete final action on the application.

(c) This section shall not be construed as limiting the ability of a public agency to request and obtain information which may be needed in order to comply with the provisions of Division 13 (commencing with Section 21000) of the Public Resources Code.

(d) (1) After a public agency accepts an application as complete, and if the project applicant has identified that the proposed project is located within 1,000 feet of a military installation or within special use airspace or beneath a low-level flight path in accordance with Section 65940, the public agency shall provide notice of the complete application to any branch of the United States Armed Forces that has provided the Office of Planning and Research with points of contact to receive the notice.

(2) Except for a project within 1,000 feet of a military installation, the public agency is not required to provide a copy of the application if the project is located entirely in an "urbanized area." An urbanized area is any urban location that meets the definition used by the United State Department of Commerce's Bureau of Census for "urban" and includes locations with core census block groups containing at least 1,000 people per square mile and surrounding census block groups containing at least 500 people per square mile.

(e) After providing notice of the application as required in subdivision (d), and if requested by any branch of the United States Armed Forces, the public agency and the project applicant shall consult with the impacted military branch or branches to discuss the effects of the proposed project on military installations, low-level flight paths, or special use airspace, and potential alternatives and mitigation measures.

(f) The Office of Planning and Research shall maintain on its internet website and provide notice to public agencies all of the following:

(1) Maps of low-level flight paths, special use airspace, and military installations.

(2) The military points of contact to receive notifications pursuant to subdivision (d).

(3) The information required in the notice of a completed application pursuant to subdivision (d). This information shall include, at a minimum, all of the following:

(A) The project's specific location.

(B) The major physical alterations to the property on which the project will be located.

(C) A site place showing the location of the project on the property, as well as the massing, height, and approximate square footage, of each building that will be occupied.

(D) The proposed land uses by number of units or square feet using the categories in the applicable zoning ordinance.

(Amended by Stats. 2019, Ch. 142, Sec. 3. (SB 242) Effective January 1, 2020.)

65945 Notice of Proposal to Adopt or Amend Certain Plans or Ordinances by City or County, Fee; Subscription to Periodically Updated Notice as Alternative, Fee

(a) At the time of filing an application for a development permit with a city or county, the city or county shall inform the applicant that he or she may make a written request to retrieve notice from the city or county of a proposal to adopt or amend any of the following plans or ordinances:

(1) A general plan.

(2) A specific plan.

(3) A zoning ordinance.

(4) An ordinance affecting building permits or grading permits.

The applicant shall specify, in the written request, the types of proposed action for which notice is requested. Prior to taking any of those actions, the city or county shall give notice to any applicant who has requested notice of the type of action proposed and whose development project is pending before the city or county if the city or county determines that the proposal is reasonably related to the applicant's request for the development permit. Notice shall be given only for those types of actions which the applicant specifies in the request for notification.

The city or county may charge the applicant for a development permit, to whom notice is provided pursuant to this subdivision, a reasonable fee not to exceed the actual cost of providing that notice. If a fee is charged pursuant to this subdivision, the fee shall be collected as part of the application fee charged for the development permit.

(b) As an alternative to the notification procedure prescribed by subdivision (a), a city or county may inform the applicant at the time of filing an application for a development permit that he or she may subscribe to a periodically updated notice or set of notices from the city or county which lists pending proposals to adopt or amend any of the plans or ordinances specified in subdivision (a), together with the status of the proposal and the date of any hearings thereon which have been set.

Only those proposals which are general, as opposed to parcel-specific in nature, and which the city or county determines are reasonably related to requests for development permits, need be listed in the notice. No proposals shall be required to be listed until such time as the first public hearing thereon has been set. The notice shall be updated and mailed at least once every six weeks; except that a notice need not be updated and mailed until a change in its contents is required.

The city or county may charge the applicant for a development permit, to whom notice is provided pursuant to this subdivision, a reasonable fee not to exceed the actual cost of providing that notice, including the costs of updating the notice, for the length of time the applicant requests to be sent the notice or notices.

(Added by Stats. 1983, Ch. 1263, Sec. 11.)

65945.3 Notice of Proposal to Adopt or Amend Rules or Regulations Affecting Issuance of Permits by Local Agency other than City or County; Fee

At the time of filing an application for a development permit with a local agency, other than a city or county, the local agency shall inform the applicant that he or she may make a written request to receive notice of any proposal to adopt or amend a rule or regulation affecting the issuance of development permits.

Prior to adopting or amending any such rule or regulation, the local agency shall give notice to any applicant who has requested such notice and whose development project is pending before the agency if the local agency determines that the proposal is reasonably related to the applicant's request for the development permit.

The local agency may charge the applicant for a development permit, to whom notice is provided pursuant to this section, a reasonable fee not to exceed the actual cost of providing that notice. If a fee is charged pursuant to this section, the fee shall be collected as part of the application fee charged for the development permit.

(Added by Stats. 1983, Ch. 1263, Sec. 12.)

65945.5 Notice of Proposal to Adopt or Amend Regulation Affecting Issuance of Permits and Which Implements Statutory Provision by State Agency

At the time of filing an application for a development permit with a state agency, the state agency shall inform the applicant that he or she may make a written request to receive notice of any proposal to adopt or amend a regulation affecting the issuance of development permits and which implements a statutory provision.

Prior to adopting or amending any such regulation, the state agency shall give notice to any applicant who has requested such notice and whose development project is pending before the state agency if the state agency determines that the proposal is reasonably related to the applicant's request for the development permit.

(Added by Stats. 1983, Ch. 1263, Sec. 13.)

65945.7 Actions, Inactions, or Recommendations Regarding Ordinances, Rules or Regulations; Invalidity or Setting Aside Ground of Error Only if Prejudicial

No action, inaction, or recommendation regarding any ordinance, rule, or regulation subject to this Section 65945, 65945.3, or 65945.5 by any legislative body, administrative body, or the officials of any state or local agency shall be held void or invalid or be set aside by any court on the ground of any error, irregularity, informality, neglect or omission (hereinafter called "error") as to any matter pertaining to notices, records, determinations, publications, or any matters of procedure whatever, unless after an examination of the entire case, including evidence, the court shall be of the opinion that the error complained of was prejudicial, and that by reason of such error the party complaining or appealing sustained and suffered substantial injury, and that a different result would have been probable if such error had not occurred or existed. There shall be no presumption that error is prejudicial or that injury was done if error is shown.

(Added by Stats. 1983, Ch. 1263, Sec. 14.)

T7(D1) – CH9.3(EXCERPTS)

Title 7–Planning and Land Use
Division 1–Planning and Zoning
Chapter 9.3–Mediation and Resolution of Land Use Disputes (excerpts)

66030

(a) The Legislature finds and declares all of the following:

(1) Current law provides that aggrieved agencies, project proponents, and affected residents may bring suit against the land use decisions of state and local governmental agencies. In practical terms, nearly anyone can sue once a project has been approved.

(2) Contention often arises over projects involving local general plans and zoning, redevelopment plans, the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code), development impact fees, annexations and incorporations, and the Permit Streamlining Act (Chapter 4.5 (commencing with Section 65920)).

(3) When a public agency approves a development project that is not in accordance with the law, or when the prerogative to bring suit is abused, lawsuits can delay development, add uncertainty and cost to the development process, make housing more expensive, and damage California's competitiveness. This litigation begins in the superior court, and often progresses on appeal to the Court of Appeal and the Supreme Court, adding to the workload of the state's already overburdened judicial system.

(b) It is, therefore, the intent of the Legislature to help litigants resolve their differences by establishing formal mediation processes for land use disputes. In establishing these mediation processes, it is not the intent of the Legislature to interfere with the ability of litigants to pursue remedies through the courts.

(Added by Stats. 1994, Ch. 300, Sec. 1. Effective January 1, 1995.)

66031

(a) Notwithstanding any other provision of law, any action brought in the superior court relating to any of the following subjects may be subject to a mediation proceeding conducted pursuant to this chapter:

(1) The approval or denial by a public agency of any development project.

(2) Any act or decision of a public agency made pursuant to the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).

(3) The failure of a public agency to meet the time limits specified in Chapter 4.5 (commencing with Section 65920), commonly known as the Permit Streamlining Act, or in the Subdivision Map Act (Division 2 (commencing with Section 66410)).

(4) Fees determined pursuant to Chapter 6 (commencing with Section 17620) of Division 1 of Part 10.5 of the Education Code or Chapter 4.9 (commencing with Section 65995).

(5) Fees determined pursuant to the Mitigation Fee Act Chapter 5 (commencing with Section 66000), Chapter 6 (commencing with Section 66010), Chapter 7 (commencing with Section 66012), Chapter 8 (commencing with Section 66016), and Chapter 9 (commencing with Section 66020)).

(6) The adequacy of a general plan or specific plan adopted pursuant to Chapter 3 (commencing with Section 65100).

(7) The validity of any sphere of influence, urban service area, change of organization or reorganization, or any other decision made pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Division 3 (commencing with Section 56000) of Title 5).

(8) The adoption or amendment of a redevelopment plan pursuant to the Community Redevelopment Law (Part 1 (commencing with Section 33000) of Division 24 of the Health and Safety Code).

(9) The validity of any zoning decision made pursuant to Chapter 4 (commencing with Section 65800).

(10) The validity of any decision made pursuant to Article 3.5 (commencing with Section 21670) of Chapter 4 of Part 1 of Division 9 of the Public Utilities Code.

(b) Within five days after the deadline for the respondent or defendant to file its reply to an action, the court may invite the parties to consider resolving their dispute by selecting a mutually acceptable person to serve as a mediator, or an organization or agency to provide a mediator.

(c) In selecting a person to serve as a mediator, or an organization or agency to provide a mediator, the parties shall consider the following:

(1) The council of governments having jurisdiction in the county where the dispute arose.

(2) Any subregional or countywide council of governments in the county where the dispute arose.

(3) Any other person with experience or training in mediation including those with experience in land use issues, or any other organization or agency that can provide a person with experience or training in mediation, including those with experience in land use issues.

(d) If the court invites the parties to consider mediation, the parties shall notify the court within 30 days if they have selected a mutually acceptable person to serve as a mediator. If the parties have not selected a mediator within 30 days, the action shall proceed. The court shall not draw any implication, favorable or otherwise, from the refusal by a party to accept the invitation by the court to consider mediation. Nothing in this section shall preclude the parties from using mediation at any other time while the action is pending.

(Amended by Stats. 2010, Ch. 699, Sec. 24. (SB 894) Effective January 1, 2011.)

T7(D2) – CH1(EXCERPTS)

Title 7—Planning and Land Use
Division 2—Subdivisions
Chapter 1—General Provisions and Definitions (excerpts)

66412

This division shall be inapplicable to any of the following:

(a) The financing or leasing of apartments, offices, stores, or similar space within apartment buildings, industrial buildings, commercial buildings, mobilehome parks, or trailer parks.

(b) Mineral, oil, or gas leases.

(c) Land dedicated for cemetery purposes under the Health and Safety Code.

(d) A lot line adjustment between four or fewer existing adjoining parcels, where the land taken from one parcel is added to an adjoining parcel, and where a greater number of parcels than originally existed is not thereby created, if the lot line adjustment is approved by the local agency, or advisory agency. A local agency or advisory agency shall limit its review and approval to a determination of whether or not the parcels resulting from the lot line adjustment will conform to the local general plan, any applicable specific plan, any applicable coastal plan, and zoning and building ordinances. An advisory agency or local agency shall not impose conditions or exactions on its approval of a lot line adjustment except to conform to the local general plan, any applicable specific plan, any applicable coastal plan, and zoning and building ordinances, to require the prepayment of real property taxes prior to the approval of the lot line adjustment, or to facilitate the relocation of existing utilities, infrastructure, or easements. No tentative map, parcel map, or final map shall be required as a condition to the approval of a lot line adjustment. The lot line adjustment shall be reflected in a deed, which shall be recorded. No record of survey shall be required for a lot line adjustment unless required by Section 8762 of the Business and Professions Code. A local agency shall approve or disapprove a lot line adjustment pursuant to the Permit Streamlining Act (Chapter 4.5 (commencing with Section 65920) of Division 1).

(e) Boundary line or exchange agreements to which the State Lands Commission or a local agency holding a trust grant of tide and submerged lands is a party.

(f) Any separate assessment under Section 2188.7 of the Revenue and Taxation Code.

(g) The conversion of a community apartment project, as defined in Section 4105 of the Civil Code, to a condominium, as defined in Section 783 of the Civil Code, but only if all of the following requirements are met:

  (1) The property was subdivided before January 1, 1982, as evidenced by a recorded deed creating the community apartment project.

  (2) Subject to compliance with Sections 4290 and 4295 of the Civil Code, all conveyances and other documents necessary to effectuate the conversion shall be executed by the required number of owners in the project as specified in the bylaws or other organizational documents. If the bylaws or other organizational documents do not expressly specify the number of owners necessary to execute the conveyances and other documents, a majority of owners in the project shall be required to execute the conveyances or other documents.

Conveyances and other documents executed under the foregoing provisions shall be binding upon and affect the interests of all parties in the project.

(3) If subdivision, as defined in Section 66424, of the property occurred after January 1, 1964, both of the following requirements are met:

(A) A final or parcel map of that subdivision was approved by the local agency and recorded, with all of the conditions of that map remaining in effect after the conversion.

(B) No more than 49 percent of the units in the project were owned by any one person as defined in Section 17, including an incorporator or director of the community apartment project, on January 1, 1982.

(4) The local agency certifies that the above requirements were satisfied if the local agency, by ordinance, provides for that certification.

(h) The conversion of a stock cooperative, as defined in Section 4190 or 6566 of the Civil Code, to a condominium, as defined in Section 783 of the Civil Code, but only if all of the following requirements are met:

(1) The property was subdivided before January 1, 1982, as evidenced by a recorded deed creating the stock cooperative, an assignment of lease, or issuance of shares to a stockholder.

(2) A person renting a unit in a cooperative shall be entitled at the time of conversion to all tenant rights in state or local law, including, but not limited to, rights respecting first refusal, notice, and displacement and relocation benefits.

(3) Subject to compliance with Sections 4290 and 4295, or with Sections 6626 and 6628, of the Civil Code, all conveyances and other documents necessary to effectuate the conversion shall be executed by the required number of owners in the cooperative as specified in the bylaws or other organizational documents. If the bylaws or other organizational documents do not expressly specify the number of owners necessary to execute the conveyances and other documents, a majority of owners in the cooperative shall be required to execute the conveyances or other documents. Conveyances and other documents executed under the foregoing provisions shall be binding upon and affect the interests of all parties in the cooperative.

(4) If subdivision, as defined in Section 66424, of the property occurred after January 1, 1980, both of the following requirements are met:

(A) A final or parcel map of that subdivision was approved by the local agency and recorded, with all of the conditions of that map remaining in effect after the conversion.

(B) No more than 49 percent of the shares in the project were owned by any one person as defined in Section 17, including an incorporator or director of the cooperative, on January 1, 1982.

(5) The local agency certifies that the above requirements were satisfied if the local agency, by ordinance, provides for that certification.

(i) The leasing of, or the granting of an easement to, a parcel of land, or any portion or portions thereof, in conjunction with the financing, erection, and sale or lease of a wind powered electrical

generation device on the land, if the project is subject to discretionary action by the advisory agency or legislative body.

(j) The leasing or licensing of a portion of a parcel, or the granting of an easement, use permit, or similar right on a portion of a parcel, to a telephone corporation as defined in Section 234 of the Public Utilities Code, exclusively for the placement and operation of cellular radio transmission facilities, including, but not limited to, antennae support structures, microwave dishes, structures to house cellular communications transmission equipment, power sources, and other equipment incidental to the transmission of cellular communications, if the project is subject to discretionary action by the advisory agency or legislative body.

(k) Leases of agricultural land for agricultural purposes. As used in this subdivision, "agricultural purposes" means the cultivation of food or fiber, or the grazing or pasturing of livestock.

(l) The leasing of, or the granting of an easement to, a parcel of land, or any portion or portions thereof, in conjunction with the financing, erection, and sale or lease of a solar electrical generation device on the land, if the project is subject to review under other local agency ordinances regulating design and improvement or, if the project is subject to other discretionary action by the advisory agency or legislative body.

(m) The leasing of, or the granting of an easement to, a parcel of land or any portion or portions of the land in conjunction with a biogas project that uses, as part of its operation, agricultural waste or byproducts from the land where the project is located and reduces overall emissions of greenhouse gases from agricultural operations on the land if the project is subject to review under other local agency ordinances regulating design and improvement or if the project is subject to discretionary action by the advisory agency or legislative body.

(n) The leasing of, or the granting of an easement to, a parcel of land, or any portion or portions thereof, in conjunction with the financing, erection, and sale or lease of an electrical energy storage system on the land, if the project is subject to discretionary action by the advisory agency or legislative body. For the purposes of this subdivision, "energy storage system" has the same meaning as defined in Section 2835 of the Public Utilities Code.

(Amended by Stats. 2022, Ch. 212, Sec. 1. (AB 2625) Effective January 1, 2023.)

66412.1

This division shall also be inapplicable to:

(a) The financing or leasing of any parcel of land, or any portion thereof, in conjunction with the construction of commercial or industrial buildings on a single parcel, unless the project is not subject to review under other local agency ordinances regulating design and improvement.

(b) The financing or leasing of existing separate commercial or industrial buildings on a single parcel.

(Amended by Stats. 1982, Ch. 87, Sec. 4. Effective March 1, 1982.)

T7(D2) – CH3(3 EXCERPTS)

Title 7—Planning and Land Use
Division 2—Subdivisions
Chapter 3—Procedure
Article 3—Review of Tentative Map by Other Agencies (excerpts)

66455.9

Whenever there is consideration of an area within a development for a public schoolsite, the advisory agency shall give the affected districts and the State Department of Education written notice of the proposed site. The written notice shall include the identification of any existing or proposed runways within the distance specified in Section 17215 of the Education Code. If the site is within the distance of an existing or proposed airport runway as described in Section 17215 of the Education Code, the department shall notify the State Department of Transportation as required by the section and the site shall be investigated by the State Department of Transportation required by Section 17215.

(Amended by Stats. 2000, Ch. 1058, Sec. 120. Effective January 1, 2001.)

T7(D1) – CH4(2)

Title 7–Planning and Land Use
Division 1–Planning and Zoning
Chapter 4–Zoning Regulations
Article 2–Adoption of Regulations

65852.21

(a) A proposed housing development containing no more than two residential units within a single-family residential zone shall be considered ministerially, without discretionary review or a hearing, if the proposed housing development meets all of the following requirements:

(1) The parcel subject to the proposed housing development is located within a city, the boundaries of which include some portion of either an urbanized area or urban cluster, as designated by the United States Census Bureau, or, for unincorporated areas, a legal parcel wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.

(2) The parcel satisfies the requirements specified in subparagraphs (B) to (K), inclusive, of paragraph (6) of subdivision (a) of Section 65913.4.

(3) Notwithstanding any provision of this section or any local law, the proposed housing development would not require demolition or alteration of any of the following types of housing:

(A) Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.

(B) Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.

(C) Housing that has been occupied by a tenant in the last three years.

(4) The parcel subject to the proposed housing development is not a parcel on which an owner of residential real property has exercised the owner's rights under Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 to withdraw accommodations from rent or lease within 15 years before the date that the development proponent submits an application.

(5) The proposed housing development does not allow the demolition of more than 25 percent of the existing exterior structural walls, unless the housing development meets at least one of the following conditions:

(A) If a local ordinance so allows.

(B) The site has not been occupied by a tenant in the last three years.

(6) The development is not located within a historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a site that is designated or listed as a city or county landmark or historic property or district pursuant to a city or county ordinance.

(b) (1) Notwithstanding any local law and except as provided in paragraph (2), a local agency may impose objective zoning standards, objective subdivision standards, and objective design review standards that do not conflict with this section.

(2) (A) The local agency shall not impose objective zoning standards, objective subdivision standards, and objective design standards that would have the effect of physically precluding the construction of up to two units or that would physically preclude either of the two units from being at least 800 square feet in floor area.

(B) (i) Notwithstanding subparagraph (A), no setback shall be required for an existing structure or a structure constructed in the same location and to the same dimensions as an existing structure.

(ii) Notwithstanding subparagraph (A), in all other circumstances not described in clause (i), a local agency may require a setback of up to four feet from the side and rear lot lines.

(c) In addition to any conditions established in accordance with subdivision (b), a local agency may require any of the following conditions when considering an application for two residential units as provided for in this section:

(1) Off-street parking of up to one space per unit, except that a local agency shall not impose parking requirements in either of the following instances:

(A) The parcel is located within one-half mile walking distance of either a high-quality transit corridor, as defined in subdivision (b) of Section 21155 of the Public Resources Code, or a major transit stop, as defined in Section 21064.3 of the Public Resources Code.

(B) There is a car share vehicle located within one block of the parcel.

(2) For residential units connected to an onsite wastewater treatment system, a percolation test completed within the last 5 years, or, if the percolation test has been recertified, within the last 10 years.

(d) Notwithstanding subdivision (a), a local agency may deny a proposed housing development project if the building official makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

(e) A local agency shall require that a rental of any unit created pursuant to this section be for a term longer than 30 days.

(f) Notwithstanding Article 2 (commencing with Section 66314) or Article 3 (commencing with Section 6633) of Chapter 13. a local agency shall not be required to permit an accessory dwelling unit or a junior accessory dwelling unit on parcels that use both the authority contained within this section and the authority contained in Section 66411.7.

(g) Notwithstanding subparagraph (B) of paragraph (2) of subdivision (b), an application shall not be rejected solely because it proposes adjacent or connected structures provided that the structures meet building code safety standards and are sufficient to allow separate conveyance.

(h) Local agencies shall include units constructed pursuant to this section in the annual housing element report as required by subparagraph (I) of paragraph (2) of subdivision (a) of Section 65400.

(i) For purposes of this section, all of the following apply:

(1) A housing development contains two residential units if the development proposes no more than two new units or if it proposes to add one new unit to one existing unit.

(2) The terms "objective zoning standards," "objective subdivision standards," and "objective design review standards" mean standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal. These standards may be embodied in alternative objective land use specifications adopted by a local agency, and may include, but are not limited to, housing overlay zones, specific plans, inclusionary zoning ordinances, and density bonus ordinances.

(3) "Local agency" means a city, county, or city and county, whether general law or chartered.

(j) A local agency may adopt an ordinance to implement the provisions of this section. An ordinance adopted to implement this section shall not be considered a project under Division 13 (commencing with Section 21000) of the Public Resources Code.

(k) Nothing in this section shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code), except that the local agency shall not be required to hold public hearings for coastal development permit applications for a housing development pursuant to this section.

(Amended by Stats. 2024, Ch. 7, Sec. 13. (SB 477) Effective March 25, 2024.)

65852.24

(a) (1) This section shall be known, and may be cited, as the Middle Class Housing Act of 2022.

(2) The Legislature finds and declares all of the following:

(A) Creating more affordable housing is critical to the achievement of regional housing needs assessment goals, and that housing units developed at higher densities may generate affordability by design for California residents, without the necessity of public subsidies, income eligibility, occupancy restrictions, lottery procedures, or other legal requirements applicable to deed restricted affordable housing to serve very low and low-income residents and special needs residents.

(B) The state has made historic investments in deed-restricted affordable housing. According to the Legislative Analyst's Office, the state budget provided nearly five billion dollars ($5,000,000,000) in the 2021–22 budget year for housing-related programs. The 2022–23 budget further built on that sum by allocating nearly one billion two hundred million dollars ($1,200,000,000) to additional affordable housing programs.

(C) There is continued need for housing development at all income levels, including missing middle housing that will provide a variety of housing options and configurations to allow every Californian to live near where they work.

(D) The Middle Class Housing Act of 2022 will unlock the development of additional housing units for middle-class Californians near job centers, subject to local inclusionary requirements that are set based on local conditions.

(b) A housing development project shall be deemed an allowable use on a parcel that is within a zone where office, retail, or parking are a principally permitted use if it complies with all of the following:

(1) The density for the housing development shall meet or exceed the applicable density deemed appropriate to accommodate housing for lower income households in that jurisdiction as specified in subparagraph (B) of paragraph (3) of subdivision (c) of Section 65583.2.

(2) (A) The housing development shall be subject to local zoning, parking, design, and other ordinances, local code requirements, and procedures applicable to the processing and permitting of a housing development in a zone that allows for the housing with the density described in paragraph (1).

(B) If more than one zoning designation of the local agency allows for housing with the density described in paragraph (1), the zoning standards applicable to a parcel that allows residential use pursuant to this section shall be the zoning standards that apply to the closest parcel that allows residential use at a density that meets the requirements of paragraph (1).

(C) If the existing zoning designation for the parcel, as adopted by the local government, allows residential use at a density greater than that required in paragraph (1), the existing zoning designation shall apply.

(3) The housing development shall comply with any public notice, comment, hearing, or other procedures imposed by the local agency on a housing development in the applicable zoning designation identified in paragraph (2).

(4) The project site is 20 acres or less.

(5) The housing development complies with all other objective local requirements for a parcel, other than those that prohibit residential use, or allow residential use at a lower density than provided in paragraph (1), including, but not limited to, impact fee requirements and inclusionary housing requirements.

(6) The development and the site on which it is located satisfy both of the following:

(A) It is a legal parcel or parcels that meet either of the following:

(i) It is within a city where the city boundaries include some portion of an urban area, as designated by the United States Census Bureau.

(ii) It is in an unincorporated area, and the legal parcel or parcels are wholly within the boundaries of an urban area, as designated by the United States Census Bureau.

(B) (i) It is not on a site or adjoined to any site where more than one-third of the square footage on the site is dedicated to industrial use.

(ii) For purposes of this subparagraph, parcels only separated by a street or highway shall be considered to be adjoined.

(iii) For purposes of this subparagraph, "dedicated to industrial use" means either of the following:

(I) The square footage is currently being used as an industrial use.

(II) The most recently permitted use of the square footage is an industrial use.

(III) The site was designated for industrial use in the latest version of a local government's general plan adopted before January 1, 2022.

(7) The housing development is consistent with any applicable and approved sustainable community strategy or alternative plan, as described in Section 65080.

(8) The developer has done both of the following:

(A) Certified to the local agency that either of the following is true:

(i) The entirety of the development is a public work for purposes of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.

(ii) The development is not in its entirety a public work for which prevailing wages must be paid under Article 2 (commencing with Section 1720) of Chapter 1 of Part 2 of Division 2 of the Labor Code, but all construction workers employed on construction of the development will be paid at least the general prevailing rate of per diem wages for the type of work and geographic area, as determined by the Director of Industrial Relations pursuant to Sections 1773 and 1773.9 of the Labor Code, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate. If the development is subject to this subparagraph, then for those portions of the development that are not a public work all of the following shall apply:

(I) The developer shall ensure that the prevailing wage requirement is included in all contracts for the performance of all construction work.

(II) All contractors and subcontractors shall pay to all construction workers employed in the execution of the work at least the general prevailing rate of per diem wages, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate.

(III) Except as provided in subclause (V), all contractors and subcontractors shall maintain and verify payroll records pursuant to Section 1776 of the Labor Code and make those records available for inspection and copying as provided therein.

(IV) Except as provided in subclause (V), the obligation of the contractors and subcontractors to pay prevailing wages may be enforced by the Labor Commissioner through the issuance of a civil wage and penalty assessment pursuant to Section 1741 of the Labor Code, which may be reviewed pursuant to Section 1742 of the Labor Code, within 18 months after the completion of the development, or by an underpaid worker through an administrative complaint or civil action, or by a joint labor-management committee though a civil action under

Section 1771.2 of the Labor Code. If a civil wage and penalty assessment is issued, the contractor, subcontractor, and surety on a bond or bonds issued to secure the payment of wages covered by the assessment shall be liable for liquidated damages pursuant to Section 1742.1 of the Labor Code.

(V) Subclauses (III) and (IV) shall not apply if all contractors and subcontractors performing work on the development are subject to a project labor agreement that requires the payment of prevailing wages to all construction workers employed in the execution of the development and provides for enforcement of that obligation through an arbitration procedure. For purposes of this clause, "project labor agreement" has the same meaning as set forth in paragraph (1) of subdivision (b) of Section 2500 of the Public Contract Code.

(VI) Notwithstanding subdivision (c) of Section 1773.1 of the Labor Code, the requirement that employer payments not reduce the obligation to pay the hourly straight time or overtime wages found to be prevailing shall not apply if otherwise provided in a bona fide collective bargaining agreement covering the worker. The requirement to pay at least the general prevailing rate of per diem wages does not preclude use of an alternative workweek schedule adopted pursuant to Section 511 or 514 of the Labor Code.

(VII) All contractors and subcontractors shall be registered in accordance with Section 1725.6 of the Labor Code.

(VIII) The development proponent shall provide notice of all contracts for the performance of the work to the Department of Industrial Relations, in accordance with Section 1773.3 of the Labor Code.

(B) Certified to the local agency that a skilled and trained workforce will be used to perform all construction work on the development.

(i) For purposes of this section, "skilled and trained workforce" has the same meaning as provided in Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code.

(ii) If the developer has certified that a skilled and trained workforce will be used to construct all work on development and the application is approved, the following shall apply:

(I) The developer shall require in all contracts for the performance of work that every contractor and subcontractor at every tier will individually use a skilled and trained workforce to construct the development.

(II) Every contractor and subcontractor shall use a skilled and trained workforce to construct the development.

(III) Except as provided in subclause (IV), the developer shall provide to the local agency, on a monthly basis while the development or contract is being performed, a report demonstrating compliance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code. A monthly report provided to the local government pursuant to this subclause shall be a public record under the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1) and shall be open to public inspection. A developer that fails

to provide a monthly report demonstrating compliance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code shall be subject to a civil penalty of ten thousand dollars ($10,000) per month for each month for which the report has not been provided. Any contractor or subcontractor that fails to use a skilled and trained workforce shall be subject to a civil penalty of two hundred dollars ($200) per day for each worker employed in contravention of the skilled and trained workforce requirement. Penalties may be assessed by the Labor Commissioner within 18 months of completion of the development using the same procedures for issuance of civil wage and penalty assessments pursuant to Section 1741 of the Labor Code, and may be reviewed pursuant to the same procedures in Section 1742 of the Labor Code. Penalties shall be paid to the State Public Works Enforcement Fund.

(IV) Subclause (III) shall not apply if all contractors and subcontractors performing work on the development are subject to a project labor agreement that requires compliance with the skilled and trained workforce requirement and provides for enforcement of that obligation through an arbitration procedure. For purposes of this subparagraph, "project labor agreement" has the same meaning as set forth in paragraph (1) of subdivision (b) of Section 2500 of the Public Contract Code.

(iii) Notwithstanding subclause (II) of clause (ii), a contractor or subcontractor shall not be in violation of the apprenticeship graduation requirements of subdivision (d) of Section 2601 of the Public Contract Code to the extent that all of the following requirements are satisfied:

(I) All contractors and subcontractors performing work on the development are subject to a project labor agreement that includes the local building and construction trades council as a party, that requires compliance with the apprenticeship graduation requirements, and that provides for enforcement of that obligation through an arbitration procedure.

(II) The project labor agreement requires the contractor or subcontractor to request the dispatch of workers for the project through a hiring hall or referral procedure.

(III) The contractor or subcontractor is unable to obtain sufficient workers to meet the apprenticeship graduation percentage requirement within 48 hours of its request, Saturdays, Sundays, and holidays excepted.

(9) Notwithstanding subparagraph (B) of paragraph (8), a contract or subcontract may be awarded without a requirement for the use of a skilled and trained workforce to the extent that all of the following requirements are satisfied:

(A) At least seven days before issuing any invitation to prequalify or bid solicitation for the project, the developer sends a notice of the invitation or solicitation that describes the project to the following entities within the jurisdiction of the proposed project site:

(i) Any bona fide labor organization representing workers in the building and construction trades who may perform work necessary to complete the project.

(ii) Any organization representing contractors that may perform work necessary to complete the project.

(B) The developer seeks bids containing an enforceable commitment that all contractors and subcontractors at every tier will use a skilled and trained workforce to perform work on the project that falls within an apprenticeable occupation in the building and construction trades.

(C) For the purpose of establishing a bidder pool of eligible contractors and subcontractors, the developer establishes a process to prequalify prime contractors and subcontractors that agree to meet skilled and trained workforce requirements.

(D) The bidding process for the project includes, but is not limited to, all of the following requirements:

(i) The prime contractor shall be required to list all subcontractors that will perform work in an amount in excess of one-half of 1 percent of the prime contractor's total bid.

(ii) The developer shall only accept bids from prime contractors that have been prequalified.

(iii) If the developer receives at least two bids from prequalified prime contractors, a skilled and trained workforce must be used by all contractors and subcontractors, except as provided in clause (vi).

(iv) If the developer receives fewer than two bids from prequalified prime contractors, the contract may be rebid and awarded without the skilled and trained workforce requirement applying to the prime contractor's scope of work.

(v) Prime contractors shall request bids from subcontractors on the prequalified list and shall only accept bids and list subcontractors from the prequalified list. If the prime contractor receives bids from at least two subcontractors in each tier listed on the prequalified list, the prime contractor shall require that the contract for that tier or scope of work will require a skilled and trained workforce.

(vi) If the prime contractor fails to receive at least two bids from subcontractors listed on the prequalified list in any tier, the prime contractor may rebid that scope of work. The prime contractor need not require that a skilled and trained workforce be used for that scope of work and may list subcontractors for that scope of work that do not appear on the prequalified list.

(E) The developer shall establish minimum requirements for prequalification of prime contractors and subcontractors that are, to the maximum extent possible, quantifiable and objective. Only criterion, and minimum thresholds for any criterion, that are reasonably necessary to ensure that any bidder awarded a project can successfully complete the proposed scope shall be used by the developer. The developer shall not impose any obstacles to prequalification that go beyond what is commercially reasonable and customary.

(F) The developer shall, within 24 hours of a request by a labor organization that represents workers in the geographic area of the project, provide all of the following information to the labor organization:

(i) The names and Contractors State License Board numbers of the prime contractors and subcontractors that have prequalified.

(ii) The names and Contractors State License Board numbers of the prime contractors that have submitted bids and their respective listed subcontractors.

(iii) The names and Contractors State License Board numbers of the prime contractor that was awarded the work and its listed subcontractors.

(G) An interested party, including a labor organization that represents workers in the geographic area of the project, may bring an action for injunctive relief against a developer or prime contractor that is proceeding with a project in violation of the bidding requirements of this paragraph applicable to developers and prime contractors. The court in such an action may issue injunctive relief to halt work on the project and to require compliance with the requirements of this subdivision. The prevailing plaintiff in such an action shall be entitled to recover its reasonable attorney's fees and costs.

(c) (1) The development proponent shall provide written notice of the pending application to each commercial tenant on the parcel when the application is submitted.

(2) The development proponent shall provide relocation assistance to each eligible commercial tenant located on the site as follows:

(A) For a commercial tenant operating on the site for at least one year but less than five years, the relocation assistance shall be equivalent to six months' rent.

(B) For a commercial tenant operating on the site for at least 5 years but less than 10 years, the relocation assistance shall be equivalent to nine months' rent.

(C) For a commercial tenant operating on the site for at least 10 years but less than 15 years, the relocation assistance shall be equivalent to 12 months' rent.

(D) For a commercial tenant operating on the site for at least 15 years but less than 20 years, the relocation assistance shall be equivalent to 15 months' rent.

(E) For a commercial tenant operating on the site for at least 20 years, the relocation assistance shall be equivalent to 18 months' rent.

(3) The relocation assistance shall be provided to an eligible commercial tenant upon expiration of the lease of that commercial tenant.

(4) For purposes of this subdivision, a commercial tenant is eligible for relocation assistance if the commercial tenant meets all of the following criteria:

(A) The commercial tenant is an independently owned and operated business with its principal office located in the county in which the property on the site that is leased by the commercial tenant is located.

(B) The commercial tenant's lease expired and was not renewed by the property owner.

(C) The commercial tenant's lease expired within the three years following the development proponent's submission of the application for a housing development pursuant to this article.

(D) The commercial tenant employs 20 or fewer employees and has an annual average gross receipts under one million dollars ($1,000,000) for the three taxable year period ending with the taxable year that precedes the expiration of their lease.

(E) The commercial tenant is still in operation on the site at the time of the expiration of its lease.

(5) Notwithstanding paragraph (4), for purposes of this subdivision, a commercial tenant is ineligible for relocation assistance if the commercial tenant meets both of the following criteria:

(A) The commercial tenant entered into a lease on the site after the development proponent's submission of the application for a housing development pursuant to this article.

(B) The commercial tenant had not previously entered into a lease on the site.

(6) (A) The commercial tenant shall utilize the funds provided by the development proponent to relocate the business or for costs of a new business.

(B) Notwithstanding paragraph (2), if the commercial tenant elects not to use the funds provided as required by subparagraph (A), the development proponent shall provide only assistance equal to three months' rent, regardless of the duration of the commercial tenant's lease.

(7) For purposes of this subdivision, monthly rent is equal to one-twelfth of the total amount of rent paid by the commercial tenant in the last 12 months.

(d) A local agency shall require that a rental of any unit created pursuant to this section be for a term longer than 30 days.

(e) (1) A local agency may exempt a parcel from this section if the local agency makes written findings supported by substantial evidence of either of the following:

(A) The local agency concurrently reallocated the lost residential density to other lots so that there is no net loss in residential density in the jurisdiction.

(B) The lost residential density from each exempted parcel can be accommodated on a site or sites allowing residential densities at or above those specified in paragraph (2) of subdivision (b) and in excess of the acreage required to accommodate the local agency's share of housing for lower income households.

(2) A local agency may reallocate the residential density from an exempt parcel pursuant to this subdivision only if all of the following requirements are met:

(A) The exempt parcel or parcels are subject to an ordinance that allows for residential development by right.

(B) The site or sites chosen by the local agency to which the residential density is reallocated meet both of the following requirements:

(i) The site or sites are suitable for residential development at densities specified in paragraph (1) of subdivision (b) of Section 65852.24. For purposes of this clause, "site or sites suitable for residential development" shall have the same meaning as "land suitable for residential development," as defined in Section 65583.2.

(ii) The site or sites are subject to an ordinance that allows for development by right.

(f) (1) This section does not alter or lessen the applicability of any housing, environmental, or labor law applicable to a housing development authorized by this section, including, but not limited to, the following:

(A) The California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code).

(B) The California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).

(C) The Housing Accountability Act (Section 65589.5).

(D) The Density Bonus Law (Section 65915).

(E) Obligations to affirmatively further fair housing, pursuant to Section 8899.50.

(F) State or local affordable housing laws.

(G) State or local tenant protection laws.

(2) All local demolition ordinances shall apply to a project developed pursuant to this section.

(3) For purposes of the Housing Accountability Act (Section 65589.5), a proposed housing development project that is consistent with the provisions of subdivision (b) shall be deemed consistent, compliant, and in conformity with an applicable plan, program, policy, ordinance, standard, requirement, or other similar provision.

(4) Notwithstanding any other provision of this section, for purposes of the Density Bonus Law (Section 65915), an applicant for a housing development under this section may apply for a density bonus pursuant to Section 65915.

(g) Notwithstanding Section 65913.4, a project subject to this section shall not be eligible for streamlining pursuant to Section 65913.4 if it meets either of the following conditions:

(1) The site has previously been developed pursuant to Section 65913.4 with a project of 10 units or fewer.

(2) The developer of the project or any person acting in concert with the developer has previously proposed a project pursuant to Section 65913.4 of 10 units or fewer on the same or an adjacent site.

(h) A local agency may adopt an ordinance to implement the provisions of this article. An ordinance adopted to implement this section shall not be considered a "project" under Division 13 (commencing with Section 21000) of the Public Resources Code.

(i) Each local agency shall include the number of sites developed and the number of units constructed pursuant to this section in its annual progress report required pursuant to paragraph (2) of subdivision (a) of Section 65400.

(j) The department shall undertake at least two studies of the outcomes of this chapter. One study shall be completed on or before January 1, 2027, and one shall be completed on or before January 1, 2031.

(1) The studies required by this subdivision shall include, but not be limited to, the number of projects built, the number of units built, the jurisdictional and regional location of the housing, the relative wealth and access to resources of the communities in which they are built, the level of affordability, the effect on greenhouse gas emissions, and the creation of construction jobs that pay the prevailing wage.

(2) The department shall publish a report of the findings of a study required by this subdivision, post the report on its internet website, and submit the report to the Legislature pursuant to Section 9795.

(k) For purposes of this section:

(1) "Housing development project" means a project consisting of any of the following:

(A) Residential units only.

(B) Mixed-use developments consisting of residential and nonresidential retail commercial or office uses, and at least 50 percent of the square footage of the new construction associated with the project is designated for residential use. None of the square footage of any such development shall be designated for hotel, motel, bed and breakfast inn, or other transient lodging use, except for a residential hotel.

(2) "Local agency" means a city, including a charter city, county, or a city and county.

(3) "Office or retail commercial zone" means any commercial zone, except for zones where office uses and retail uses are not permitted, or are permitted only as an accessory use.

(4) "Residential hotel" has the same meaning as defined in Section 50519 of the Health and Safety Code.

(l) The Legislature finds and declares that ensuring access to affordable housing is a matter of statewide concern and is not a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, this section applies to all cities, including charter cities.

(m) (1) This section shall become operative on July 1, 2023.

(2) This section shall remain in effect only until January 1, 2033, and as of that date is repealed.

(Amended by Stats. 2023, Ch. 196, Sec. 9. (SB 143) Effective September 13, 2023. Repealed as of January 1, 2033, by its own provisions.)

T7(D1) – CH13(2 EXCERPTS)

Title 7–Planning and Land Use
Division 1–Planning and Zoning
Chapter 13–Accessory Dwelling units
Article 2–Accessory Dwelling Unit Approvals (excerpts)

66314

A local agency may, by ordinance, provide for the creation of accessory dwelling units in areas zoned to allow single-family or multifamily dwelling residential use. The ordinance shall do all of the following:

(a) Designate areas within the jurisdiction of the local agency where accessory dwelling units may be permitted. The designation of areas may be based on the adequacy of water and sewer services and the impact of accessory dwelling units on traffic flow and public safety. A local agency that does not provide water or sewer services shall consult with the local water or sewer service provider regarding the adequacy of water and sewer services before designating an area where accessory dwelling units may be permitted.

(b) (1) Impose objective standards on accessory dwelling units that include, but are not limited to, parking, height, setback, landscape, architectural review, maximum size of a unit, and standards that prevent adverse impacts on any real property that is listed in the California Register of Historical Resources. These standards shall not include requirements on minimum lot size.

(2) Notwithstanding paragraph (1), a local agency may reduce or eliminate parking requirements for any accessory dwelling unit located within its jurisdiction.

(c) Provide that accessory dwelling units do not exceed the allowable density for the lot upon which the accessory dwelling unit is located, and that accessory dwelling units are a residential use that is consistent with the existing general plan and zoning designation for the lot.

(d) Require the accessory dwelling units to comply with all of the following:

(1) Except as provided in Article 4 (commencing with Section 66340), the accessory dwelling unit may be rented separate from the primary residence, but shall not be sold or otherwise conveyed separate from the primary residence.

(2) The lot is zoned to allow single-family or multifamily dwelling residential use and includes a proposed or existing dwelling.

(3) The accessory dwelling unit is either attached to, or located within, the proposed or existing primary dwelling, including attached garages, storage areas or similar uses, or an accessory structure or detached from the proposed or existing primary dwelling and located on the same lot as the proposed or existing primary dwelling, including detached garages.

(4) If there is an existing primary dwelling, the total floor area of an attached accessory dwelling unit shall not exceed 50 percent of the existing primary dwelling.

(5) The total floor area for a detached accessory dwelling unit shall not exceed 1,200 square feet.

(6) No passageway shall be required in conjunction with the construction of an accessory dwelling unit.

(7) No setback shall be required for an existing living area or accessory structure or a structure constructed in the same location and to the same dimensions as an existing structure that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit, and a setback of no more than four feet from the side and rear lot lines shall be required for an accessory dwelling unit that is not converted from an existing structure or a new structure constructed in the same location and to the same dimensions as an existing structure.

(8) Local building code requirements that apply to detached dwellings, except that the construction of an accessory dwelling unit shall not constitute a Group R occupancy change under the local building code, as described in Section 310 of the California Building Code (Title 24 of the California Code of Regulations), unless the building official or enforcement agency of the local agency makes a written finding based on substantial evidence in the record that the construction of the accessory dwelling unit could have a specific, adverse impact on public health and safety. Nothing in this paragraph shall be interpreted to prevent a local agency from changing the occupancy code of a space that was unhabitable space or was only permitted for nonresidential use and was subsequently converted for residential use pursuant to this article.

(9) Approval by the local health officer where a private sewage disposal system is being used, if required.

(10) (A) Parking requirements for accessory dwelling units shall not exceed one parking space per accessory dwelling unit or per bedroom, whichever is less. These spaces may be provided as tandem parking on a driveway.

(B) Off-street parking shall be permitted in setback areas in locations determined by the local agency or through tandem parking, unless specific findings are made that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions.

(C) This subparagraph shall not apply to an accessory dwelling unit that is described in Section 66322.

(11) When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit, the local agency shall not require that those offstreet parking spaces be replaced.

(12) Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence. The construction of an accessory dwelling unit shall not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.

(e) Require that a demolition permit for a detached garage that is to be replaced with an accessory dwelling unit be reviewed with the application for the accessory dwelling unit and issued at the same time.

(f) An accessory dwelling unit ordinance shall not require, and the applicant shall not be otherwise required, to provide written notice or post a placard for the demolition of a detached garage that is to be replaced with an accessory dwelling unit, unless the property is located within an architecturally and historically significant historic district.

(Added by Stats. 2024, Ch. 7, Sec. 20. (SB 477) Effective March 25, 2024.)

66316

An existing accessory dwelling unit ordinance governing the creation of an accessory dwelling unit by a local agency or an accessory dwelling ordinance adopted by a local agency shall provide an approval process that includes only ministerial provisions for the approval of accessory dwelling units and shall not include any discretionary processes, provisions, or requirements for those units, except as otherwise provided in this article. If a local agency has an existing accessory dwelling unit ordinance that fails to meet the requirements of this article, that ordinance shall be null and void and that agency shall thereafter apply the standards established in this article for the approval of accessory dwelling units, unless and until the agency adopts an ordinance that complies with this article.

(Added by Stats. 2024, Ch. 7, Sec. 20. (SB 477) Effective March 25, 2024.)

66321

(a) Subject to subdivision (b), a local agency may establish minimum and maximum unit size requirements for both attached and detached accessory dwelling units.

(b) Notwithstanding subdivision (a), a local agency shall not establish by ordinance any of the following:

(1) A minimum square footage requirement for either an attached or detached accessory dwelling unit that prohibits an efficiency unit.

(2) A maximum square footage requirement for either an attached or detached accessory dwelling unit that is less than either of the following:

(A) Eight hundred fifty square feet.

(B) One thousand square feet for an accessory dwelling unit that provides more than one bedroom.

(3) Any requirement for a zoning clearance or separate zoning review or any other minimum or maximum size for an accessory dwelling unit, size based upon a percentage of the proposed or existing primary dwelling, or limits on lot coverage, floor area ratio, open space, front setbacks, and minimum lot size, for either attached or detached dwellings that does not permit at least an 800 square foot accessory dwelling unit with four-foot side and rear yard setbacks to be constructed in compliance with all other local development standards.

(4) Any height limitation that does not allow at least the following, as applicable:

(A) A height of 16 feet for a detached accessory dwelling unit on a lot with an existing or proposed single family or multifamily dwelling unit.

(B) A height of 18 feet for a detached accessory dwelling unit on a lot with an existing or proposed single family or multifamily dwelling unit that is within one-half of one mile walking distance of a major transit stop or a high-quality transit corridor, as those terms are defined in Section 21155 of the Public Resources Code. A local agency shall also allow an additional two feet in height to accommodate a roof pitch on the accessory dwelling unit that is aligned with the roof pitch of the primary dwelling unit.

(C) A height of 18 feet for a detached accessory dwelling unit on a lot with an existing or proposed multifamily, multistory dwelling.

(D) A height of 25 feet or the height limitation in the local zoning ordinance that applies to the primary dwelling, whichever is lower, for an accessory dwelling unit that is attached to a primary dwelling. This subparagraph shall not require a local agency to allow an accessory dwelling unit to exceed two stories.

(Added by Stats. 2024, Ch. 7, Sec. 20. (SB 477) Effective March 25, 2024.)

T7(D1) – CH13(3 EXCERPTS)

Title 7–Planning and Land Use
Division 1–Planning and Zoning
Chapter 13–Accessory Dwelling units
Article 3–Junior Accessory Dwelling Units (excerpts)

66333

Notwithstanding Article 2 (commencing with Section 66314), a local agency may, by ordinance, provide for the creation of junior accessory dwelling units in single-family residential zones. The ordinance may require a permit to be obtained for the creation of a junior accessory dwelling unit, and shall do all of the following:

(a) Limit the number of junior accessory dwelling units to one per residential lot zoned for single-family residences with a single-family residence built, or proposed to be built, on the lot.

(b) Require owner-occupancy in the single family residence in which the junior accessory dwelling unit will be permitted. The owner may reside in either the remaining portion of the structure or the newly created junior accessory dwelling unit. Owner-occupancy shall not be required if the owner is another governmental agency, land trust, or housing organization.

(c) Require the recordation of a deed restriction, which shall run with the land, shall be filed with the permitting agency, and shall include both of the following:

  (1) A prohibition on the sale of the junior accessory dwelling unit separate from the sale of the single-family residence, including a statement that the deed restriction may be enforced against future purchasers.

  (2) A restriction on the size and attributes of the junior accessory dwelling unit that conforms with this article.

(d) Require a permitted junior accessory dwelling unit to be constructed within the walls of the proposed or existing single-family residence. For purposes of this subdivision, enclosed uses within the residence, such as attached garages, are considered a part of the proposed or existing single-family residence.

(e) (1) Require a permitted junior accessory dwelling unit to include a separate entrance from the main entrance to the proposed or existing single-family residence.

  (2) If a permitted junior accessory dwelling unit does not include a separate bathroom, the permitted junior accessory dwelling unit shall include a separate entrance from the main entrance to the structure, with an interior entry to the main living area.

(f) Require the permitted junior accessory dwelling unit to include an efficiency kitchen, which shall include all of the following:

  (1) A cooking facility with appliances.

  (2) A food preparation counter and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit.

(Added by Stats. 2024, Ch. 7, Sec. 20. (SB 477) Effective March 25, 2024.)

66335

(a) (1) An application for a permit pursuant to this article shall, notwithstanding Section 65901 or 65906 or any local ordinance regulating the issuance of variances or special use permits, be considered ministerially, without discretionary review or a hearing.

(2) The permitting agency shall either approve or deny the application to create or serve a junior accessory dwelling unit within 60 days from the date the local agency receives a completed application if there is an existing single-family dwelling on the lot.

(3) If the permit application to create or serve a junior accessory dwelling unit is submitted with a permit application to create or serve a new single-family dwelling on the lot, the permitting agency may delay approving or denying the permit application for the junior accessory dwelling unit until the permitting agency approves or denies the permit application to create or serve the new single-family dwelling, but the application to create or serve the junior accessory dwelling unit shall still be considered ministerially without discretionary review or a hearing.

(4) If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay.

(b) If a permitting agency denies an application for a junior accessory dwelling unit pursuant to subdivision (a), the permitting agency shall, within the time period described in subdivision (a), return in writing a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the application can be remedied by the applicant.

(c) A local agency may charge a fee to reimburse the local agency for costs incurred in connection with the issuance of a permit pursuant to this article.

(Added by Stats. 2024, Ch. 7, Sec. 20. (SB 477) Effective March 25, 2024.)

EDUCATION CODE

T1(D1) – P10.5 – CH1(1 EXCERPTS)

Title 1–General Education Code Provisions
Division 1–General Education Code Provisions
Part 10.5–School Facilities
Chapter 1–School Sites
Article 1–General Provisions (excerpts)

17215

(a) In order to promote the safety of pupils, comprehensive community planning, and greater educational usefulness of schoolsites, before acquiring title to or leasing property for a new schoolsite, the governing board of each school district, including any district governed by a city board of education or a charter school, shall give the State Department of Education written notice of the proposed acquisition or lease and shall submit any information required by the State Department of Education if the site is within two miles, measured by air line, of that point on an airport runway or a potential runway included in an airport master plan that is nearest to the site.

(b) Upon receipt of the notice required pursuant to subdivision (a), the State Department of Education shall notify the Department of Transportation in writing of the proposed acquisition or lease. If the Department of Transportation is no longer in operation, the State Department of Education shall, in lieu of notifying the Department of Transportation, notify the United States Department of Transportation or any other appropriate agency, in writing, of the proposed acquisition or lease for the purpose of obtaining from the department or other agency any information or assistance that it may desire to give.

(c) The Department of Transportation shall investigate the site and, within 30 working days after receipt of the notice, shall submit to the State Department of Education a written report of its findings including recommendations concerning acquisition or lease of the site. As part of the investigation, the Department of Transportation shall give notice thereof to the owner and operator of the airport who shall be granted the opportunity to comment upon the site. The Department of Transportation shall adopt regulations setting forth the criteria by which a site will be evaluated pursuant to this section.

(d) The State Department of Education shall, within 10 days of receiving the Department of Transportation's report, forward the report to the governing board of the school district or charter school. The governing board or charter school may not acquire title to or lease the property until the report of the Department of Transportation has been received. If the report does not favor the acquisition or lease of the property for a schoolsite or an addition to a present schoolsite, the governing board or charter school may not acquire title to or lease the property. If the report does favor the acquisition or lease of the property for a schoolsite or an addition to a present schoolsite, the governing board or charter school shall hold a public hearing on the matter prior to acquiring or leasing the site.

(e) If the Department of Transportation's recommendation does not favor acquisition or lease of the proposed site, state funds or local funds may not be apportioned or expended for the acquisition or lease of that site, construction of any school building on that site, or for the expansion of any existing site to include that site.

(f) This section does not apply to sites acquired prior to January 1, 1966, nor to any additions or extensions to those sites.

(Amended by Stats. 2005, Ch. 229, Sec. 1. Effective January 1, 2006.)

T3(D7) – P49 – CH1(2 EXCERPTS)

Title 3–Postsecondary Education
Division 7–Community Colleges
Part 49–Community Colleges, Education Facilities
Chapter 1–School Sites
Article 2–School Sites (excerpts)

81033 Investigation: Geologic and Soil Engineering Studies; Airport in Proximity

(c) To promote the safety of students, comprehensive community planning, and greater educational usefulness of community college sites, the governing board of each community college district, if the proposed site is within two miles, measured by air line, of that point on an airport runway, or a runway proposed by an airport master plan, which is nearest the site and excluding them if the property is not so located, before acquiring title to property for a new community college site or for an addition to a present site, shall give the board of governors notice in writing of the proposed acquisition and shall submit any information required by the board of governors.

Immediately after receiving notice of the proposed acquisition of property which is within two miles, measured by air line, of that point on an airport runway, or a runway proposed by an airport master plan, which is nearest the site, the board of governors shall notify the Division of Aeronautics of the Department of Transportation, in writing, of the proposed acquisition. The Division of Aeronautics shall make an investigation and report to the board of governors within 30 working days after receipt of the notice. If the Division of Aeronautics is no longer in operation, the board of governors, in lieu of notifying the Division of Aeronautics, shall notify the Federal Aviation Administration or any other appropriate agency, in writing, of the proposed acquisition for the purpose of obtaining from the authority or other agency any information or assistance it may desire to give.

The board of governors shall investigate the proposed site and within 35 working days after receipt of the notice shall submit to the governing board a written report and its recommendations concerning acquisition of the site. The governing board shall not acquire title to the property until the report of the board of governors has been received. If the report does not favor the acquisition of the property for a community college site or an addition to a present community college site, the governing board shall not acquire title to the property until 30 days after the department's report is received and until the board of governors' report has been read at a public hearing duly called after 10 days' notice published once in a newspaper of general circulation within the community college district, or if there is no such newspaper, then in a newspaper of general circulation within the county in which the property is located.

(d) If, with respect to a proposed site located within two miles of an operative airport runway, the report of the board of governors submitted to a community college district governing board under subdivision (c) does not favor the acquisition of the site on the sole or partial basis of the unfavorable recommendation of the Division of Aeronautics of the Department of Transportation, no state agency or officer shall grant, apportion, or allow to that community college district for expenditure in connection with that site, any state funds otherwise made available under any state law whatever for community college site acquisition or college building construction, or for expansion of existing sites and buildings, and no funds of the community college district or of the county in which the district lies shall be expended for those purposes; however, this section shall not be applicable to sites acquired prior to January 1, 1966, or to any additions or extensions to those sites.

If the recommendation of the Division of Aeronautics is unfavorable, the recommendation shall not be overruled without the express approval of the board of governors and the State Allocation Board.

(Amended by Stats. 1995, Ch. 758, Sec. 109. Effective January 1, 1996.)

HEALTH AND SAFETY CODE

D2 – CH3.6(EXCERPTS)

Division 2–Licensing Provisions
Chapter 3.6–Family Day Care Homes (excerpts)

1597.40

(a) It is the intent of the Legislature that family daycare homes for children should be situated in normal residential surroundings so as to give children the home environment that is conducive to healthy and safe development. It is the public policy of this state to provide children in a family daycare home the same home environment as provided in a traditional home setting.

(b) The Legislature declares this policy to be of statewide concern with the purpose of occupying the field. This act, the state building code, and the fire code, and regulations promulgated pursuant to those provisions, shall preempt local laws, regulations, and rules governing the use and occupancy of family daycare homes. Local laws, regulations, or rules shall not directly or indirectly prohibit or restrict the use of a facility as a family daycare home, including, but not limited to, precluding the operation of a family daycare home.

(Repealed and added by Stats. 2019, Ch. 244, Sec. 6. (SB 234) Effective January 1, 2020.)

1597.41

(a) Every provision in a written instrument relating to real property that purports to restrict the conveyance, encumbrance, leasing, or mortgaging of the real property for use or occupancy as a family daycare home is void, and every restriction in that written instrument as to the use or occupancy of the property as a family daycare home is void.

(b) An attempt to deny, restrict, or encumber the conveyance, leasing, or mortgaging of real property for use or occupancy as a family daycare home is void. A restriction related to the use or occupancy of the property as a family daycare home is void. A property owner or manager shall not refuse to sell or rent, or refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a detached single-family dwelling, a townhouse, a dwelling unit within a dwelling, or a dwelling unit within a covered multifamily dwelling in which the underlying zoning allows for residential use to a person because that person is a family daycare provider.

(c) Except as provided in subdivision (d), a restriction, whether by way of covenant, contract, condition upon use or occupancy, or by transfer of title to real property, that restricts directly or indirectly limits the acquisition, use, or occupancy of a detached single-family dwelling, a townhouse, a dwelling unit within a dwelling, or a dwelling unit within a covered multifamily dwelling in which the underlying zoning allows for residential use as a family daycare home is void.

(d) (1) A prospective family daycare home provider who resides in a rental property shall provide 30 days' written notice to the landlord or owner of the rental property prior to the commencement of operation of the family daycare home.

(2) A family daycare home provider who has relocated an existing licensed family daycare home program to a rental property on or after January 1, 1997, may provide less than 30 days' written notice when the department approves the operation of the new location of the family daycare home in less than 30 days, or the home is licensed in less than 30 days, so that service to the children served in the former location not be interrupted.

(3) A family daycare home provider in operation on rental or leased property as of January 1, 1997, shall notify the landlord or property owner in writing at the time of the annual license fee renewal, or by March 31, 1997, whichever occurs later.

(4) Notwithstanding any other law, upon commencement of, or knowledge of, the operation of a family daycare home on an individual's property, the landlord or property owner may require the family daycare home provider to pay an increased security deposit for operation of the family daycare home. The increase in deposit may be required notwithstanding that a lesser amount is required of tenants who do not operate family daycare homes. The total security deposit charged shall not exceed the maximum allowable under existing law.

(5) Section 1596.890 does not apply to this subdivision.

(e) During the license application process for a small or large family daycare home, the department shall notify the applicant that the remedies and procedures in Article 2 (commencing with Section 12980) of Chapter 7 of Part 2.8 of Division 3 of Title 2 of the Government Code relating to fair housing are available to family daycare home providers, family daycare home provider applicants, and individuals who claim that any of the protections provided by this section or Section 1597.40, 1597.42, 1597.43, 1597.45, 1597.455, or 1597.46 have been denied.

(f) For the purpose of this section, "restriction" means a restriction imposed orally, in writing, or by conduct and includes prohibition.

(g) This section does not alter the existing rights of landlords and tenants with respect to addressing and resolving issues related to noise, lease violations, nuisances, or conflicts between landlords and tenants.

(Added by Stats. 2019, Ch. 244, Sec. 7. (SB 234) Effective January 1, 2020.)

1597.42

The use of a home as a family daycare home, operated under the standards of state law, in a residentially zoned area shall be considered a residential use of property for the purposes of all local ordinances, regulations, and rules, and shall not fundamentally alter the nature of the underlying residential use.

(Added by Stats. 2019, Ch. 244, Sec. 8. (SB 234) Effective January 1, 2020.)

1597.43

The Legislature finds and declares all of the following:

(a) Family day care homes operated under the standards of state law constitute accessory uses of residentially zoned and occupied properties and do not fundamentally alter the nature of the underlying residential uses. Family day care homes draw clients and vehicles to their sites during a limited time of day and do not require the attendance of a large number of employees and equipment.

(b) The uses of congregate care facilities are distinguishable from the uses of family day care homes operated under the standards of state law. For purposes of this section, a "congregate care facility" means a "residential facility," as defined in paragraph (1) of subdivision (a) of Section 1502. Congregate care facilities are used throughout the day and night, and the institutional uses of these facilities are primary uses of the facilities, not accessory uses, and draw a large number of employees, vehicles, and equipment compared to that drawn to family day care homes.

(c) The expansion permitted for family day care homes by Sections 1597.44 and 1597.465 is not appropriate with respect to congregate care facilities, or any other facilities with quasi-institutional uses. Therefore, with these provisions, the Legislature does not intend to alter the legal standards governing congregate care facilities and these provisions are not intended to encourage, or be a precedent for, changes in statutory and case law governing congregate care facilities.

(Added by Stats. 1996, Ch. 18, Sec. 3.5. Effective January 1, 1997.)

1597.44

A small family day care home may provide care for more than six and up to eight children, without an additional adult attendant, if all of the following conditions are met:

(a) At least one child is enrolled in and attending kindergarten or elementary school and a second child is at least six years of age.

(b) No more than two infants are cared for during any time when more than six children are cared for.

(c) The licensee notifies each parent that the facility is caring for two additional schoolage children and that there may be up to seven or eight children in the home at one time.

(d) The licensee obtains the written consent of the property owner when the family day care home is operated on property that is leased or rented.

(Amended by Stats. 2003, Ch. 744, Sec. 1. Effective January 1, 2004.)

1597.45

(a) The use of a home as a small or large family daycare home shall be considered a residential use of property and a use by right for the purposes of all local ordinances, including, but not limited to, zoning ordinances.

(b) A local jurisdiction shall not impose a business license, fee, or tax for the privilege of operating a small or large family daycare home.

(c) Use of a home as a small or large family daycare home shall not constitute a change of occupancy for purposes of Part 1.5 (commencing with Section 17910) of Division 13 (State Housing Law) or for purposes of local building codes.

(d) A small or large family daycare home shall not be subject to the provisions of Division 13 (commencing with Section 21000) of the Public Resources Code.

(e) The provisions of this chapter do not preclude a city, county, or other local public entity from placing restrictions on building heights, setback, or lot dimensions of a family daycare home, as long as those restrictions are identical to those applied to all other residences with the same zoning designation as the family daycare home. This chapter does not preclude a local ordinance that

deals with health and safety, building standards, environmental impact standards, or any other matter within the jurisdiction of a local public entity, as long as the local ordinance is identical to those applied to all other residences with the same zoning designation as the family daycare home. This chapter also does not prohibit or restrict the abatement of nuisances by a city, county, or city and county. However, the ordinance or nuisance abatement shall not distinguish family daycare homes from other homes with the same zoning designation, except as otherwise provided in this chapter.

(f) For purposes of this chapter, "small family daycare home or large family daycare home" includes a detached single-family dwelling, a townhouse, a dwelling unit within a dwelling, or a dwelling unit within a covered multifamily dwelling in which the underlying zoning allows for residential uses. A small family daycare home or large family daycare home is where the family daycare provider resides, and includes a dwelling or dwelling unit that is rented, leased, or owned.

(Amended by Stats. 2019, Ch. 244, Sec. 9. (SB 234) Effective January 1, 2020.)

1597.46

A large family day care home may provide care for more than 12 children and up to and including 14 children, if all of the following conditions are met:

(a) At least one child is enrolled in and attending kindergarten or elementary school and a second child is at least six years of age.

(b) No more than three infants are cared for during any time when more than 12 children are being cared for.

(c) The licensee notifies a parent that the facility is caring for two additional schoolage children and that there may be up to 13 or 14 children in the home at one time.

(d) The licensee obtains the written consent of the property owner when the family day care home is operated on property that is leased or rented.

(Amended by Stats. 2003, Ch. 744, Sec. 2. Effective January 1, 2004.)

D31(P2) – CH 8.5

Division 31–Housing and Home Finance
Part 2–Department of Housing and Community Development
Chapter 8.5–Special Housing Program for Migratory Workers

50710.1

(a) If all the development costs of any migrant farm labor center assisted pursuant to this chapter are provided by federal, state, or local grants, and if inadequate funds are available from any federal, state, or local service to write-down operating costs, the department may approve rents for that center that are in excess of rents charged in other centers assisted by the Office of Migrant Services. However, notwithstanding any other provision of law, commencing with the 2006 growing season, the department shall not increase rents for residents of any facility assisted by the Office of Migrant Services to a level that exceeds 30 percent of the average annualized household incomes of residents of the facility without specific legislative authorization. Prior to approving these rents, the department shall consider the adequacy of evidence presented by the entity operating the center that the rents reimburse actual, reasonable, and necessary costs of operation.

(b) At the end of each fiscal year, any entity operating a migrant farm labor center pursuant to this chapter shall establish a capital reserve account comprised of the excess funds provided through the annual operating contract received from the department if the department certifies there is no need to address reasonable general maintenance requirements or repairs, rehabilitation, and replacement needs of the requesting migrant farm labor center which affect the immediate health and safety of residents. The cumulative balance of the reserve account shall not exceed 10 percent of the annual operating funds annually committed to the entity by the department unless authorized by the department, and shall be reported annually to the department. Funds in the reserve account shall be used only for capital improvements such as replacing or repairing structural elements, furniture, fixtures, or equipment of the migrant farm labor center, the replacement or repair of which are reasonably required to preserve the migrant farm labor center. An entity shall first use the available capital reserve funds for required improvements or repairs before requesting additional funding from the department for that use. Withdrawals from the reserve account shall be made only upon the written approval of the department of the amount and nature of expenditures.

(c) A migrant farm labor center governed by this chapter may be operated for an extended period prior to or beyond the standard 180-day period, as further provided in paragraph (8) below, after approval by the department, provided that all of the following conditions are satisfied:

(1) No additional subsidies provided by the department are used for the operation or administration of the migrant farm center during the extended occupancy period except to the extent that state funds are appropriated or authorized for the purpose of funding all or part of the cost of subsidizing extended occupancy periods.

(2) Rents are not to be increased above the rents charged during the standard 180-day occupancy period unless the department finds that an increase is necessary to cover the difference between reasonable operating costs necessary to keep the center open during the extended occupancy period and the amount of state funds available pursuant to paragraph (1) and any contributions from agricultural employers or other federal, local, or private

sources. These contributions shall not be used to reduce the amount of state funds that otherwise would be made available to the center to subsidize rents during an extended occupancy period.

(3) In no event shall the rent during the extended occupancy period exceed the average daily operating cost of the center, less any subsidy funds available pursuant to paragraph (1) or (2). With respect to an extended occupancy beyond the standard 180-day period, households representing at least 25 percent of the units in the center shall have indicated their desire and intention to remain in residency by signing a petition to the local entity to keep the center open for an extended period at rents that are the same or higher than rents during the regular period of occupancy. Each household shall receive a clear bilingual notice describing the extended occupancy options attached to the lease.

The Legislature finds and declares that because the number of residents may be substantially reduced during the extended occupancy period, a rent increase may be necessary to cover operating costs. It is the intent of the Legislature that the public sector, private sector, and farmworkers should each play an important role in ensuring the financial viability of this important source of needed housing.

(4) An extended occupancy period is requested by an entity operating the migrant farm labor center and received by the department no earlier than 30 days and no later than 15 days prior to the center's scheduled opening or closing date. The department shall notify the entity and petitioning residents of the final decision no later than seven days prior to the center's scheduled opening or closing date. During the extended occupancy period, occupancy shall be limited to migrant farmworkers and their families who resided or intended to reside at a migrant center during the regular period of occupancy.

(5) Before approving or denying an early opening or an extension and establishing the rents for the extended occupancy period, both of which shall be within the sole discretion of the department, the department shall take into consideration all of the following factors:

(A) The structural and physical condition of the center, including water and sewer pond capacity and the capacity and willingness of the local entity to operate the center during the extended occupancy period.

(B) Whether local approvals are required, and whether there are competing demands for the use of the center's facilities.

(C) Whether there is adequate documentation that there is a need for residents of the migrant center to continue work in the area, as confirmed by the local entity.

(D) The climate during the extended occupancy period.

(E) The amount of subsidy funds available that can be allocated to each center to subsidize rents below the operating costs and the cost of operating each center during the extended occupancy period.

(F) The extended occupancy period is deemed necessary for the health and safety of the migrant farmworkers and their families.

(G) Other relevant factors affecting the migrant farmworkers and their families and the operation of the centers.

(6) The rents collected during the extended occupancy period shall be remitted to the department. However, based on financial records to the satisfaction of the department, the department may reduce the amount to be remitted by an amount it determines the local entity has expended during the extended occupancy period that is not being reimbursed by department funds.

(7) The occupancy during the extended occupancy period represents a new tenancy and is not subject to existing and statutory and regulatory limitations governing rents. Prior to the beginning of the extended occupancy period, residents shall be provided at least two days' advance written notice of any rent increase and of the expected length of the extended occupancy period, including the scheduled date of the beginning of the extended occupancy period and closure of the center. Prior to being eligible for residency during the extended occupancy period, residents shall sign rental documents deemed necessary by the department.

(8) Notwithstanding anything to the contrary contained in this section, the standard 180-day occupancy period combined with any extended occupancy periods shall not exceed a cumulative operating period of 275 days in any calendar year.

(d) The Legislature finds and declares that variable annual climates and changing agricultural techniques create an inability to accurately predict the end of a harvest season for the purposes of housing migrant farmworkers and their families. Because of these factors, in any part of this state, and in any specific year, one or more migrant farmworker housing centers governed by this chapter need to open early or remain open up to a total of 275 days to allow the residents to provide critical assistance to growers in harvesting crops while also fulfilling work expectations that encouraged them to migrate to the areas of the centers. In addition, if the centers close prematurely or open late, the migrant farmworkers often must remain or reside in the areas to work. During this time they will not be able to obtain decent, safe, and affordable housing and the health and safety of their families and the surrounding community will be threatened.

The Legislature therefore finds and declares that, for the purposes of any public or private right, obligation, or authorization related to the use of property and improvements thereon as a 180-day migrant center, an extended use of any housing center governed by this chapter pursuant to this section is deemed to be the same as the 180-day use generally authorized by this chapter.

(e) Because of the presumed income levels of the occupants of migrant farm labor centers, an entity operating a migrant farm labor center shall be deemed eligible for the California Alternative Rates for Energy program established pursuant to Sections 382 and 739.1 of the Public Utilities Code. Any savings from a reduction in energy rates shall be passed on to the occupants of the migrant farm labor center.

(Amended by Stats. 2018, Ch. 999, Sec. 1. (AB 2887) Effective January 1, 2019.)

CALIFORNIA ENVIRONMENTAL QUALITY ACT STATUTES

PUBLIC RESOURCES CODE

D13 – CH2.6(EXCERPTS)

Division 13–Environmental Quality
Chapter 2.6–General (excerpts)

21096 Airport Planning

(a) If a lead agency prepares an environmental impact report for a project situated within airport land use compatibility plan boundaries, or, if an airport land use compatibility plan has not been adopted, for a project within two nautical miles of a public airport or public use airport, the Airport Land Use Planning Handbook published by the Division of Aeronautics of the Department of Transportation, in compliance with Section 21674.5 of the Public Utilities Code and other documents, shall be utilized as technical resources to assist in the preparation of the environmental impact report as the report relates to airport-related safety hazards and noise problems.

(b) A lead agency shall not adopt a negative declaration for a project described in subdivision (a) unless the lead agency considers whether the project will result in a safety hazard or noise problem for persons using the airport or for persons residing or working in the project area.

(Amended by Stats. 2002, Ch. 438, Sec. 8.5. Effective January 1, 2003.)

BUSINESS AND PROFESSIONS CODE

D4(P2) – CH1(2 EXCERPTS)

Division 4–Real Estate
Part 2–Regulation of Transactions
Chapter 1–Subdivided Lands
Article 2–Investigation, Regulation and Report (excerpts)

11010

(a) Except as otherwise provided pursuant to subdivision (c) or elsewhere in this chapter, any person who intends to offer subdivided lands within this state for sale or lease shall file with the Department of Real Estate an application for a public report consisting of a notice of intention and a completed questionnaire on a form prepared by the department.

(b) The notice of intention shall contain the following information about the subdivided lands and the proposed offering:

[Sub-Sections (1) through (12) omitted]

(13) (A) The location of all existing airports, and of all proposed airports shown on the general plan of any city or county, located within two statute miles of the subdivision. If the property is located within an airport influence area, the following statement shall be included in the notice of intention:

NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.

(B) For purposes of this section, an "airport influence area," also known as an "airport referral area," is the area in which current or future airport-related noise, overflight, safety, or airspace protection factors may significantly affect land uses or necessitate restrictions on those uses as determined by an airport land use commission.

CIVIL CODE

D2(P4) – T4 – CH2(1.7 EXCERPTS)

Division 2–Property
Part 4–Acquisition of Property
Title 4–Transfer
Chapter 2–Transfer of Real Property
Article 1.7–Disclosure of Natural Hazards Upon Transfer of Residential Property (excerpts)

1103

(a) For purpose of this article, the definitions in Chapter 1 (commencing with Section 10000) of Part 1 of Division 4 of the Business and Professions Code shall apply.

(b) Except as provided in Section 1103.1, this article applies to a sale, exchange, real property sales contract, as defined in Section 2985, lease with an option to purchase, any other option to purchase, or ground lease coupled with improvements, of any single-family residential real property.

(c) This article shall apply to the transactions described in subdivision (b) only if the seller or his or her agent is required by one or more of the following to disclose the property's location within a hazard zone:

(1) A seller's agent for a seller of real property that is located within a special flood hazard area (any type Zone "A" or "V") designated by the Federal Emergency Management Agency, or the seller if the seller is acting without a seller's agent, shall disclose to any prospective buyer the fact that the property is located within a special flood hazard area if either:

(A) The seller, or the seller's agent, has actual knowledge that the property is within a special flood hazard area.

(B) The local jurisdiction has compiled a list, by parcel, of properties that are within the special flood hazard area and a notice has been posted at the offices of the county recorder, county assessor, and county planning agency that identifies the location of the parcel list.

(2) A seller's agent for a seller of real property that is located within an area of potential flooding designated pursuant to Section 6161 of the Water Code, or the seller if the seller is acting without a seller's agent, shall disclose to any prospective buyer the fact that the property is located within an area of potential flooding if either:

(A) The seller, or the seller's agent, has actual knowledge that the property is within an inundation area.

(B) The local jurisdiction has compiled a list, by parcel, of properties that are within the inundation area and a notice has been posted at the offices of the county recorder, county assessor, and county planning agency that identifies the location of the parcel list.

(3) A seller of real property that is located within a very high fire hazard severity zone, designated pursuant to Section 51178 of the Government Code, or the seller's agent, shall disclose to any prospective buyer the fact that the property is located within a very high fire hazard severity zone and is subject to the requirements of Section 51182 of the Government Code if either:

(A) The seller or the seller's agent, has actual knowledge that the property is within a very high fire hazard severity zone.

(B) A map that includes the property has been provided to the local agency pursuant to Section 51178 of the Government Code and a notice has been posted at the offices of the county recorder, county assessor, and county planning agency that identifies the location of the map and any information regarding changes to the map received by the local agency.

(4) A seller's agent for a seller of real property that is located within an earthquake fault zone, designated pursuant to Section 2622 of the Public Resources Code , or the seller, if the seller is acting without an agent, shall disclose to any prospective buyer the fact that the property is located within a delineated earthquake fault zone if either:

(A) The seller, or the seller's agent, has actual knowledge that the property is within a delineated earthquake fault zone.

(B) A map that includes the property has been provided to the city or county pursuant to Section 2622 of the Public Resources Code and a notice has been posted at the offices of the county recorder, county assessor, and county planning agency that identifies the location of the map and any information regarding changes to the map received by the county.

(5) A seller's agent for a seller of real property that is located within a seismic hazard zone, designated pursuant to Section 2696 of the Public Resources Code, or the seller if the seller is acting without an agent, shall disclose to any prospective buyer the fact that the property is located within a seismic hazard zone if either:

(A) The seller, or the seller's agent, has actual knowledge that the property is within a seismic hazard zone.

(B) A map that includes the property has been provided to the city or county pursuant to Section 2696 of the Public Resources Code and a notice has been posted at the offices of the county recorder, county assessor, and county planning agency that identifies the location of the map and any information regarding changes to the map received by the county.

(6) A seller of real property that is located within a state responsibility area determined by the board, pursuant to Section 4125 of the Public Resources Code, or the seller's agent, shall disclose to any prospective buyer the fact that the property is located within a wildland area that may contain substantial forest fire risks and hazards and is subject to the requirements of Section 4291 of the Public Resources Code if either:

(A) The seller, or the seller's agent, has actual knowledge that the property is within a wildland fire zone.

(B) A map that includes the property has been provided to the city or county pursuant to Section 4125 of the Public Resources Code and a notice has been posted at the offices of the county recorder, county assessor, and county planning agency that identifies the location of the map and any information regarding changes to the map received by the county.

(d) Any waiver of the requirements of this article is void as against public policy.

(Amended by Stats. 2018, Ch. 907, Sec. 20. (AB 1289) Effective January 1, 2019.)

1103.1

(a) This article does not apply to the following sales:

(1) Sales or transfers pursuant to court order, including, but not limited to, sales ordered by a probate court in administration of an estate, sales pursuant to a writ of execution, sales by any foreclosure sale, sales by a trustee in bankruptcy, sales by eminent domain, and sales resulting from a decree for specific performance.

(2) Sales or transfers to a mortgagee by a mortgagor or successor in interest who is in default, sales to a beneficiary of a deed of trust by a trustor or successor in interest who is in default, transfers by any foreclosure sale after default, any foreclosure sale after default in an obligation secured by a mortgage, sale under a power of sale or any foreclosure sale under a decree of foreclosure after default in an obligation secured by a deed of trust or secured by any other instrument containing a power of sale, or sales by a mortgagee or a beneficiary under a deed of trust who has acquired the real property at a sale conducted pursuant to a power of sale under a mortgage or deed of trust or a sale pursuant to a decree of foreclosure or has acquired the real property by a deed in lieu of foreclosure.

(3) Sales or transfers by a fiduciary in the course of the administration of a trust, guardianship, conservatorship, or decedent's estate. This exemption shall not apply to a sale if the trustee is a natural person who is a trustee of a revocable trust and the seller is a former owner of the property or an occupant in possession of the property within the preceding year.

(4) Sales or transfers from one coowner to one or more other coowners.

(5) Sales or transfers made to a spouse, or to a person or persons in the line of consanguinity of one or more of the sellers.

(6) Sales or transfers between spouses resulting from a judgment of dissolution of marriage or of legal separation of the parties or from a property settlement agreement incidental to that judgment.

(7) Sales or transfers by the Controller in the course of administering Chapter 7 (commencing with Section 1500) of Title 10 of Part 3 of the Code of Civil Procedure.

(8) Sales or transfers under Chapter 7 (commencing with Section 3691) or Chapter 8 (commencing with Section 3771) of Part 6 of Division 1 of the Revenue and Taxation Code.

(9) Sales, transfers, or exchanges to or from any governmental entity.

(10) The sale, creation, or transfer of any lease of any duration except a lease with an option to purchase or a ground lease coupled with improvements.

(b) Sales and transfers not subject to this article may be subject to other disclosure requirements, including those under Sections 8589.3, 8589.4, and 51183.5 of the Government Code and Sections 2621.9, 2694, and 4136 of the Public Resources Code. In sales not subject to this article, agents may make required disclosures in a separate writing.

(c) Notwithstanding the definition of sale in Section 10018.5 of the Business and Professions Code and Section 2079.13, the terms "sale" and "transfer," as they are used in this section, shall have their commonly understood meanings. The changes made to this section by Assembly Bill 1289 of the 2017–18 Legislative Session shall not be interpreted to change the application of the law as it read prior to January 1, 2019.

(Amended by Stats. 2020, Ch. 370, Sec. 27. (SB 1371) Effective January 1, 2021.)

1103.2

(a) The disclosures required by this article are set forth in, and shall be made on a copy of, the following Natural Hazard Disclosure Statement: [content omitted].

(b) If an earthquake fault zone, seismic hazard zone, very high fire hazard severity zone, or wildland fire area map or accompanying information is not of sufficient accuracy or scale that a reasonable person can determine if the subject real property is included in a natural hazard area, the seller or seller's agent shall mark "Yes" on the Natural Hazard Disclosure Statement. The seller's agent may mark "No" on the Natural Hazard Disclosure Statement if the seller attaches a report prepared pursuant to subdivision (c) of Section 1103.4 that verifies the property is not in the hazard zone. This subdivision is not intended to limit or abridge any existing duty of the seller or the seller's agents to exercise reasonable care in making a determination under this subdivision.

[Sub-Sections (c) through (h) omitted]

[Section 1103.3 omitted]

1103.4

(a) Neither the seller nor any seller's agent or buyer's agent shall be liable for any error, inaccuracy, or omission of any information delivered pursuant to this article if the error, inaccuracy, or omission was not within the personal knowledge of the seller or seller's agent or buyer's agent, and was based on information timely provided by public agencies or by other persons providing information as specified in subdivision (c) that is required to be disclosed pursuant to this article, and ordinary care was exercised in obtaining and transmitting the information.

(b) The delivery of any information required to be disclosed by this article to a prospective buyer by a public agency or other person providing information required to be disclosed pursuant to this article shall be deemed to comply with the requirements of this article and shall relieve the seller, seller's agent, and buyer's agent of any further duty under this article with respect to that item of information.

(c) The delivery of a report or opinion prepared by a licensed engineer, land surveyor, geologist, or expert in natural hazard discovery dealing with matters within the scope of the professional's license or expertise, shall be sufficient compliance for application of the exemption provided by subdivision (a) if the information is provided to the prospective buyer pursuant to a request therefor, whether written or oral. In responding to that request, an expert may indicate, in writing, an understanding that the information provided will be used in fulfilling the requirements of

Section 1103.2 and, if so, shall indicate the required disclosures, or parts thereof, to which the information being furnished is applicable. Where such a statement is furnished, the expert shall not be responsible for any items of information, or parts thereof, other than those expressly set forth in the statement.

(1) In responding to the request, the expert shall determine whether the property is within an airport influence area as defined in subdivision (b) of Section 11010 of the Business and Professions Code. If the property is within an airport influence area, the report shall contain the following statement:

NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.

[Remainder of Article 1.7 omitted]

D2(P4) – T6 – CH2(1 EXCERPTS)

Division 2–Property
Part 4–Acquisition of Property
Title 6–Common Interest Developments
Chapter 2–County Documents
Article 1–Creation (excerpts)

1353

(a) (1) A declaration, recorded on or after January 1, 1986, shall contain a legal description of the common interest development, and a statement that the common interest development is a community apartment project, condominium project, planned development, stock cooperative, or combination thereof. The declaration shall additionally set forth the name of the association and the restrictions on the use or enjoyment of any portion of the common interest development that are intended to be enforceable equitable servitudes. If the property is located within an airport influence area, a declaration, recorded after January 1, 2004, shall contain the following statement:

> *NOTICE OF AIRPORT IN VICINITY*
>
> *This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.*

(2) For purposes of this section, an "airport influence area," also known as an "airport referral area," is the area in which current or future airport-related noise, overflight, safety, or airspace protection factors may significantly affect land uses or necessitate restrictions on those uses as determined by an airport land use commission.

(3) [Omitted]

(4) The statement in a declaration acknowledging that a property is located in an airport influence area does not constitute a title defect, lien, or encumbrance.

(b) The declaration may contain any other matters the original signator of the declaration or the owners consider appropriate.

NAPA COUNTY CODE OF ORDINANCES

T18 – CH18.104

Title 18–Zoning
Chapter 18.104–Additional Zoning District Regulations

18.104.300 Farmworker housing.

Subject to the provisions of Section 18.104.295 where applicable, the following provisions shall apply to farmworker housing:

A. Except as provided in subsection (D) of Section 18.104.010 and Section 18.104.305, the minimum parcel size for a use permit approved for farmworker housing, as defined by Section 18.08.294 of this code, shall be as follows:

   1. Any farmworker housing unit on a permanent foundation that is not part of a farmworker center, or any farmworker center containing permanent structures must be located on a parcel or parcels containing at least forty acres.

   2. Seasonal farmworker housing (i.e., occupied no more than one hundred twenty days in any calendar year) must be located on a parcel of at least twenty acres, provided that utilities are disconnected or such housing is removed from the site during the remainder of the year.

B. An unmet need (for the income level and household size) must be demonstrated for housing one full-time qualified farmworker occupant per unit, permanently or seasonally, for the life of the unit. If agricultural employment need is demonstrated for at least one hundred eighty days in each of three successive calendar years, the unit shall be considered "permanent" or "full time" for the life of the unit.

C. Farmworker housing shall be occupied solely by qualified farmworker occupants as defined by Section 18.08.294 of this code.

D. Units must be located on the site of a qualifying agricultural employment; or on other lands owned or controlled by the agricultural employer; or if a public agency owns or manages the housing (under a long-term management agreement), within fifteen miles of an adequate amount of agricultural employment to provide full time agricultural employment for one qualified farmworker occupant per unit of farmworker housing.

E. Farmworker housing may not exceed one thousand two hundred square feet per unit in size.

F. A congregate farmworker lodging facility shall be deemed to contain one unit for each five beds, rounding up to the next whole unit.

G. Rent, if any, including utility costs, does not exceed a level affordable to a household of the median income for Napa County.

H. No more than ten farmworker housing units outside of a permitted farmworker center shall be located on any single parcel.

I. A minimum of two parking spaces shall be provided per farmworker housing unit outside of farmworker centers, screened from all on- and off-site residences and public streets. Parking areas

for temporary or seasonal units shall be surfaced with a pervious surface acceptable to the director of planning, building and environmental services.

J. A deed restriction is required for all units of permanent farmworker housing constructed on agriculturally zoned parcels. Any division of the land on which the farmworker housing lies, or reduction through any means of the land below the minimum size established in subsection (A) of this section will be subject to review and removal of the unit(s) to ensure conformance with the applicable zoning classification.

K. Farmworker housing is subject to removal if the agricultural employment upon which need for the unit(s) is based is eliminated. This section shall not apply if a showing is made that elimination of the agricultural use for no more than twenty-four months is related to the long-term functioning of agriculture on the site(s) used to establish the housing need (e.g., crop rotation, replanting, disease or the like).

L. The owner on which the farmworker housing is located shall certify, on a continuing annual basis, the full name, location(s) of employment, and duration of tenancy of all qualified farmworker occupants pursuant to Section 18.08.294 of this code.

M. A farmworker housing unit that ceases to be occupied in compliance with this code shall not be converted to another use or occupancy until each public housing authority operating within fifteen miles of the site has been notified of the intent to convert at least sixty days prior to the conversion and has had the opportunity to meet and confer with the property owner. A public housing authority, or another housing provider designated by the authority, may continue to operate the farmworker housing unit(s) for occupancy by persons employed in agriculture within fifteen miles of the housing site, upon submittal to the department of an occupancy agreement executed by the authority, its agent if any, and the owner. However, if such an agreement is not reached, the use shall be subject to review for revocation or modification pursuant to subsection (K) above to the extent it is occupied by persons who are not qualified farmworkers as defined by Section 18.08.294.

*(Ord. 1246 § 13, 2004: Ord. 1195 § 4, 2002: Ord. 1191 § 1, 2002: Ord. 1104 § 32, 1996: Ord. 1099 § 2, 1996: Ord. 1040 § 7, 1993: prior code § 12426)**

(Ord. No. 1323, § 24, 6-23-2009; Ord. No. 1379, § 164, 1-29-2013)

** Editor's Note: Ord. 1099 contained two sections numbered 2.*

CALIFORNIA ENERGY COMMISSION

T24(P6)

Title 24, Part 6; 2022 Building Energy Efficiency Standards

Section 110.10 Mandatory Requirements for Solar Readiness

(a) Covered occupancies.

1. **Single-family residences.** Single-family residences located in subdivisions with ten or more single-family residences and where the application for a tentative subdivision map for the residences has been deemed complete or approved by the enforcement agency, which do not have a photovoltaic system installed, shall comply with the requirements of Sections 110.10(b) through 110.10(e)
2. **Low-rise multifamily buildings.** Low-rise multifamily buildings that do not have a photovoltaic system installed shall comply with the requirements of Sections 110.10(b) through 110.10(d).
3. **Hotel/motel occupancies and high-rise multifamily buildings.** Hotel/motel occupancies and high-rise multifamily buildings with ten habitable stories or fewer, that do not have a photovoltaic system installed, shall comply with the requirements of Sections 110.10(b) through 110.10(d)
4. **Nonresidential buildings.** Nonresidential buildings with three habitable stories or fewer, other than I-2 and I-2.1 buildings, that do not have a photovoltaic system installed, shall comply with the requirements of Sections 110.10(b) through 110.10(d).

(b) Solar zone.

1. **Minimum solar zone area.** The solar zone shall have a minimum total area as described below. The solar zone shall comply with access, pathway, smoke ventilation, and spacing requirements as specified in Title 24, Part 9 or other Parts of Title 24 or in any requirements adopted by a local jurisdiction. The solar zone total area shall be comprised of areas that have no dimension less than five feet and are no less than 80 square feet each for buildings with roof areas less than or equal to 10,000 square feet or no less than 160 square feet each for buildings with roof areas greater than 10,000 square feet.

   A. Single-family residences. The solar zone shall be located on the roof or overhang of the building and have a total area no less than 250 square feet.

   Exception 1 to Section 110.10(b)1A: Single-family residences with a permanently installed domestic solar water-heating system meeting the installation criteria specified in the Reference Residential Appendix RA4 and with a minimum solar savings fraction of 0.50.

   Exception 2 to Section 110.10(b)1A: Single-family residences with three habitable stories or more and with a total floor area less than or equal to 2000 square feet and having a solar zone total area no less than 150 square feet.

Exception 3 to Section 110.10(b)1A: Single-family residences located in the Wildland-Urban Interface Fire Area as defined in Title 24, Part 2 and having a whole house fan and having a solar zone total area no less than 150 square feet.

Exception 4 to Section 110.10(b)1A: Buildings with a designated solar zone area that is no less than 50 percent of the potential solar zone area. The potential solar zone area is the total area of any lowsloped roofs where the annual solar access is 70 percent or greater and any steep-sloped roofs oriented between 90 degrees and 300 degrees of true north where the annual solar access is 70 percent or greater. Solar access is the ratio of solar insolation including shade to the solar insolation without shade. Shading from obstructions located on the roof or any other part of the building shall not be included in the determination of annual solar access.

Exception 5 to Section 110.10(b)1A: Single-family residences having a solar zone total area no less than 150 square feet and where all thermostats are demand responsive controls and comply with Section 110.12(a), and are capable of receiving and responding to Demand Response Signals prior to granting of an occupancy permit by the enforcing agency.

Exception 6 to Section 110.10(b)1A: Single-family residences meeting the following conditions:

A. All thermostats are demand responsive controls that comply with Section 110.12(a), and are capable of receiving and responding to Demand Response Signals prior to granting of an occupancy permit by the enforcing agency.

B. Comply with one of the following measures:

i. Install a dishwasher that meets or exceeds the ENERGY STAR® Program requirements with a refrigerator that meets or exceeds the ENERGY STAR Program requirements, a whole house fan driven by an electronically commutated motor, or an SAE J1772 Level 2 Electric Vehicle Supply Equipment (EVSE or EV charger) with a minimum of 40 amperes; or

ii. Install a home automation system capable of, at a minimum, controlling the appliances and lighting of the dwelling and responding to demand response signals; or

iii. Install alternative plumbing piping to permit the discharge from the clothes washer and all showers and bathtubs to be used for an irrigation system in compliance with the California Plumbing Code and any applicable local ordinances; or

iv. Install a rainwater catchment system designed to comply with the California Plumbing Code and any applicable local ordinances, and that uses rainwater flowing from at least 65 percent of the available roof area.

B. Multifamily buildings, hotel/motel occupancies and nonresidential buildings. The solar zone shall be located on the roof or overhang of the building or on the roof or overhang of another structure located within 250 feet of the building or on covered parking installed with the building project, and shall have a total area no less than 15

percent of the total roof area of the building excluding any skylight area. The solar zone requirement is applicable to the entire building, including mixed occupancy.

Exception 1 to Section 110.10(b)1B: High-rise multifamily buildings, hotel/motel occupancies, and nonresidential buildings with a permanently installed solar electric system having a nameplate DC power rating, measured under Standard Test Conditions, of no less than one watt per square foot of roof area.

Exception 2 to Section 110.10(b)1B: High-rise multifamily buildings, hotel/motel occupancies with a permanently installed domestic solar water-heating system complying with Section 150.1(c)8Biii.

Exception 3 to Section 110.10(b)1B: Buildings with a designated solar zone area that is no less than 50 percent of the potential solar zone area. The potential solar zone area is the total area of any lowsloped roofs where the annual solar access is 70 percent or greater and any steep-sloped roofs oriented between 90 degrees and 300 degrees of true north where the annual solar access is 70 percent or greater. Solar access is the ratio of solar insolation including shade to the solar insolation without shade. Shading from obstructions located on the roof or any other part of the building shall not be included in the determination of annual solar access.

Exception 4 to Section 110.10(b)1B: Low-rise and high-rise multifamily buildings with all thermostats in each dwelling unit are demand response controls that comply with Section 110.12(a), and are capable of receiving and **responding** to Demand Response Signals prior to granting of an occupancy permit by the enforcing agency. In addition, either A or B below:

A. In each dwelling unit, comply with one of the following measures:

i. Install a dishwasher that meets or exceeds the ENERGY STAR Program requirements with either a refrigerator that meets or exceeds the ENERGY STAR Program requirements or a whole house fan driven by an electronically commutated motor; or

ii. Install a home automation system that complies with Section 110.12(a) and is capable of, at a minimum, controlling the appliances and lighting of the dwelling and responding to demand response signals; or

iii. Install alternative plumbing piping to permit the discharge from the clothes washer and all showers and bathtubs to be used for an irrigation system in compliance with the California Plumbing Code and any applicable local ordinances; or

iv. Install a rainwater catchment system designed to comply with the California Plumbing Code and any applicable local ordinances, and that uses rainwater flowing from at least 65 percent of the available roof area.

B. Meet the Title 24, Part 11, Section A4.106.8.2 requirements for electric vehicle charging spaces.

Exception 5 to Section 110.10(b)1B: Buildings where the roof is designed and approved to be used for vehicular traffic or parking or for a heliport.

2. Azimuth range. All sections of the solar zone located on steep-sloped roofs shall have an azimuth range between 90 degrees and 300 degrees of true north.

3. Shading.

A. No obstructions, including but not limited to, vents, chimneys, architectural features and roof mounted equipment, shall be located in the solar zone.

B. Any obstruction, located on the roof or any other part of the building that projects above a solar zone shall be located at least twice the distance, measured in the horizontal plane, of the height difference between the highest point of the obstruction and the horizontal projection of the nearest point of the solar zone, measured in the vertical plane.

Exception to Section 110.10(b)3: Any roof obstruction, located on the roof or any other part of the building, that is oriented north of all points on the solar zone.

4. Structural design loads on construction documents. For areas of the roof designated as solar zone, the structural design loads for roof dead load and roof live load shall be clearly indicated on the construction documents.

Note: Section 110.10(b)4 does not require the inclusion of any collateral loads for future solar energy systems.

(c) Interconnection pathways.

1. The construction documents shall indicate a location reserved for inverters and metering equipment and a pathway reserved for routing of conduit from the solar zone to the point of interconnection with the electrical service.
2. For single-family residences and central water-heating systems, the construction documents shall indicate a pathway for routing of plumbing from the solar zone to the water-heating system.

(d) Documentation. A copy of the construction documents or a comparable document indicating the information from Sections 110.10(b) through 110.10(c) shall be provided to the occupant.

(e) Main electrical service panel. 1. The main electrical service panel shall have a minimum busbar rating of 200 amps. 2. The main electrical service panel shall have a reserved space to allow for the installation of a double pole circuit breaker for a future solar electric installation. The reserved space shall be permanently marked as "For Future Solar Electric".

Note: Authority: Sections 25213, 25218, 25218.5, 25402, 25402.1, and 25605, Public Resources Code. Reference: Sections 25007, 25008, 25218.5, 25310, 25402, 25402.1, 25402.4, 25402.8, 25605, and 25943, Public Resources Code.

LEGISLATIVE HISTORY SUMMARY

PUBLIC UTILITIES CODE

SECTIONS 21670 ET SEQ.

Airport Land Use Commission Statutes
And Related Statutes

1967 Original *ALUC* statute enacted.

Establishment of *ALUC*s required in each county containing a public airport served by a certificated air carrier.

The purpose of *ALUC*s is indicated as being to make recommendations regarding height restrictions on buildings and the use of land surrounding airports.

1970 Assembly Bill 1856 (Badham) Chapter 1182, Statutes of 1970—Adds provisions which:

Require *ALUC*s to prepare comprehensive land use plans.

Require such plans to include a long-range plan and to reflect the airport's forecast growth during the next 20 years.

Require *ALUC* review of airport construction plans (Section 21661.5).

Exempt Los Angeles County from the requirement of establishing an *ALUC*.

1971 The function of *ALUC*s is restated as being to require new construction to conform to Department of Aeronautics standards.

1973 *ALUC*s are permitted to establish compatibility plans for military airports.

1982 Assembly Bill 2920 (Rogers) Chapter 1041, Statutes of 1982—Adds major changes which:

More clearly articulate the purpose of *ALUC*s.

Eliminate reference to "achieve by zoning."

Require consistency between local general and specific plans and airport land use commission plans; the requirements define the process for attaining consistency, they do not establish standards for consistency.

Eliminate the requirement for proposed individual development projects to be referred to an *ALUC* for review once local general/specific plans are consistent with the *ALUC*'s plan.

Require that local agencies make findings of fact before overriding an *ALUC* decision.

Change the vote required for an override from 4/5 to 2/3.

1984 Assembly Bill 3551 (Mountjoy) Chapter 1117, Statutes of 1984—Amends the law to:

Require *ALUC*s in all counties having an airport which serves the general public unless a county and its cities determine an *ALUC* is not needed.

Limit amendments to compatibility plans to once per year.

Allow individual projects to continue to be referred to the *ALUC* by agreement.

Extend immunity to airports if an *ALUC* action is overridden by a local agency not owning the airport.

Provide state funding eligibility for preparation of compatibility plans through the Regional Transportation Improvement Program process.

1987 Senate Bill 633 (Rogers) Chapter 1018, Statutes of 1987—Makes revisions which:

Require that a designated body serving as an *ALUC* include two members having "expertise in aviation."

Allows an interested party to initiate court proceedings to postpone the effective date of a local land use action if a compatibility plan has not been adopted.

Delete *sunset* provisions contained in certain clauses of the law. Allows reimbursement for *ALUC* costs in accordance with the Commission on State Mandates.

1989 Senate Bill 255 (Bergeson) Chapter 54, Statutes of 1989—

Sets a requirement that comprehensive land use plans be completed by June 1991.

Establishes a method for compelling *ALUC*s to act on matters submitted for review.

Allows *ALUC*s to charge fees for review of projects.

Suspends any lawsuits that would stop development until the *ALUC* adopts its plan or until June 1, 1991.

1989 Senate Bill 235 (Alquist) Chapter 788, Statutes of 1989—Appropriates $3,672,000 for the payment of claims to counties seeking reimbursement of costs incurred during fiscal years 1985-86 through 1989-90 pursuant to state-mandated requirement (Chapter 1117, Statutes of 1984) for creation of *ALUC*s in most counties. This statute was repealed in 1993.

1990 Assembly Bill 4164 (Mountjoy) Chapter 1008, Statutes of 1990—Adds section 21674.5 requiring the Division of Aeronautics to develop and implement a training program for *ALUC* staffs.

1990 Assembly Bill 4265 (Clute) Chapter 563, Statutes of 1990—With the concurrence of the Division of Aeronautics, allows *ALUC*s to use an airport layout plan, rather than a long-range airport master plan, as the basis for preparation of a compatibility plan.

1990 Senate Bill 1288 (Beverly) Chapter 54, Statutes of 1990—Amends Section 21670.2 to give Los Angeles County additional time to prepare compatibility plans and meet other provisions of the *ALUC* statutes.

1991 Senate Bill 532 (Bergeson) Chapter 140, Statutes of 1991—

Allows counties having half of their compatibility plans completed or under preparation by June 30, 1991, an additional year to complete the remainder.

Allows *ALUC*s to continue to charge fees under these circumstances.

Fees may be charged only until June 30, 1992, if plans are not completed by then.

1993 Senate Bill 443 (Committee on Budget and Fiscal Review) Chapter 59, Statutes of 1993—Amends Section 21670(b) to make the formation of *ALUC*s permissive rather than mandatory as of June 30, 1993. (Note: Section 21670.2 which assigns responsibility for coordinating the airport planning of public agencies in Los Angeles County is not affected by this amendment.)

1994 Assembly Bill 2831 (Mountjoy) Chapter 644, Statutes of 1994 —Reinstates the language in Section 21670(b) mandating establishment of *ALUC*s, but also provides for an alternative airport land use planning process. Lists specific actions which a county and affected cities must take in order for such alternative process to receive Caltrans approval. Requires that *ALUC*s be guided by information in the Caltrans *Airport Land Use Planning Handbook* when formulating airport land use plans.

1994 Senate Bill 1453 (Rogers) Chapter 438, Statutes of 1994—Amends California Environmental Quality Act (CEQA) statutes as applied to preparation of environmental documents affecting projects in the vicinity of airports. Requires lead agencies to use the *Airport Land Use Planning Handbook* as a technical resource when assessing the airport-related noise and safety impacts of such projects.

1997 Assembly Bill 1130 (Oller) Chapter 81, Statutes of 1997—Added Section 21670.4 concerning airports whose planning boundary straddles a county line.

2000 Senate Bill 1350 (Rainey) Chapter 506, Statutes of 2000—Added Section 21670(f) clarifying that special districts are among the local agencies to which airport land use planning laws are intended to apply.

2001 Assembly Bill 93 (Wayne) Chapter 946, Statutes of 2001—Added Section 21670.3 regarding San Diego County Regional Airport Authority's responsibility for airport planning within San Diego County.

2002 Assembly Bill 3026 (Committee on Transportation) Chapter 438, Statutes of 2002—Changes the term "comprehensive land use plan" to "airport land use compatibility plan."

2002 Assembly Bill 2776 (Simitian) Chapter 496, Statutes of 2002—Requires information regarding the location of a property within an airport influence area be disclosed as part of certain real estate transactions effective January 1, 2004.

2002 Senate Bill 1468 (Knight) Chapter 971, Statutes of 2002—Changes *ALUC* preparation of airport land use compatibility plans for military airports from optional to required. Requires that the plans be consistent with the safety and noise standards in the Air Installation Compatible Use Zone for that airport. Requires that the general plan and any specific plans be consistent with these standards where there is military airport, but an airport land use commission does not exist.

2003 Assembly Bill 332 (Mullin) Chapter 351, Statutes of 2003—Clarifies that school districts and community college districts are subject to compatibility plans. Requires local public agencies to notify *ALUC* and Division of Aeronautics at least 45 days prior to deciding to overrule the *ALUC*.

Adds that prior to granting building construction permits, local agencies shall be guided by the criteria established in the Airport Land Use Planning Handbook and any related federal aviation regulations to the extent that the criteria has been incorporated into their airport land use compatibility plan.

2004 Senate Bill 1223 (Committee on Transportation) Chapter 615, Statutes of 2004—Technical revisions eliminating most remaining references to the term "comprehensive land use plan" and replacing it with "airport land use compatibility plan." Also replaces the terms "planning area" and "study area" with "airport influence area."

2005 Assembly Bill 1358 (Mullin) Chapter 29, Statutes of 2005—Requires a school district to notify the Department of Transportation before leasing property for a new school site. Also makes these provisions applicable to charter schools.

2007 Senate Bill 10 (Kehoe) Chapter 287, Statutes of 2007—The San Diego County Regional Airport Authority Reform Act of 2007. Restructures the airport authority established in 2001 by AB 93 (Wayne), with a set of goals related to governance, accountability, planning and operations at San Diego International Airport.

2009 Assembly Bill 45 (Blakeslee) Chapter 404, Statutes of 2009—Requires small wind energy systems installed near airports to comply with all applicable Federal Aviation Administration requirements, including Subpart B of Part 77. These systems are not allowed to locate in vicinity of an airport if they are prohibited by a comprehensive land use plan or any implementing regulations adopted by an Airport Land Use Commission.

2010 Senate Bill 1333 (Yee) Chapter 329, Statutes of 2010—If a local government requires dedication of an avigation easement to the owner or operator of the airport as a condition of approval of a noise-sensitive project, the avigation easement must be granted prior to the issuance of the building permit. Also requires that a termination clause be included in the avigation easement if the project is not built or the permit has expired or been revoked.

2012 Assembly Bill 805 (Torres) Chapter 180, Statutes of 2012—Recodifies the Common Interest Development Act which requires a recorded disclosure statement if a common interest development is located within an airport influence area.

2012 Assembly Bill 1486 (Lara) Chapter 690, Statutes of 2012—Exempts from CEQA the design, construction and maintenance of certain structures and equipment of the Los Angeles Regional Interoperable Communications System (LA-RICS). However, any new antenna would be required to comply with applicable state and federal height restrictions and any height limits established by an applicable airport land use compatibility plan.

2013 Assembly Bill 1058 (Chàvez) Chapter 83, Statutes of 2013—Modifies the process by which directors are appointed to the San Diego County Regional Airport Authority; the entity responsible for preparing, adopting and amending airport land use compatibility plans for each airport in San Diego County.

2013 Assembly Bill 758 (Block) Chapter 606, Statutes of 2013—Provides the City of Coronado with 540 days, instead of the standard 180 days, of any amendment to the airport land use compatibility plan to amend its general plan and any applicable specific plan.

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Appendix **B**

Title 14 Code of Federal Regulations Part 77

Safe, Efficient Use and Preservation of the Navigable Airspace

Current as of August 2023

SUBPART A - GENERAL

77.1 Purpose

This part establishes:

(a) The requirements to provide notice to the FAA of certain proposed construction, or the alteration of existing structures;

(b) The standards used to determine obstructions to air navigation, and navigational and communication facilities;

(c) The process for aeronautical studies of obstructions to air navigation or navigational facilities to determine the effect on the safe and efficient use of navigable airspace, air navigation facilities or equipment; and

(d) The process to petition the FAA for discretionary review of determinations, revisions, and extensions of determinations.

77.3 Definitions

For the purpose of this part:

"Non-precision instrument runway" means a runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in non-precision instrument approach procedure has been approved,

or planned, and for which no precision approach facilities are planned, or indicated on an FAA planning document or military service military airport planning document.

Planned or proposed airport is an airport that is the subject of at least one of the following documents received by the FAA:

(1) Airport proposals submitted under 14 CFR Part 157.

(2) Airport Improvement Program requests for aid.

(3) Notices of existing airports where prior notice of the airport construction or alteration was not provided as required by 14 CFR Part 157.

(4) Airport layout plans.

(5) DOD proposals for airports used only by the U.S. Armed Forces.

(6) DOD proposals on joint-use (civil-military) airports.

(7) Completed airport site selection feasibility study.

"Precision instrument runway" means a runway having an existing instrument approach procedure utilizing an Instrument Landing System (ILS), or a Precision Approach Radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated by an FAA-approved airport layout plan; a military service approved military airport layout plan; any other FAA planning document, or military service military airport planning document.

"Public use airport" is an airport available for use by the general public without a requirement for prior approval of the airport owner or operator.

"Seaplane base" is considered to be an airport only if its sea lanes are outlined by visual markers.

"Utility runway" means a runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight and less.

"Visual runway" means a runway intended solely for the operation of aircraft using visual approach procedures, with no straight-in instrument approach procedure and no instrument designation indicated on an FAA-approved airport layout plan, a military service approved military airport layout plan, or by any planning document submitted to the FAA by competent authority.

SUBPART B - NOTICE REQUIREMENTS

77.5 Applicability

(a) If you propose any construction or alteration described in §77.9, you must provide adequate notice to the FAA of that construction or alteration.

(b) If requested by the FAA, you must also file supplemental notice before the start date and upon completion of certain construction or alterations that are described in §77.9.

(c) Notice received by the FAA under this subpart is used to:

(1) Evaluate the effect of the proposed construction or alteration on safety in air commerce and the efficient use and preservation of the navigable airspace and of airport traffic capacity at public use airports;

(2) Determine whether the effect of proposed construction or alteration is a hazard to air navigation;

(3) Determine appropriate marking and lighting recommendations, using FAA Advisory Circular 70/7460–1, Obstruction Marking and Lighting;

(4) Determine other appropriate measures to be applied for continued safety of air navigation; and

(5) Notify the aviation community of the construction or alteration of objects that affect the navigable airspace, including the revision of charts, when necessary.

77.7 Form and time of notice

(a) If you are required to file notice under §77.9, you must submit to the FAA a completed FAA Form 7460–1, Notice of Proposed Construction or Alteration. FAA Form 7460–1 is available at FAA regional offices and on the Internet.

(b) You must submit this form at least 45 days before the start date of the proposed construction or alteration or the date an application for a construction permit is filed, whichever is earliest.

(c) If you propose construction or alteration that is also subject to the licensing requirements of the Federal Communications Commission (FCC), you must submit notice to the FAA on or before the date that the application is filed with the FCC.

(d) If you propose construction or alteration to an existing structure that exceeds 2,000 ft. in height above ground level (AGL), the FAA presumes it to be a hazard to air navigation that results in an inefficient use of airspace. You must include details explaining both why the proposal would not constitute a hazard to air navigation and why it would not cause an inefficient use of airspace.

(e) The 45-day advance notice requirement is waived if immediate construction or alteration is required because of an emergency involving essential public services, public health, or public safety. You may provide notice to the FAA by any available, expeditious means. You must file a completed FAA Form 7460–1 within 5 days of the initial notice to the FAA. Outside normal business hours, the nearest flight service station will accept emergency notices.

77.9 Construction or alteration requiring notice

If requested by the FAA, or if you propose any of the following types of construction or alteration, you must file notice with the FAA of:

(a) Any construction or alteration that is more than 200 ft. AGL at its site.

(b) Any construction or alteration that exceeds an imaginary surface extending outward and upward at any of the following slopes:

(1) 100 to 1 for a horizontal distance of 20,000 ft. from the nearest point of the nearest runway of each airport described in paragraph (d) of this section with its longest runway more than 3,200 ft. in actual length, excluding heliports.

(2) 50 to 1 for a horizontal distance of 10,000 ft. from the nearest point of the nearest runway of each airport described in paragraph (d) of this section with its longest runway no more than 3,200 ft. in actual length, excluding heliports.

(3) 25 to 1 for a horizontal distance of 5,000 ft. from the nearest point of the nearest landing and takeoff area of each heliport described in paragraph (d) of this section.

(c) Any highway, railroad, or other traverse way for mobile objects, of a height which, if adjusted upward 17 feet for an Interstate Highway that is part of the National System of Military and Interstate Highways where overcrossings are designed for a minimum of 17 feet vertical distance, 15 feet for any other public roadway, 10 feet or the height of the highest mobile object that would normally traverse the road, whichever is greater, for a private road, 23 feet for a railroad, and for a waterway or any other traverse way not previously mentioned, an amount equal to the height of the highest mobile object that would normally traverse it, would exceed a standard of paragraph (a) or (b) of this section.

(d) Any construction or alteration on any of the following airports and heliports:

(1) A public use airport listed in the Airport/Facility Directory, Alaska Supplement, or Pacific Chart Supplement of the U.S. Government Flight Information Publications;

(2) A military airport under construction, or an airport under construction that will be available for public use;

(3) An airport operated by a Federal agency or the DOD.

(4) An airport or heliport with at least one FAA-approved instrument approach procedure.

(e) You do not need to file notice for construction or alteration of:

(1) Any object that will be shielded by existing structures of a permanent and substantial nature or by natural terrain or topographic features of equal or greater height, and will be located in the congested area of a city, town, or settlement where the shielded structure will not adversely affect safety in air navigation;

(2) Any air navigation facility, airport visual approach or landing aid, aircraft arresting device, or meteorological device meeting FAA-approved siting criteria or an appropriate military service siting criteria on military airports, the location and height of which are fixed by its functional purpose;

(3) Any construction or alteration for which notice is required by any other FAA regulation.

(4) Any antenna structure of 20 feet or less in height, except one that would increase the height of another antenna structure.

77.11 Supplemental notice requirements

(a) You must file supplemental notice with the FAA when:

(1) The construction or alteration is more than 200 feet in height AGL at its site; or

(2) Requested by the FAA.

(b) You must file supplemental notice on a prescribed FAA form to be received within the time limits specified in the FAA determination. If no time limit has been specified, you must submit supplemental notice of construction to the FAA within 5 days after the structure reaches its greatest height.

(c) If you abandon a construction or alteration proposal that requires supplemental notice, you must submit notice to the FAA within 5 days after the project is abandoned.

(d) If the construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

SUBPART C - STANDARDS FOR DETERMINING OBSTRUCTIONS TO AIR NAVIGATION OR NAVIGATIONAL AIDS OR FACILITIES

77.13 Applicability

This subpart describes the standards used for determining obstructions to air navigation, navigational aids, or navigational facilities. These standards apply to the following:

(a) Any object of natural growth, terrain, or permanent or temporary construction or alteration, including equipment or materials used and any permanent or temporary apparatus.

(b) The alteration of any permanent or temporary existing structure by a change in its height, including appurtenances, or lateral dimensions, including equipment or material used therein.

77.15 Scope

(a) This subpart describes standards used to determine obstructions to air navigation that may affect the safe and efficient use of navigable airspace and the operation of planned or existing air navigation and communication facilities. Such facilities include air navigation aids, communication equipment, airports, Federal airways, instrument approach or departure procedures, and approved off-airway routes.

(b) Objects that are considered obstructions under the standards described in this subpart are presumed hazards to air navigation unless further aeronautical study concludes that the object is not a hazard. Once further aeronautical study has been initiated, the FAA will use the standards in this subpart, along with FAA policy and guidance material, to determine if the object is a hazard to air navigation.

(c) The FAA will apply these standards with reference to an existing airport facility, and airport proposals received by the FAA, or the appropriate military service, before it issues a final determination.

(d) For airports having defined runways with specially prepared hard surfaces, the primary surface for each runway extends 200 feet beyond each end of the runway. For airports having defined strips or pathways used regularly for aircraft takeoffs and landings, and designated runways, without specially prepared hard surfaces, each end of the primary surface for each such runway shall coincide with the corresponding end of the runway. At airports, excluding seaplane bases,

having a defined landing and takeoff area with no defined pathways for aircraft takeoffs and landings, a determination must be made as to which portions of the landing and takeoff area are regularly used as landing and takeoff pathways. Those determined pathways must be considered runways, and an appropriate primary surface as defined in §77.19 will be considered as longitudinally centered on each such runway. Each end of that primary surface must coincide with the corresponding end of that runway.

(e) The standards in this subpart apply to construction or alteration proposals on an airport (including heliports and seaplane bases with marked lanes) if that airport is one of the following before the issuance of the final determination:

(1) Available for public use and is listed in the Airport/Facility Directory, Supplement Alaska, or Supplement Pacific of the U.S. Government Flight Information Publications; or

(2) A planned or proposed airport or an airport under construction of which the FAA has received actual notice, except DOD airports, where there is a clear indication the airport will be available for public use; or,

(3) An airport operated by a Federal agency or the DOD; or,

(4) An airport that has at least one FAA-approved instrument approach.

77.17 Obstruction standards

(a) An existing object, including a mobile object, is, and a future object would be an obstruction to air navigation if it is of greater height than any of the following heights or surfaces:

(1) A height of 499 feet AGL at the site of the object.

(2) A height that is 200 feet AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 feet in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet.

(3) A height within a terminal obstacle clearance area, including an initial approach segment, a departure area, and a circling approach area, which would result in the vertical distance between any point on the object and an established minimum instrument flight altitude within that area or segment to be less than the required obstacle clearance.

(4) A height within an en route obstacle clearance area, including turn and termination areas, of a Federal Airway or approved off-airway route, that would increase the minimum obstacle clearance altitude.

(5) The surface of a takeoff and landing area of an airport or any imaginary surface established under §77.19, 77.21, or 77.23. However, no part of the takeoff or landing area itself will be considered an obstruction.

(b) Except for traverse ways on or near an airport with an operative ground traffic control service furnished by an airport traffic control tower or by the airport management and coordinated with the air traffic control service, the standards of paragraph (a) of this section apply to traverse ways

used or to be used for the passage of mobile objects only after the heights of these traverse ways are increased by:

(1) 17 feet for an Interstate Highway that is part of the National System of Military and Interstate Highways where overcrossings are designed for a minimum of 17 feet vertical distance.

(2) 15 feet for any other public roadway.

(3) 10 feet or the height of the highest mobile object that would normally traverse the road, whichever is greater, for a private road.

(4) 23 feet for a railroad.

(5) For a waterway or any other traverse way not previously mentioned, an amount equal to the height of the highest mobile object that would normally traverse it.

77.19 Civil airport imaginary surfaces

The following civil airport imaginary surfaces are established with relation to the airport and to each runway. The size of each such imaginary surface is based on the category of each runway according to the type of approach available or planned for that runway. The slope and dimensions of the approach surface applied to each end of a runway are determined by the most precise approach procedure existing or planned for that runway end.

(a) Horizontal surface. A horizontal plane 150 feet above the established airport elevation, the perimeter of which is constructed by swinging arcs of a specified radii from the center of each end of the primary surface of each runway of each airport and connecting the adjacent arcs by lines tangent to those arcs. The radius of each arc is:

(1) 5,000 feet for all runways designated as utility or visual;

(2) 10,000 feet for all other runways. The radius of the arc specified for each end of a runway will have the same arithmetical value. That value will be the highest determined for either end of the runway. When a 5,000-foot arc is encompassed by tangents connecting two adjacent 10,000-foot arcs, the 5,000-foot arc shall be disregarded on the construction of the perimeter of the horizontal surface.

(b) Conical surface. A surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to 1 for a horizontal distance of 4,000 feet.

(c) Primary surface. A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway; but when the runway has no specially prepared hard surface, the primary surface ends at each end of that runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline. The width of the primary surface is:

(1) 250 feet for utility runways having only visual approaches.

(2) 500 feet for utility runways having non-precision instrument approaches.

(3) For other than utility runways, the width is:

(i) 500 feet for visual runways having only visual approaches.

(ii) 500 feet for non-precision instrument runways having visibility minimums greater than three-fourths statute mile.

(iii) 1,000 feet for a non-precision instrument runway having a non-precision instrument approach with visibility minimums as low as three-fourths of a statute mile, and for precision instrument runways.

(iv) The width of the primary surface of a runway will be that width prescribed in this section for the most precise approach existing or planned for either end of that runway.

(d) Approach surface. A surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface. An approach surface is applied to each end of each runway based upon the type of approach available or planned for that runway end.

(1) The inner edge of the approach surface is the same width as the primary surface and it expands uniformly to a width of:

(i) 1,250 feet for that end of a utility runway with only visual approaches;

(ii) 1,500 feet for that end of a runway other than a utility runway with only visual approaches;

(iii) 2,000 feet for that end of a utility runway with a non-precision instrument approach;

(iv) 3,500 feet for that end of a non-precision instrument runway other than utility, having visibility minimums greater that three-fourths of a statute mile;

(v) 4,000 feet for that end of a non-precision instrument runway, other than utility, having a non-precision instrument approach with visibility minimums as low as three-fourths statute mile; and

(vi) 16,000 feet for precision instrument runways.

(2) The approach surface extends for a horizontal distance of:

(i) 5,000 feet at a slope of 20 to 1 for all utility and visual runways;

(ii) 10,000 feet at a slope of 34 to 1 for all non-precision instrument runways other than utility; and

(iii) 10,000 feet at a slope of 50 to 1 with an additional 40,000 feet at a slope of 40 to 1 for all precision instrument runways.

(3) The outer width of an approach surface to an end of a runway will be that width prescribed in this subsection for the most precise approach existing or planned for that runway end.

(e) Transitional surface. These surfaces extend outward and upward at right angles to the runway centerline and the runway centerline extended at a slope of 7 to 1 from the sides of the primary surface and from the sides of the approach surfaces. Transitional surfaces for those portions of the precision approach surface which project through and beyond the limits of the conical

surface, extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at right angles to the runway centerline.

77.21 Department of Defense (DOD) airport imaginary surfaces

(a) Related to airport reference points. These surfaces apply to all military airports. For the purposes of this section, a military airport is any airport operated by the DOD.

(1) Inner horizontal surface. A plane that is oval in shape at a height of 150 feet above the established airfield elevation. The plane is constructed by scribing an arc with a radius of 7,500 feet about the centerline at the end of each runway and interconnecting these arcs with tangents.

(2) Conical surface. A surface extending from the periphery of the inner horizontal surface outward and upward at a slope of 20 to 1 for a horizontal distance of 7,000 feet to a height of 500 feet above the established airfield elevation.

(3) Outer horizontal surface. A plane, located 500 feet above the established airfield elevation, extending outward from the outer periphery of the conical surface for a horizontal distance of 30,000 feet.

(b) Related to runways. These surfaces apply to all military airports.

(1) Primary surface. A surface located on the ground or water longitudinally centered on each runway with the same length as the runway. The width of the primary surface for runways is 2,000 feet. However, at established bases where substantial construction has taken place in accordance with a previous lateral clearance criteria, the 2,000-foot width may be reduced to the former criteria.

(2) Clear zone surface. A surface located on the ground or water at each end of the primary surface, with a length of 1,000 feet and the same width as the primary surface.

(3) Approach clearance surface. An inclined plane, symmetrical about the runway centerline extended, beginning 200 feet beyond each end of the primary surface at the centerline elevation of the runway end and extending for 50,000 feet. The slope of the approach clearance surface is 50 to 1 along the runway centerline extended until it reaches an elevation of 500 feet above the established airport elevation. It then continues horizontally at this elevation to a point 50,000 feet from the point of beginning. The width of this surface at the runway end is the same as the primary surface, it flares uniformly, and the width at 50,000 is 16,000 feet.

(4) Transitional surfaces. These surfaces connect the primary surfaces, the first 200 feet of the clear zone surfaces, and the approach clearance surfaces to the inner horizontal surface, conical surface, outer horizontal surface or other transitional surfaces. The slope of the transitional surface is 7 to 1 outward and upward at right angles to the runway centerline.

77.23 Heliport imaginary surfaces

(a) Primary surface. The area of the primary surface coincides in size and shape with the designated take-off and landing area. This surface is a horizontal plane at the elevation of the established heliport elevation.

(b) Approach surface. The approach surface begins at each end of the heliport primary surface with the same width as the primary surface, and extends outward and upward for a horizontal distance of 4,000 feet where its width is 500 feet. The slope of the approach surface is 8 to 1 for civil heliports and 10 to 1 for military heliports.

(c) Transitional surfaces. These surfaces extend outward and upward from the lateral boundaries of the primary surface and from the approach surfaces at a slope of 2 to 1 for a distance of 250 feet measured horizontally from the centerline of the primary and approach surfaces.

SUBPART D - AERONAUTICAL STUDIES AND DETERMINATIONS

77.25 Applicability

(a) This subpart applies to any aeronautical study of a proposed construction or alteration for which notice to the FAA is required under §77.9.

(b) The purpose of an aeronautical study is to determine whether the aeronautical effects of the specific proposal and, where appropriate, the cumulative impact resulting from the proposed construction or alteration when combined with the effects of other existing or proposed structures, would constitute a hazard to air navigation.

(c) The obstruction standards in subpart C of this part are supplemented by other manuals and directives used in determining the effect on the navigable airspace of a proposed construction or alteration. When the FAA needs additional information, it may circulate a study to interested parties for comment.

77.27 Initiation of studies

The FAA will conduct an aeronautical study when:

(a) Requested by the sponsor of any proposed construction or alteration for which a notice is submitted; or

(b) The FAA determines a study is necessary.

77.29 Evaluating aeronautical effect

(a) The FAA conducts an aeronautical study to determine the impact of a proposed structure, an existing structure that has not yet been studied by the FAA, or an alteration of an existing structure on aeronautical operations, procedures, and the safety of flight. These studies include evaluating:

(1) The impact on arrival, departure, and en route procedures for aircraft operating under visual flight rules;

(2) The impact on arrival, departure, and en route procedures for aircraft operating under instrument flight rules;

(3) The impact on existing and planned public use airports;

(4) Airport traffic capacity of existing public use airports and public use airport development plans received before the issuance of the final determination;

(5) Minimum obstacle clearance altitudes, minimum instrument flight rules altitudes, approved or planned instrument approach procedures, and departure procedures;

(6) The potential effect on ATC radar, direction finders, ATC tower line-of-sight visibility, and physical or electromagnetic effects on air navigation, communication facilities, and other surveillance systems;

(7) The aeronautical effects resulting from the cumulative impact of a proposed construction or alteration of a structure when combined with the effects of other existing or proposed structures.

(b) If you withdraw the proposed construction or alteration or revise it so that it is no longer identified as an obstruction, or if no further aeronautical study is necessary, the FAA may terminate the study.

77.31 Determinations

(a) The FAA will issue a determination stating whether the proposed construction or alteration would be a hazard to air navigation, and will advise all known interested persons.

(b) The FAA will make determinations based on the aeronautical study findings and will identify the following:

(1) The effects on VFR/IFR aeronautical departure/arrival operations, air traffic procedures, minimum flight altitudes, and existing, planned, or proposed airports listed in §77.15(e) of which the FAA has received actual notice prior to issuance of a final determination.

(2) The extent of the physical and/or electromagnetic effect on the operation of existing or proposed air navigation facilities, communication aids, or surveillance systems.

(c) The FAA will issue a Determination of Hazard to Air Navigation when the aeronautical study concludes that the proposed construction or alteration will exceed an obstruction standard and would have a substantial aeronautical impact.

(d) A Determination of No Hazard to Air Navigation will be issued when the aeronautical study concludes that the proposed construction or alteration will exceed an obstruction standard but would not have a substantial aeronautical impact to air navigation. A Determination of No Hazard to Air Navigation may include the following:

(1) Conditional provisions of a determination.

(2) Limitations necessary to minimize potential problems, such as the use of temporary construction equipment.

(3) Supplemental notice requirements, when required.

(4) Marking and lighting recommendations, as appropriate.

(e) The FAA will issue a Determination of No Hazard to Air Navigation when a proposed structure does not exceed any of the obstruction standards and would not be a hazard to air navigation.

77.33 Effective period of determinations

(a) The effective date of a determination not subject to discretionary review under §77.37(b) is the date of issuance. The effective date of all other determinations for a proposed or existing structure is 40 days from the date of issuance, provided a valid petition for review has not been received by the FAA. If a valid petition for review is filed, the determination will not become final, pending disposition of the petition.

(b) Unless extended, revised, or terminated, each Determination of No Hazard to Air Navigation issued under this subpart expires 18 months after the effective date of the determination, or on the date the proposed construction or alteration is abandoned, whichever is earlier.

(c) A Determination of Hazard to Air Navigation has no expiration date.

[Doc. No. FAA–2006–25002, 75 FR 42303, July 21, 2010, as amended by Amdt. 77–13–A, 76 FR 2802, Jan. 18, 2011]

77.35 Extensions, terminations, revisions and corrections

(a) You may petition the FAA official that issued the Determination of No Hazard to Air Navigation to revise or reconsider the determination based on new facts or to extend the effective period of the determination, provided that:

(1) Actual structural work of the proposed construction or alteration, such as the laying of a foundation, but not including excavation, has not been started; and

(2) The petition is submitted at least 15 days before the expiration date of the Determination of No Hazard to Air Navigation.

(b) A Determination of No Hazard to Air Navigation issued for those construction or alteration proposals not requiring an FCC construction permit may be extended by the FAA one time for a period not to exceed 18 months.

(c) A Determination of No Hazard to Air Navigation issued for a proposal requiring an FCC construction permit may be granted extensions for up to 18 months, provided that:

(1) You submit evidence that an application for a construction permit/license was filed with the FCC for the associated site within 6 months of issuance of the determination; and

(2) You submit evidence that additional time is warranted because of FCC requirements; and

(3) Where the FCC issues a construction permit, a final Determination of No Hazard to Air Navigation is effective until the date prescribed by the FCC for completion of the

construction. If an extension of the original FCC completion date is needed, an extension of the FAA determination must be requested from the Obstruction Evaluation Service (OES).

(4) If the Commission refuses to issue a construction permit, the final determination expires on the date of its refusal.

SUBPART E - PETITIONS FOR DISCRETIONARY REVIEW

77.37 General

(a) If you are the sponsor, provided a substantive aeronautical comment on a proposal in an aeronautical study, or have a substantive aeronautical comment on the proposal but were not given an opportunity to state it, you may petition the FAA for a discretionary review of a determination, revision, or extension of a determination issued by the FAA.

(b) You may not file a petition for discretionary review for a Determination of No Hazard that is issued for a temporary structure, marking and lighting recommendation, or when a proposed structure or alteration does not exceed obstruction standards contained in subpart C of this part.

77.39 Contents of a petition

(a) You must file a petition for discretionary review in writing and it must be received by the FAA within 30 days after the issuance of a determination under §77.31, or a revision or extension of the determination under §77.35.

(b) The petition must contain a full statement of the aeronautical basis on which the petition is made, and must include new information or facts not previously considered or presented during the aeronautical study, including valid aeronautical reasons why the determination, revisions, or extension made by the FAA should be reviewed.

(c) In the event that the last day of the 30-day filing period falls on a weekend or a day the Federal government is closed, the last day of the filing period is the next day that the government is open.

(d) The FAA will inform the petitioner or sponsor (if other than the petitioner) and the FCC (whenever an FCC-related proposal is involved) of the filing of the petition and that the determination is not final pending disposition of the petition.

77.41 Discretionary review results

(a) If discretionary review is granted, the FAA will inform the petitioner and the sponsor (if other than the petitioner) of the issues to be studied and reviewed. The review may include a request for comments and a review of all records from the initial aeronautical study.

(b) If discretionary review is denied, the FAA will notify the petitioner and the sponsor (if other than the petitioner), and the FCC, whenever an FCC-related proposal is involved, of the basis for the denial along with a statement that the determination is final.

(c) After concluding the discretionary review process, the FAA will revise, affirm, or reverse the determination.

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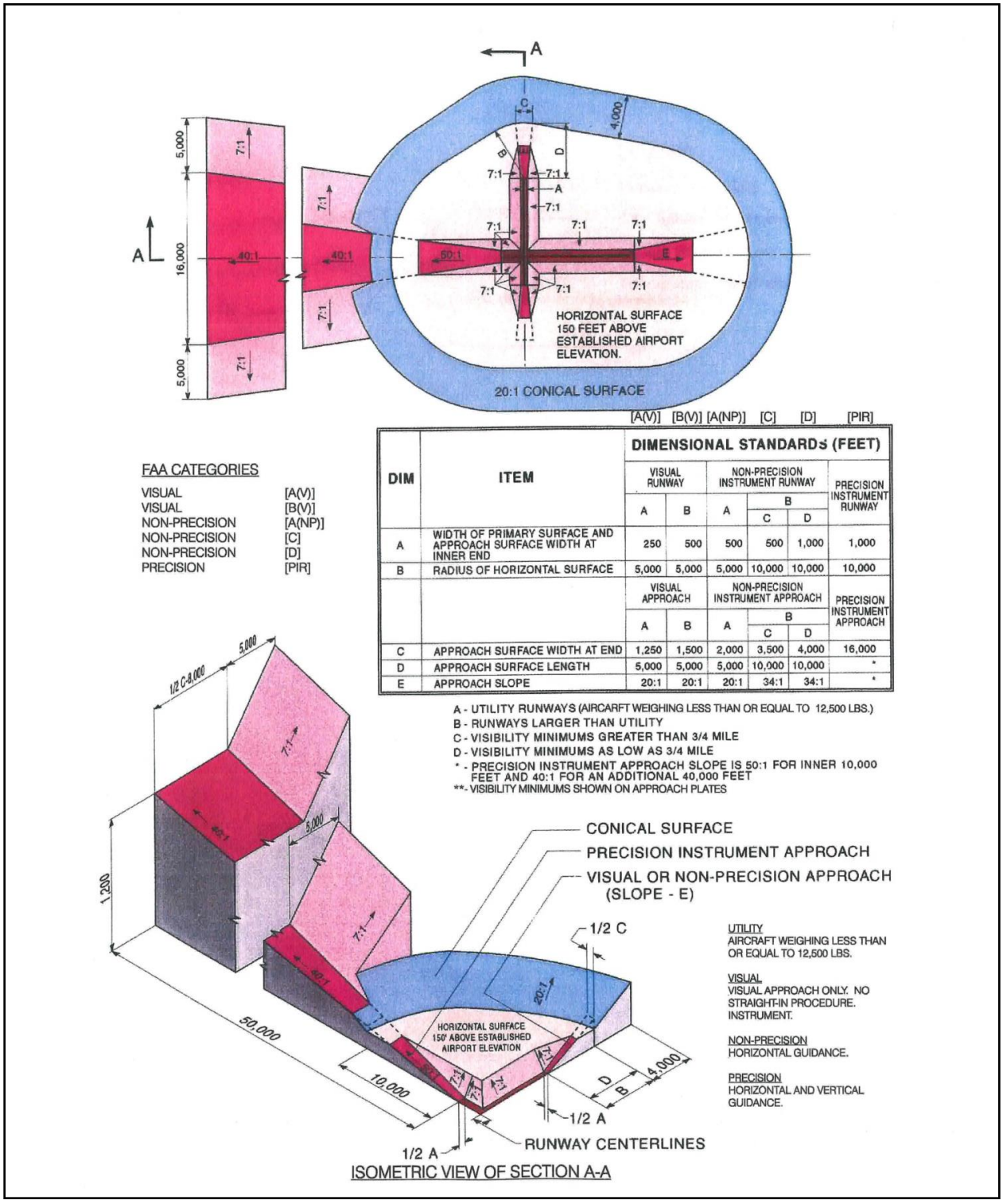
EXHIBIT B-1: CFR PART 77 IMAGINARY SURFACES



[A(V)] [B(V)] [A(NP)] [C] [D] [PIR]

FAA CATEGORIES

VISUAL	[A(V)]
VISUAL	[B(V)]
NON-PRECISION	[A(NP)]
NON-PRECISION	[C]
NON-PRECISION	[D]
PRECISION	[PIR]

DIM	ITEM	DIMENSIONAL STANDARDS (FEET)					
		VISUAL RUNWAY		NON-PRECISION INSTRUMENT RUNWAY			PRECISION INSTRUMENT RUNWAY
		A	B	A	B		
					C	D	
A	WIDTH OF PRIMARY SURFACE AND APPROACH SURFACE WIDTH AT INNER END	250	500	500	500	1,000	1,000
B	RADIUS OF HORIZONTAL SURFACE	5,000	5,000	5,000	10,000	10,000	10,000
		VISUAL APPROACH		NON-PRECISION INSTRUMENT APPROACH			PRECISION INSTRUMENT APPROACH
		A	B	A	B		
					C	D	
C	APPROACH SURFACE WIDTH AT END	1,250	1,500	2,000	3,500	4,000	16,000
D	APPROACH SURFACE LENGTH	5,000	5,000	5,000	10,000	10,000	*
E	APPROACH SLOPE	20:1	20:1	20:1	34:1	34:1	*

A - UTILITY RUNWAYS (AIRCARFT WEIGHING LESS THAN OR EQUAL TO 12,500 LBS.)
B - RUNWAYS LARGER THAN UTILITY
C - VISIBILITY MINIMUMS GREATER THAN 3/4 MILE
D - VISIBILITY MINIMUMS AS LOW AS 3/4 MILE
* - PRECISION INSTRUMENT APPROACH SLOPE IS 50:1 FOR INNER 10,000 FEET AND 40:1 FOR AN ADDITIONAL 40,000 FEET
**- VISIBILITY MINIMUMS SHOWN ON APPROACH PLATES

UTILITY
AIRCRAFT WEIGHING LESS THAN OR EQUAL TO 12,500 LBS.

VISUAL
VISUAL APPROACH ONLY. NO STRAIGHT-IN PROCEDURE. INSTRUMENT.

NON-PRECISION
HORIZONTAL GUIDANCE.

PRECISION
HORIZONTAL AND VERTICAL GUIDANCE.

ISOMETRIC VIEW OF SECTION A-A

EXHIBIT B-2: CFR PART 77 NOTIFICATION - FAA FORM 7460-1

Please Type or Print on This Form

Form Approved OMB No. 2120-0001

U.S. Department of Transportation
Federal Aviation Administration

Failure To Provide All Requested Information May Delay Processing of Your Notice

Notice of Proposed Construction or Alteration

FOR FAA USE ONLY
Aeronautical Study Number
- - -

1. Sponsor *(person, company, etc. proposing this action) :*
Attn. of: _____
Name: _____
Address: _____
_____
City: _____ State: _____ Zip: _____
Telephone: _____ Fax: _____

2. Sponsor's Representative *(if other than #1) :*
Attn. of: _____
Name: _____
Address: _____
_____
City: _____ State: _____ Zip: _____
Telephone: _____ Fax: _____

3. Notice of: ☐ New Construction ☐ Alteration ☐ Existing

4. Duration: ☐ Permanent ☐ Temporary (months, days)

5. Work Schedule: Beginning _____ End _____

6. Type: ☐ Antenna Tower ☐ Crane ☐ Building ☐ Power Line
☐ Landfill ☐ Water Tank ☐ Other _____

7. Marking/Painting and/or Lighting Preferred:
☐ Red Lights and Paint ☐ Dual - Red and Medium Intensity White
☐ White - Medium Intensity ☐ Dual - Red and High Intensity White
☐ White - High Intensity ☐ Other _____

8. FCC Antenna Structure Registration Number *(if applicable):*
_____

9. Latitude: ____° ____' ____. ____"

10. Longitude: ____° ____' ____. ____"

11. Datum: ☐ NAD 83 ☐ NAD 27 ☐ Other _____

12. Nearest: City: _____ State: _____

13. Nearest Public-use (not private-use) or Military Airport or Heliport:
_____

14. Distance from #13. to Structure: _____

15. Direction from #13. to Structure: _____

16. Site Elevation *(AMSL):* _____ **ft.**

17. Total Structure Height *(AGL):* _____ **ft.**

18. Overall height (#16. + #17.) *(AMSL):* _____ **ft.**

19. Previous FAA Aeronautical Study Number (if applicable):
_____ -

20. Description of Location: (Attach a USGS 7.5 minute Quadrangle Map with the precise site marked and any certified survey.)

21. Complete Description of Proposal:

Frequency/Power (kW)	

Notice is required by 14 Code of Federal Regulations, part 77 pursuant to 49 U.S.C., Section 44718. Persons who knowingly and willingly violate the notice requirements of part 77 are subject to a civil penalty of $1,000 per day until the notice is received, pursuant to 49 U.S.C., section 46301 (a).

I hereby certify that all of the above statements made by me are true, complete, and correct to the best of my knowledge. In addition, I agree to mark and/or light the structure in accordance with established marking and lighting standards as necessary.

Date	Typed or Printed name and Title of Person Filing Notice	Signature

FAA Form 7460-1 (2-99) Supersedes Previous Edition

NSN: 0052-00-012-0008

EXHIBIT B-3: ONLINE SUBMITTAL OF FORM 7460-1: NOTICE OF PROPOSED CONSTRUCTION OR ALTERATION

Historically a paper form called a "7460-1" was required to be submitted to the FAA for any project proposed on airport property and certain projects near airports. Recently, the FAA has moved from paper forms to an on-line system of evaluating the effects of a proposed project on the national airspace system.

- The on-line system can be accessed at https://oeaaa.faa.gov.

This new system allows project proponents to submit and track their proposal as it progresses through the FAA evaluation process.

The purpose of this guidance is to supplement and clarify the FAA user guide for the 7460 website.

- available at: https://oeaaa.faa.gov/oeaaa/external/content/OEexternal_Guide_v3.1.pdf

We recommend that the user first read the entire guide provided by the FAA, and then use this document to clarify some of the more complicated aspects of the online 7460 system.

When a project must be submitted to the FAA

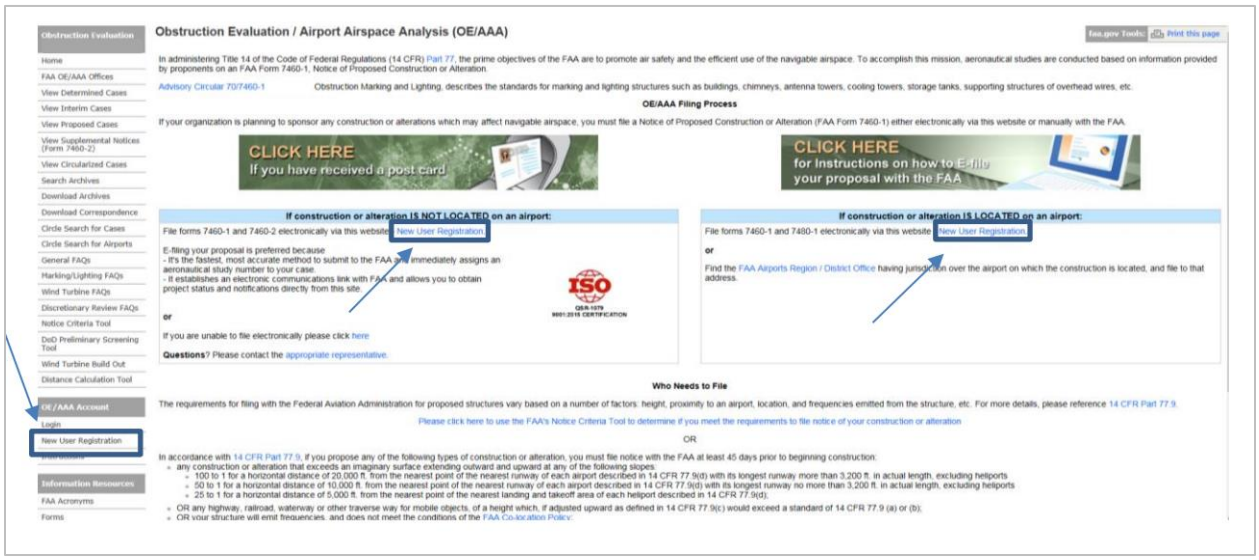
CFR Title 14 Part 77.13 states that any person/organization who intends to sponsor any of the following construction or alterations must notify the Administrator of the FAA:

- Any construction or alteration exceeding 200 ft. above ground level
- Any construction or alteration:
  - within 20,000 ft. of a public use or military airport which exceeds a 100:1 surface from any point on the runway of each airport with at least one runway more than 3,200 ft.
  - within 10,000 ft. of a public use or military airport which exceeds a 50:1 surface from any point on the runway of each airport with its longest runway no more than 3,200 ft.
  - within 5,000 ft. of a public use heliport which exceeds a 25:1 surface
- Any highway, railroad or other traverse way whose prescribed adjusted height would exceed the above noted standards
- When requested by the FAA
- Any construction or alteration located on a public use airport or heliport regardless of height or location.

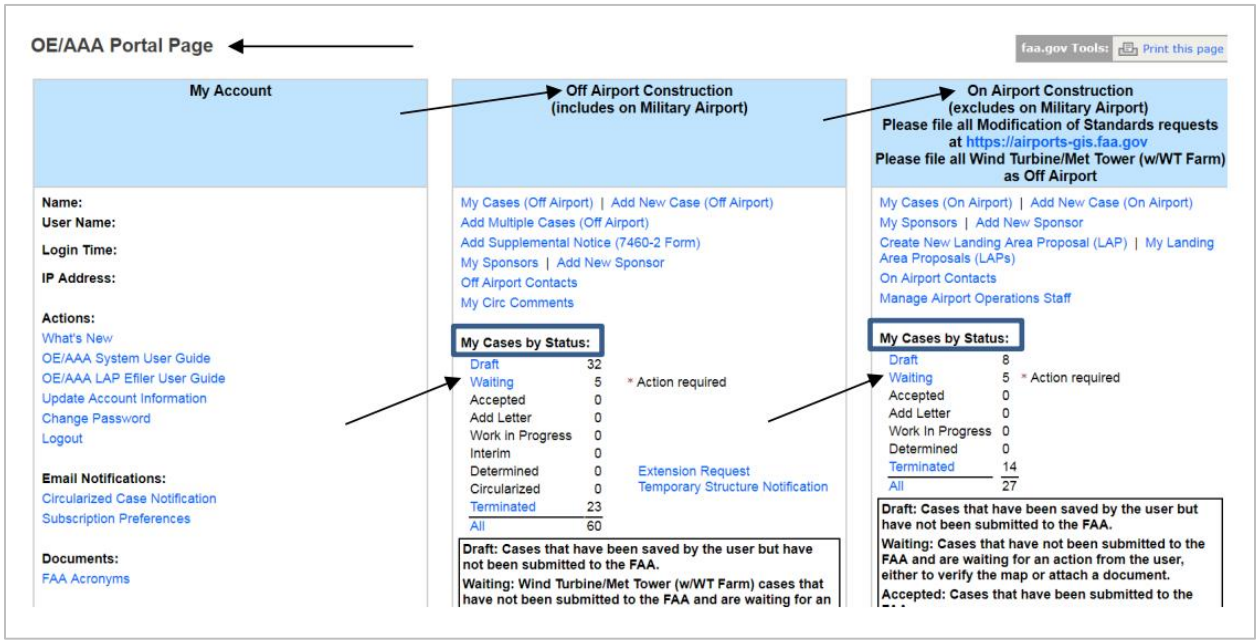
The FAA has been continuously improving the oe/aaa website to be more user friendly and increase the on-line functionality. The look and feel of the website may change in the future, but the majority of the content should remain as is.

Create an account

Before accessing the features of the website, the user will be required to create a username and password to access the website.

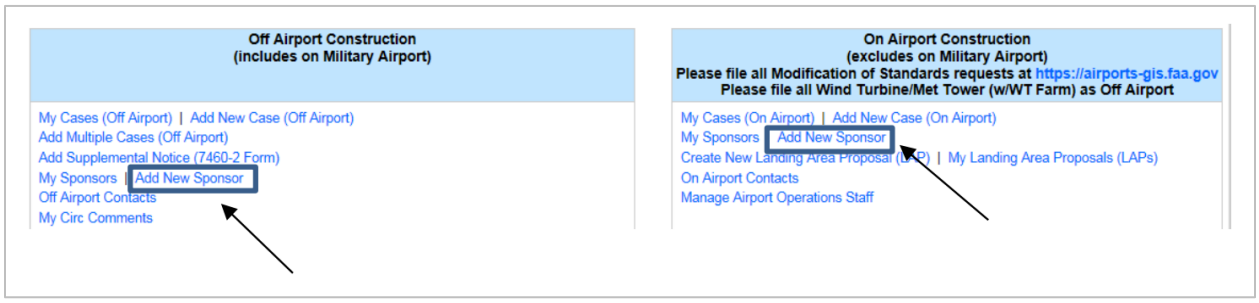


Once a user has created an account, they will be able to log in and will be directed to the OE/AAA Portal Page. This page displays a summary of any projects which have been entered into the website, categorized by off-airport and on-airport projects.

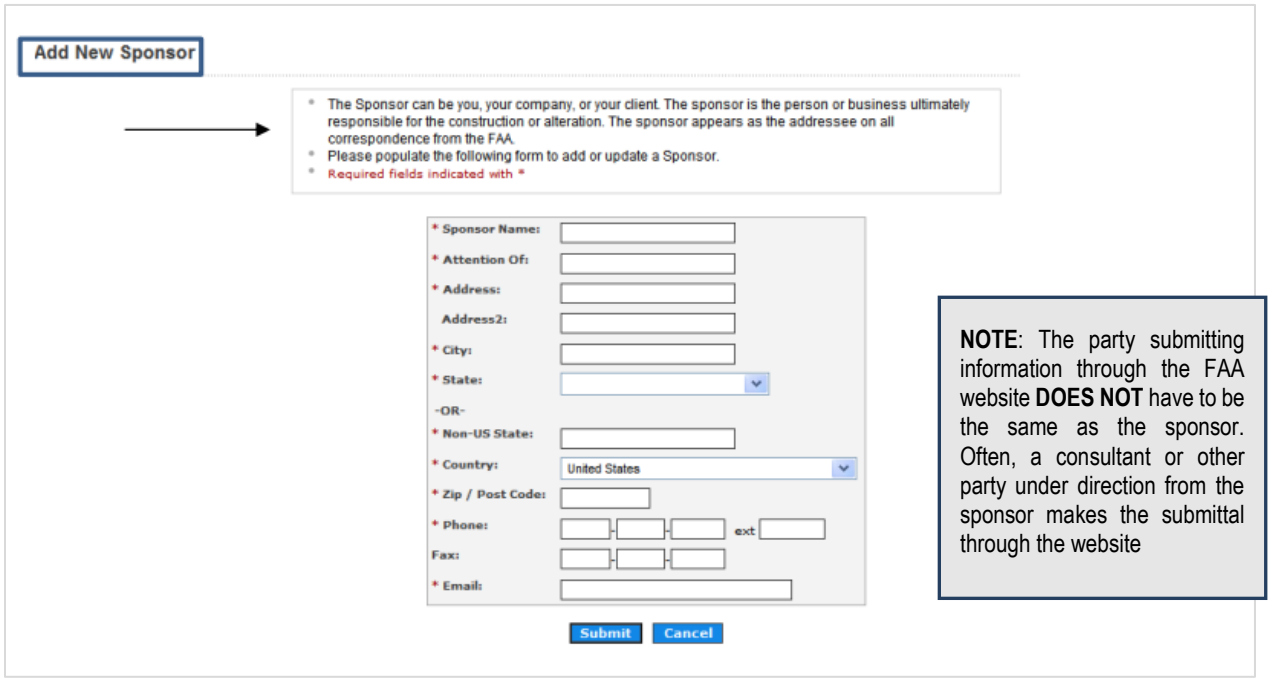


Adding a Sponsor

Before a user can enter project specific information, a project sponsor must be created. A sponsor is the person who is ultimately responsible for the construction or alteration. All FAA correspondence will be addressed to the sponsor. The sponsor could be the airport manager for projects proposed by the airport, or the developer proposing off airport construction. To create a sponsor contact, click "Add New Sponsor" on the "portal" page. From there the user can add sponsors for various projects.



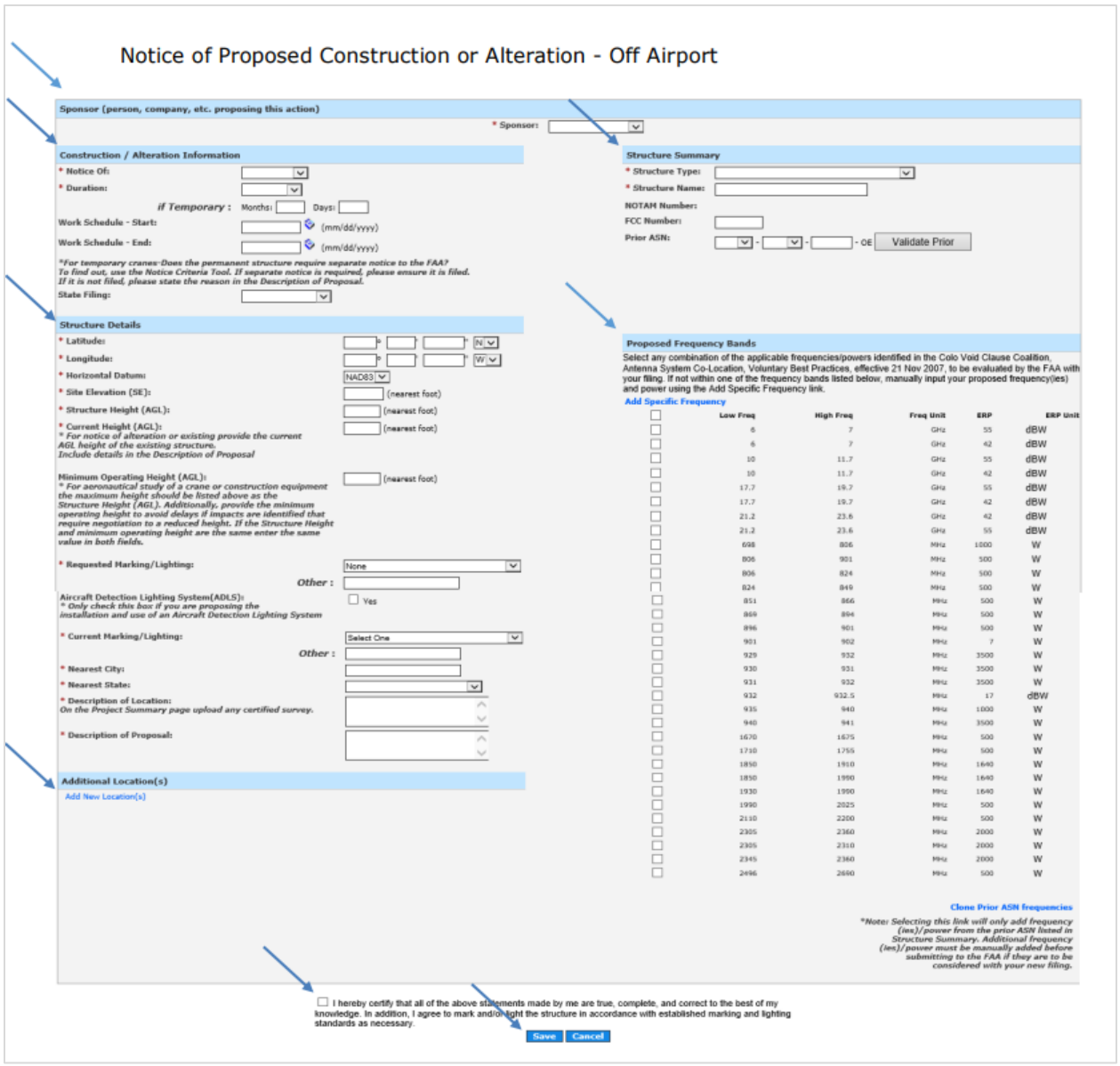
When the user selects "Add New Sponsor", they will be presented with the following screen:



Creating a New Submittal

There are two options for creating a new 7460 submittal. Again on the left side, either click "Add New Case (off airport)" or "Add New Case (on airport)"

There are some differences in the required fields for "on airport" vs. "off airport" but the differences are minor and self-explanatory. One tip: for off airport submittals there is a field for "requested marking/lighting". If the user does not have a preference, select other from the pull down menu and in the "other field" state "no preference".



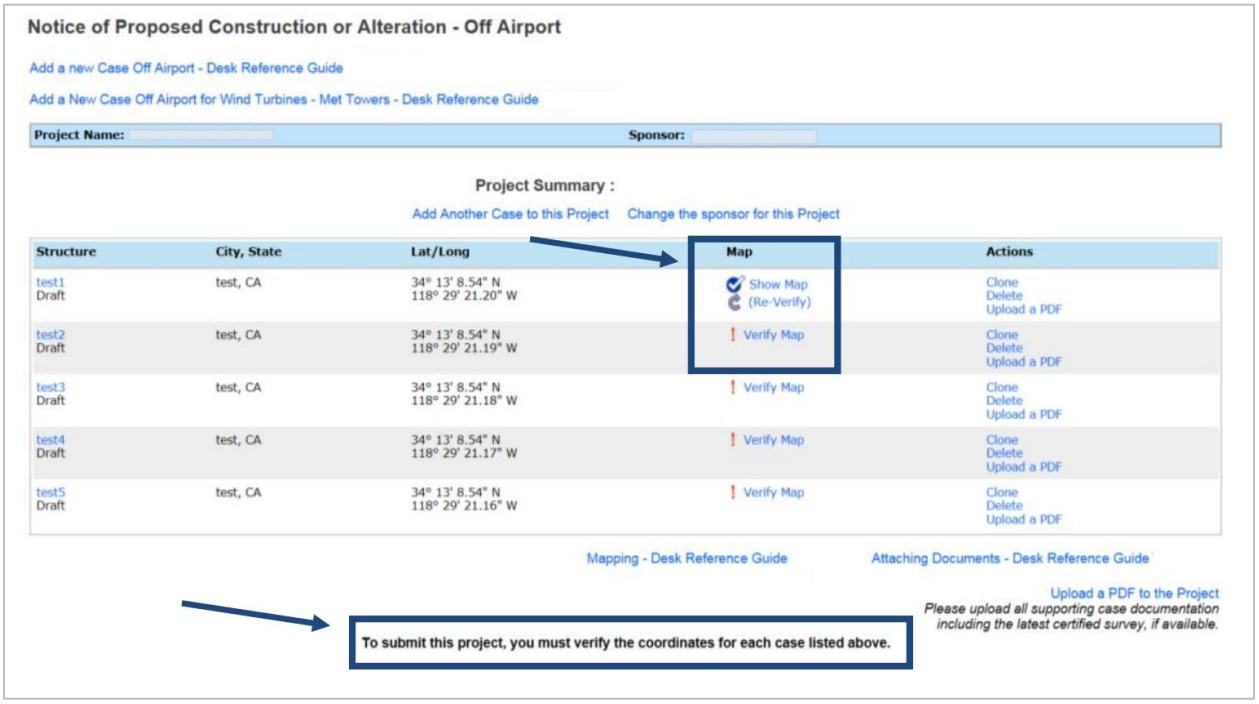
- The most common "notice of" is construction. Select from pull down menu.
- Latitude and longitude must be entered for the structure/construction activity.
- Most 7460 submittals will require multiple points with lat/long unless the 7460 is for a pole/tower/ or other single point object. Buildings and construction areas all require points indicating the extents of the building or area. More information is provided below on how to add additional points to a submittal.

- There is a field to describe the activity taking place. In some complex activities the field does not provide enough room for the required text. An additional explanatory letter can be attached. Additional information is provided in this section on how to add a letter or document to the submittal.
- Red asterisks indicate the required fields.
- Unless there has been a previous aeronautical study for this submittal leave the "prior study" fields blank.
- Only select "common frequency bands" if the proposed structure will transmit a signal.

Accurate lat/long and site elevation is critical for an accurate airspace determination.

It is recommended that survey quality data be obtained from a recent survey, a GPS unit, or worst case, scaled from a topo quad.

If the submittal is a building or construction area that is more than a single lat/long point the user must save the data first. Click save at the bottom of the page. This will bring up a summary screen of the case. To add more points click "clone" under the heading "actions".

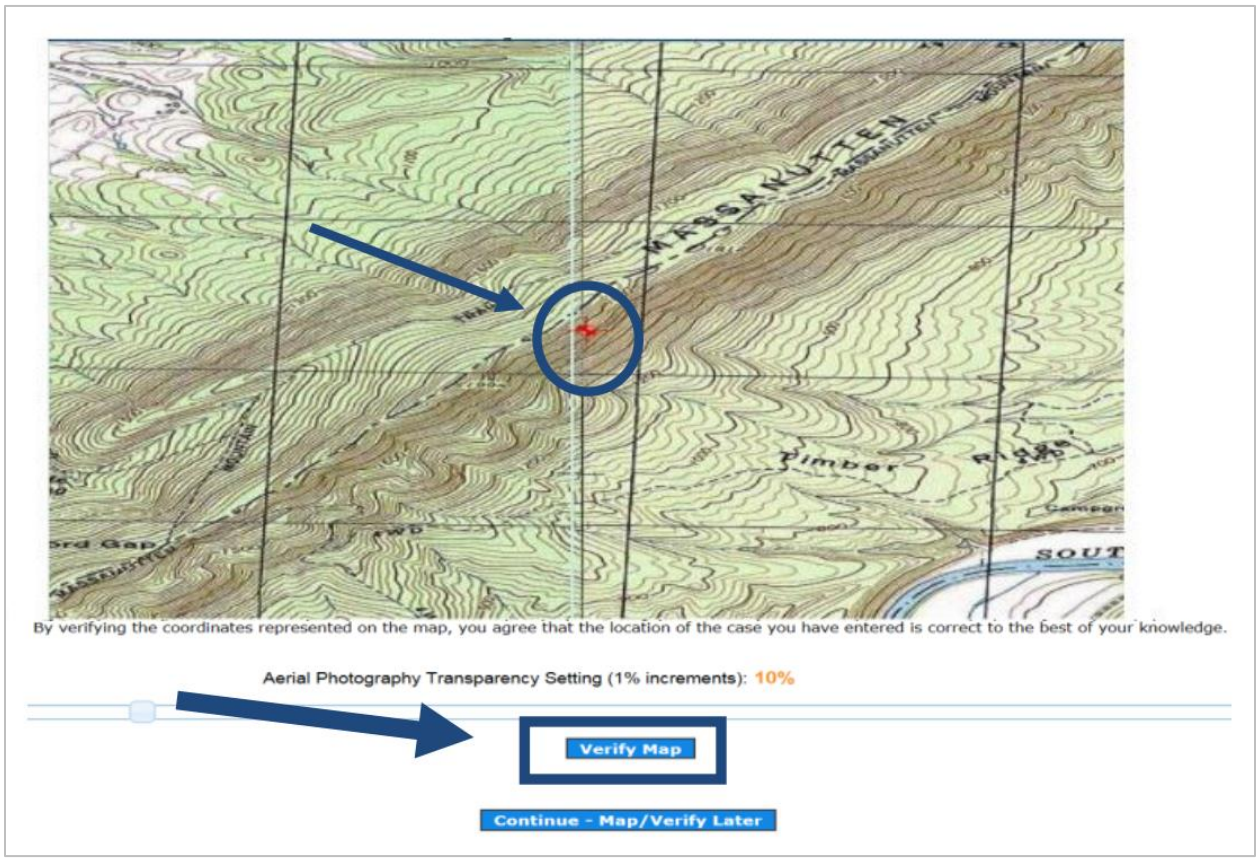


The clone tool copies all the relevant information to a new page where an additional lat/long and elevation can be entered. However, the clone process does not number the various points of a proposed project. When entering the details for a point (see Image 5) it is helpful if the user assigns a number to the point and references the total number of points for the project (e.g. point 2 of 20). The numbering can be included in the project "description/remarks" field for each point.

It should be noted that each individual point associated with a project (e.g. each corner of a building) is evaluated individually, thus the importance of including a numbering system (2 of 20) in the text/description box.

Once done, click "save" again. Now the user will see two records under the "project summary" heading. Continue this process of cloning for all the remaining points.

Once all the points have been entered, each point must be verified. There is a red X with the words "verify map" indicating the user has not verified the location. Click Verify Map, a popup will display the lat/long point on a topo map and the user must verify that it is in the correct location. After clicking "verify map" on the popup, the red X will become a blue checkmark. It seems to be more efficient to enter all of the points associated with a project and then return to verify each point on the map at one time.



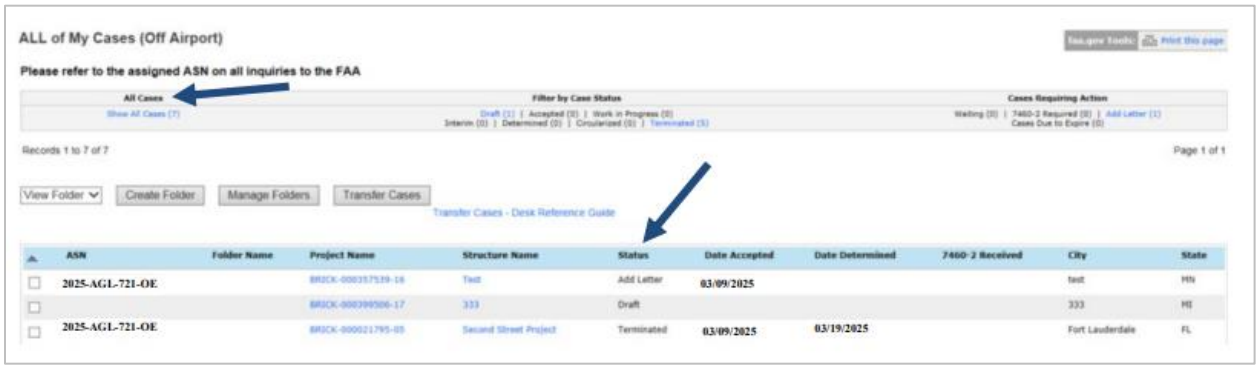
All on-airport project submittals must have a "project sketch" included. Under the "actions" column select "upload a PDF". Once you have uploaded a sketch for all the points associated with the project the red X under "sketch" will turn to a green check mark. Off-airport projects do not require a "project sketch", but the user can still upload one for informational purposes.

If the user needs to add any other information such as an explanatory letter, clicking on "upload a PDF" will allow the user to upload more documents, although only one at a time. Keep in mind that if additional PDFs or information are being provided, like the project sketch it must be uploaded to every point associated with the project.

Once the maps have been verified and sketches uploaded for all points associated with the case, the user will be able to submit the 7460 to the FAA for review.

Status of Submitted Projects

To check the status of a submittal, click on either "my cases (off airport)" or "my cases (on airport)" to see a list of what has been submitted. Each of the multiple points associated with one project will be listed as if they are separate, although still associated. The points will have a status:



Project Status Definitions:

Draft: Cases that have been saved by the user but have not been submitted to the FAA.

Waiting: Cases that have not been submitted to the FAA and are waiting for an action from the user, either to verify the map or attach a sketch.

Accepted: Cases that have been submitted to the FAA.

Add Letter: Cases that have been reviewed by the FAA and require additional information from the user.

Work in Progress: Cases that are being evaluated by the FAA.

Determined: Cases that have a completed aeronautical study and an FAA determination.

Terminated: Cases that are no longer valid.

These definitions are also shown at the bottom of the summary screen.

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Appendix C

Methods for Calculating Usage Intensity

INTRODUCTION

The underlying safety compatibility criterion employed in this *ALUCP* is "usage intensity"—the maximum number of people per acre that can be present in a given area at any one time. If a proposed use exceeds the maximum intensity, it is considered incompatible and thus inconsistent with compatibility planning policies. The usage intensity concept is identified in the *California Airport Land Use Planning Handbook (Handbook)* as the measure best suited for assessment of land use safety compatibility with airports. The *Handbook* is published by Caltrans and is required under state law to be used as a guide in preparation of airport land use compatibility plans.

It is recognized, though, that "people per acre" is not a common measure in other facets of land use planning. Therefore, this *ALUCP* also utilizes the more common measure of floor area ratio (FAR) as a means of implementing the usage intensity criteria on the local level. This appendix both provides guidance on how the usage intensity determination can be made and defines the relationships between this measure, FAR, and other measures found in land use planning.

COUNTING PEOPLE

The most difficult part about calculating a use's intensity is estimating the number of people expected to use a particular facility under normal circumstances. All people—not just employees, but also customers and visitors—who may be on the property at a single point in time, whether indoors or outside, must be counted. The only exceptions are for rare special events, such as an air show at an airport, for which a facility is not designed and normally not used and for which extra safety precautions can be taken as appropriate.

Ideally, the actual number of people for which the facility is designed would be known. For example, the number of seats in a proposed movie theater can be determined with high accuracy once the theater size is decided. However, other buildings may be built as a shell and the eventual number of occupants would remain unknown until a specific tenant is found. Furthermore, the number of occupants can change in the future as tenants change. Even greater uncertainty is involved with relatively open uses that do not having fixed seating—e.g., retail stores or sports parks.

Absent clearly measurable occupancy numbers, other sources must be relied upon to estimate the number of people in a proposed development.

SURVEY OF SIMILAR USES

A survey of similar uses already in existence is one option; however, gathering data in this manner can be time-consuming and costly. Also, unless the survey sample is sufficiently large and conducted at various times, inconsistent numbers may result. Except for uncommon uses for which occupancy levels cannot be estimated through other means, surveys are most appropriate as supplemental information.

MAXIMUM OCCUPANCY

A second option for estimating the number of people who will be on a site is to rely upon data indicating the maximum occupancy of a building measured in terms of Occupancy Load Factor—the number of square feet per occupant. The number of people on the site, assuming limited outdoor or peripheral uses, can be calculated by dividing the total floor area of a proposed use by the Occupancy Load Factor. The challenge of this methodology lies in establishing realistic figures for square feet per occupant. The number varies greatly from one use to another and, for some uses, has changed over time as well.

A commonly used source of maximum occupancy data is the standards set in the California Building Code (CBC). The chart reproduced as **Exhibit C-1** indicates the Occupancy Load Factors for various types of uses. The CBC, though, is intended primarily for purposes of structural design and fire safety and represents a legal maximum occupancy in most jurisdictions. A CBC-based methodology consequently results in occupancy numbers that are higher than normal maximum usage in most instances. The numbers also are based upon usable floor area and do not take into account corridors, stairs, building equipment rooms, and other functions that are part of a building's gross square footage. Surveys of actual Occupancy Load Factors conducted by various agencies have indicated that many retail and office uses are generally occupied at no more than 50% of their maximum occupancy levels, even at the busiest times of day. Therefore, the *Handbook* indicates that the number of people calculated for office and retail uses can usually be divided in half to reflect the actual occupancy levels before making the final people-per-acre determination. Even with this adjustment, the CBC-based methodology typically produces intensities at the high end of the likely range.

Another source of data on square footage per occupant comes from the facility management industry. The data is used to help businesses determine how much building space they need to build or lease and thus tends to be more generous than the CBC standards. The numbers vary not only by the type of facility, as with the CBC, but also by type of industry. The following are selected examples of square footage per *employee* gathered from a variety of sources.

- Call centers 150 – 175
- Typical offices 180 – 250
- Law, finance, real estate offices 300 – 325
- Research & development, light industry 300 – 500

- Health services 500

The numbers above do not take into account the customers who may also be present for certain uses. For retail business, dining establishments, theaters, and other uses where customers outnumber employees, either direct measures of occupancy—the number of seats, for example—or other methodologies must be used to estimate the potential number of people on the site.

PARKING SPACE REQUIREMENTS

For many jurisdictions and a wide variety of uses, the number of people present on a site can be calculated based upon the number of automobile parking spaces that are required. However, certain limitations and assumptions must be considered when applying this methodology. An obvious limitation is that parking space requirements can be correlated with occupancy numbers only where nearly all users arrive by private vehicle rather than by public transportation, walking, or other method. Secondly, the jurisdiction needs to have a well-defined parking ordinance that lists parking space requirements for a wide range of land uses. For most uses, these requirements are typically stated in terms of the number of parking spaces that must be provided per 1,000 square feet of gross building size or a similar ratio. Lastly, assumptions must be made with regard to the average number of people who will arrive in each car.

Both of the critical ratios associated with this methodology—parking spaces to building size and occupants to vehicles—vary from one jurisdiction to another even for the same types of uses. Research of local ordinances and other sources, though, indicates that the following ratios are typical.

- **Parking Space Ratios**—These examples of required parking space requirements are typical of those found in ordinances adopted by urban and suburban jurisdictions. The numbers are ratios of spaces required per 1,000 square feet of gross floor area. Gross floor area is normally measured to the outside surfaces of a building and includes all floor levels as well as stairways, elevators, storage, and mechanical rooms.
  - Small Restaurants 10.0
  - Medical Offices 4.0 – 5.7
  - Shopping Centers 4.0 – 5.0
  - Health Clubs 3.3 – 5.0
  - Business Professional Offices 3.3 – 4.0
  - Retail Stores 3.0 – 3.5
  - Research & Development 2.5 – 4.0
  - Manufacturing 2.0 – 2.5
  - Furniture, Building Supply Stores 0.7 – 1.0
- **Vehicle Occupancy**—Data indicating the average number of people occupying each vehicle parking at a particular business or other land use can be found in various transportation surveys. The numbers vary both from one community or region to another and over time; thus, current local data is best if available. The following data represent typical vehicle occupancy for different trip purposes.

- Work 1.05 – 1.2
- Education 1.2 – 2.0
- Medical 1.5 – 1.7
- Shopping 1.5 – 1.8
- Dining, Social, Recreational 1.7 – 2.3

USAGE INTENSITY RELATIONSHIP TO OTHER DEVELOPMENT MEASURES

CALCULATING USAGE INTENSITIES

Once the number of people expected in a particular development—both over the entire site and within individual buildings—has been estimated, the usage intensity can be calculated. The criteria in this *ALUCP* are measured in terms of the average intensity over the entire project site.

The average intensity is calculated by dividing the total number of people on the site by the site size. A 10-acre site expected to be occupied by as many as 1,000 people at a time would have an average intensity of 100 people per acre. The site size equals the total size of the parcel or parcels to be developed.

Having calculated the usage intensities of a proposed development, a comparison can be made with the criteria set forth in the *ALUCP* to determine whether the proposal is consistent or inconsistent with the policies.

COMPARISON WITH FLOOR AREA RATIO

As noted earlier, usage intensity or people per acre is not a common metric in land use planning. Floor area ratio or FAR—the gross square footage of the buildings on a site divided by the site size—is a more common measure in land use planning. Some counties and cities adopt explicit FAR limits in their zoning ordinance or other policies. Those that do not set FAR limits often have other requirements, such as a maximum number of floors a building can have, minimum setback distances from the property line, and minimum number of parking spaces. These requirements effectively limit the floor area ratio as well.

To facilitate local jurisdiction implementation, the safety compatibility criteria in this *ALUCP* have been structured around FAR measures to determine usage intensity limits for many types of nonresidential land use development. To utilize FAR in this manner, a critical additional piece of information is necessary to overcome the major shortcoming of FAR as a safety compatibility measure. The problem with FAR is that it does not directly correlate with risks to people because different types of buildings with the same FAR can have vastly different numbers of people inside—a low-intensity warehouse versus a high-intensity restaurant, for example. For FAR to be applied as a factor in setting development limitations, assumptions must be made as to how much space each person (employees and others) in the building will occupy.

The Safety Compatibility Criteria table therefore indicates the assumed Occupancy Load Factor for various land uses. Mathematically, the relationship between usage intensity and FAR is:

$$\text{FAR} = \frac{\text{(allowable usage intensity) x (Occupancy Load Factor)}}{43{,}560}$$

where *usage intensity* is measured in terms of people per acre and *Occupancy Load Factor* as square feet per person.

Selection of the usage intensity, occupancy level, and FAR numbers that appear in the Basic Compatibility Criteria table was done in an iterative manner that considered each of the components both separately and together. Usage intensities were initially set with respect to guidelines provided in the *California Airport Land Use Planning Handbook*. Occupancy levels were derived from the CBC but were adjusted based upon additional research from both local and national sources in the manner discussed earlier in this appendix. The FAR limits were initially calculated from these other two numbers using the formula above.

COMPARISON WITH PARKING SPACE REQUIREMENTS

As discussed above, many jurisdictions have adopted parking space requirements that vary from one land use type to another. Factoring in an estimated vehicle occupancy rate for various land uses as described earlier, the Occupancy Load Factor can be calculated. For example, a typical parking space requirement for office uses is 4.0 spaces per 1,000 square feet or 1 space per 250 square feet. If each vehicle is assumed to be occupied by 1.1 persons, the equivalent Occupancy Load Factor would be 1 person per 227 square feet. This number falls squarely within the range noted above that was found through separate research of norms used by the facility management industry.

As an added note, the Occupancy Load Factor of 215 square feet per person indicated in the Basic Compatibility Criteria table for office uses is slightly more conservative than the above calculation produces. This means that, for a given usage intensity standard, the FAR limit in the table is slightly more restrictive than would result from a higher Occupancy Load Factor.

EXHIBIT C-1: OCCUPANT LOAD FACTORS - CALIFORNIA BUILDING CODE

Function of Space	Floor area per occupant (sq. ft.)
Accessory storage areas, mechanical equipment room	300 gross
Agricultural building	300 gross
Aircraft hangars	500 gross
Airport terminal	
Baggage claim	20 gross
Baggage handling	300 gross
Concourse	100 gross
Waiting areas	15 gross
Assembly	
Gaming floors (keno, slots, etc.)	11 gross
Assembly with fixed seats	See Section 1004.7
Assembly without fixed seats	
Concentrated (chairs only-not fixed)	15 net
Standing space	5 net
Unconcentrated (tables and chairs)	7 net
Bowling centers, allow 5 persons for each lane including 15 feet of runway, and for additional areas	7 net
Business areas	100 gross
Courtrooms-other than fixed seating areas	40 net
Day care	35 net
Dormitories	50 gross
Educational	
Classroom area	20 net
Shops and other vocational room areas	50 net
Exercise rooms	50 gross
H-5 Fabrication and manufacturing areas	200 gross
Industrial areas	100 gross
Institutional areas	
Inpatient treatment areas	240 gross
Outpatient treatment areas	100 gross
Sleeping areas	120 gross
Kitchens, commercial	200 gross
Laboratory	
Educational	50 net
Laboratories, non-educational	100 net
Laboratory suite	200 gross
Library	
Reading rooms	50 net
Stack area	100 gross
Locker rooms	50 gross
Mercantile	
Areas on other floors	60 gross
Basement and grade floor areas	30 gross
Storage, stock, shipping areas	300 gross
Parking garages	200 gross
Residential	200 gross
Skating rinks, swimming pools	
Rink and pool	50 gross
Decks	15 gross
Stages and platforms	15 net
Warehouses	500 gross

Source: California Building Code (2007), Table 1004.1.1

EXHIBIT C-2: SAMPLE PEOPLE-PER-ACRE CALCULATIONS

Example 1

Proposed Development: Two office buildings, each two stories and containing 20,000 square feet of floor area per building. Site size is 3.0 net acres. Counting a portion of the adjacent road, the gross area of the site is 3.5± acres.

A. Calculation Based on Parking Space Requirements

For office uses, assume that a county or city parking ordinance requires 1 parking space for every 300 square feet of floor area. Data from traffic studies or other sources can be used to estimate the average vehicle occupancy. For the purposes of this example, the typical vehicle occupancy is assumed to equal 1.5 people per vehicle.

The average usage intensity would therefore be calculated as follows:

1) 40,000 sq. ft. floor area x 1.0 parking space per 300 sq. ft. = 134 required parking spaces
2) 134 parking spaces x 1.5 people per space = 201 people maximum on site
3) 201 people ÷ 3.5 acres gross site size = 57 people per acre average for the site

B. Calculation Based on Uniform Building Code

Using the UBC (**ExhibitC-1**) as the basis for estimating building occupancy yields the following results for the above example:

1) 40,000 sq. ft. bldg. ÷ 100 sq. ft./occupant = 400 people max. bldg. occupancy (under UBC)
2) 400 max. bldg. occupancy x 50% adjustment = 200 people maximum on site
3) 200 people ÷ 3.5 acres gross site size = 57 people per acre average for the site

C. Calculation of Single Acre Intensity

Assuming that occupancy of each building is relatively equal throughout, but that there is some separation between the buildings and outdoor uses are minimal, the usage intensity for a single acre would be estimated to be:

1) 20,000 sq. ft. bldg. ÷ 2 stories = 10,000 sq. ft. bldg. footprint
2) 10,000 sq. ft. bldg. footprint ÷ 43,560 sq. ft. per acre = 0.23 acre bldg. footprint
3) Building footprint < 1.0 acre; therefore maximum people in 1 acre = bldg. occupancy = 100 people per single acre (i.e., 200 people max. on site ÷ 2 bldgs.)

Conclusions: In this instance, both methodologies yield the same results. The 57 people per average acre and the 100 people per single acre results must be compared with the intensity limits provided in the Basic Compatibility Criteria tables in this *ALUCP*.

Continued on next page

Example 2

Proposed Development: Single-floor furniture store containing 24,000 square feet of floor area on a site of 2.0 gross acres and the net acreage (less internal roadways) is 1.7 acres.

A. Calculation Based on Parking Space Requirements

For furniture stores, assume that a county or city parking ordinance requires 1 parking space per 1,500 square feet of use area. Assuming 1.5 people per automobile results in the following intensity estimates:

The average usage intensity would be:

1) 24,000 sq. ft. bldg. x 1.0 parking space per 1,500 sq. ft. = 16 required parking spaces
2) 16 parking spaces x 1.5 people per space = 24 people maximum on site
3) 24 people ÷ 2.0 acres gross site size = 12 people per acre average for the site

B. Calculation Based on Uniform Building Code

For the purposes of the UBC-based methodology, the furniture store is assumed to consist of 50% retail sales floor (at 30 square feet per occupant) and 50% warehouse (at 500 square feet per occupant). Usage intensities would therefore be estimated as follows:

1) 12,000 sq. ft. retail floor area ÷ 30 sq. ft./occupant = 400 people max. occupancy in retail area
2) 12,000 sq. ft. warehouse floor area ÷ 500 sq. ft./occupant = 24 people max. occupancy in warehouse area
3) Maximum occupancy under UBC assumptions = 400 + 24 = 424 people
4) Assuming typical peak occupancy is 50% of UBC numbers = 212 people maximum on site
5) 212 people ÷ 2.0 acres = 106 people per acre average for the site

C. Calculation for Single Acre Intensity

With respect to the single-acre intensity criteria, the entire building occupancy would again be within less than 1.0 acre, thus yielding the same intensity of 24 or 212 people per single acre.

Again assuming a relatively balanced occupancy throughout the building and that outdoor uses are minimal, the usage intensity for a single acre would be estimated to be:

1) 24,000 sq. ft. bldg. footprint ÷ 43,560 sq. ft. per acre = 0.55 acre bldg. footprint
3) Building footprint < 1.0 acre; therefore, maximum people in 1 acre = bldg. occupancy = 24 or 212 people per single acre under parking space or UBC methodology, respectively

Conclusions: In this instance, the two methods produce very different results. The occupancy estimate of 30 square feet per person is undoubtedly low for a furniture store even after the 50% adjustment. On the other hand, the 12 people-per-acre estimate using the parking requirement methodology appears low but is probably closer to being realistic. Unless better data is available from surveys of similar uses, this proposal should reasonably be considered compatible within most compatibility zones, except *Zone A*.

Appendix **D**

General Plan Consistency Checklist

This checklist is intended to assist local agencies with modifications necessary to make their local plans and other local policies consistent with this *ALUCP*. It is also designed to facilitate *ALUC* reviews of these local plans and policies.

COMPATIBILITY CRITERIA

General Plan Document

The following items typically appear directly in a general plan document. Amendment of the general plan will be required if there are any conflicts with the *ALUCP*.

- **Land Use Map**—No direct conflicts should exist between proposed new land uses indicated on a general plan land use map and the *ALUC* land use compatibility criteria.
  - Residential densities (dwelling units per acre) should not exceed the set limits.
  - Proposed nonresidential development needs to be assessed with respect to applicable intensity limits (see below).
  - No new land uses of a type listed as specifically prohibited should be shown within affected areas.
- **Noise Element**—General plan noise elements typically include criteria indicating the maximum noise exposure for which residential development is normally acceptable. This limit must be made consistent with the equivalent *ALUCP* criteria. Note, however, that a general plan may establish a different limit with respect to aviation-related noise than for noise from other sources (this may be appropriate in that aviation-related noise is sometimes judged to be more objectionable than other types of equally loud noises).

Zoning or Other Policy Documents

The following items need to be reflected either in the general plan or in a separate policy document such as a combining zone ordinance. If a separate policy document is adopted, modification of the general plan to achieve consistency with the *ALUCP* may not be required. Modifications would normally be needed only to eliminate any conflicting language which may be present and to make reference to the separate policy document:

- **Intensity Limitations on Nonresidential Uses**—*ALUCP*s may establish limits on the usage intensities of commercial, industrial, and other nonresidential land uses. This can be done by duplication of the performance-oriented criteria—specifically, the number of people per acre—indicated in the *ALUCP*. Alternatively, *ALUC*s may create a detailed list of land uses which are allowable and/or not allowable within each compatibility zone. For certain land uses, such a list may need to include limits on building sizes, floor area ratios, habitable floors, and/or other design parameters which are equivalent to the usage intensity criteria.
- **Identification of Prohibited Uses**—*ALUCP*s may prohibit schools, day care centers, assisted living centers, hospitals, and other uses within a majority of an airport's influence area. The facilities often are permitted or conditionally permitted uses within many commercial or industrial land use designations.
- **Open Land Requirements**—*ALUCP* requirements, if any, for assuring that a minimum amount of open land is preserved in the airport vicinity must be reflected in local policies. Normally, the locations which are intended to be maintained as open land would be identified on a map with the total acreage within each compatibility zone indicated. If some of the area included as open land is private property, then policies must be established which assure that the open land will continue to exist as the property develops. Policies specifying the required characteristics of eligible open land should also be established.
- **Infill Development**—If an *ALUCP* contains infill policies and a jurisdiction wishes to take advantage of them, the lands that meet the qualifications must be shown on a map.
- **Height Limitations and Other Hazards to Flight**—To protect the airport airspace, limitations must be set on the height of structures and other objects near airports. These limitations are to be based upon FAR Part 77. Restrictions also must be established on other land use characteristics which can cause hazards to flight (specifically, visual or electronic interference with navigation and uses which attract birds). Note that many jurisdictions have already adopted an airport-related hazard and height limit zoning ordinance which, if up to date, will satisfy this consistency requirement.

Continued on next page

- **Buyer Awareness Measures**—Besides disclosure rules already required by state law, as a condition for approval of development within certain compatibility zones, some *ALUCP*s require either dedication of an avigation easement to the airport proprietor or placement on deeds of a notice regarding airport impacts. If so, local agency policies must contain similar requirements.
- **Nonconforming Uses and Reconstruction**—Local agency policies regarding nonconforming uses and reconstruction must be equivalent to or more restrictive than those in the *ALUCP*, if any.

REVIEW PROCEDURES

In addition to incorporation of *ALUC* compatibility criteria, local agency implementing documents must specify the manner in which development proposals will be reviewed for consistency with the compatibility criteria.

- **Actions Always Required to be Submitted for *ALUC* Review**—Public Utility Code Section 21676 identifies the types of actions that must be submitted for airport land use commission review. Local policies should either list these actions or, at a minimum, note the local agency's intent to comply with the state statute.
- **Other Land Use Actions Potentially Subject to *ALUC* Review**—In addition to the above actions, *ALUCP*s may identify certain major land use actions for which referral to the *ALUC* is dependent upon agreement between the local agency and *ALUC*. If the local agency fully complies with all of the items in this general plan consistency check list or has taken the necessary steps to overrule the *ALUC*, then referral of the additional actions is voluntary. On the other hand, a local agency may elect not to incorporate all of the necessary compatibility criteria and review procedures into its own policies. In this case, referral of major land use actions to the *ALUC* is mandatory. Local policies should indicate the local agency's intentions in this regard.
- **Process for Compatibility Reviews by Local Jurisdictions**—If a local agency chooses to submit only the mandatory actions for *ALUC* review, then it must establish a policy indicating the procedures which will be used to assure that airport compatibility criteria are addressed during review of other projects. Possibilities include: a standard review procedure checklist which includes reference to compatibility criteria; use of a geographic information system to identify all parcels within the airport influence area; etc.
- **Variance Procedures**—Local procedures for granting of variances to the zoning ordinance must make certain that any such variances do not result in a conflict with the compatibility criteria. Any variance that involves issues of noise, safety, airspace protection, or overflight compatibility as addressed in the *ALUCP* must be referred to the *ALUC* for review.
- **Enforcement**—Policies must be established to assure compliance with compatibility criteria during the lifetime of the development. Enforcement procedures are especially necessary with regard to limitations on usage intensities and the heights of trees. An airport combining district zoning ordinance is one means of implementing enforcement requirements.

Source: California Airport Land Use Planning Handbook (October 2011)

Appendix **E**

Sample Implementation Documents

INTRODUCTION

The responsibility for implementation of the compatibility criteria set forth in the *Napa Countywide Airport Land Use Compatibility Plan* (*ALUCP*) rests largely with the Local Agencies in Napa County. Modification of general plans and specific plans for consistency with this *ALUCP* is the major step in this process. However, not all of the measures necessary for achievement of airport land use compatibility are necessarily included in general plans and specific plans. Other types of documents also serve to implement the *ALUCP* policies. Samples of such implementation documents are included in this appendix.

AIRPORT COMBINING ZONE ORDINANCE

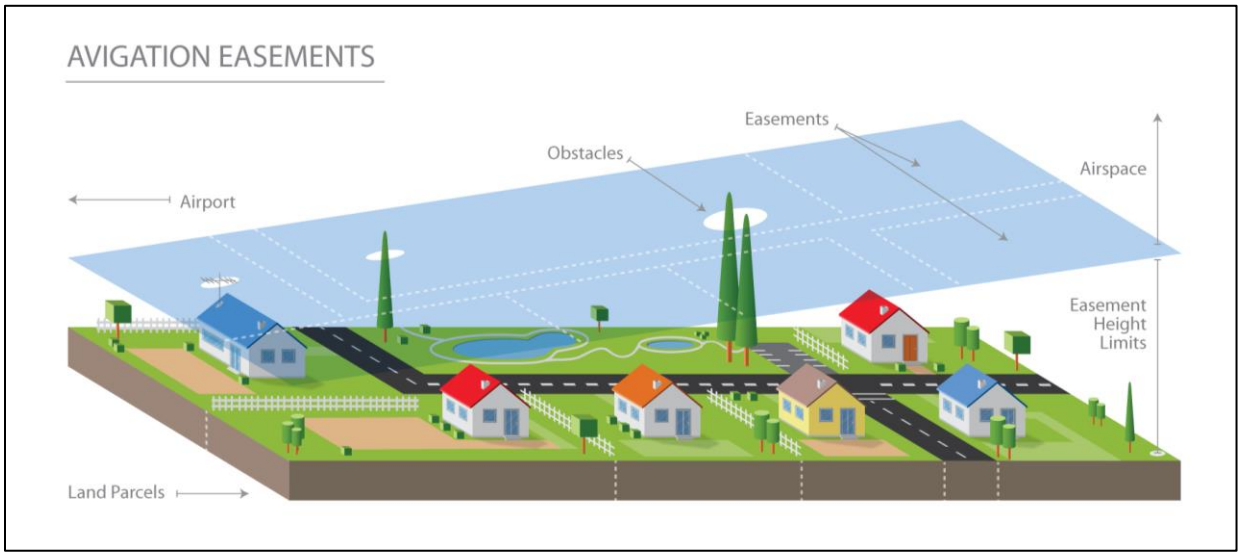
One option that the affected local jurisdictions can utilize to implement airport land use compatibility criteria and associated policies is adoption of an airport combining zone ordinance. An airport combining zone ordinance is a way of collecting various airport-related development conditions into one local policy document. Adoption of a combining zone is not required but is suggested as an option. **ExhibitE-2** describes some of the potential components of an airport combining zone ordinance.

BUYER AWARENESS MEASURES

Buyer awareness is an umbrella category for several types of implementation documents, all of which have the objective of ensuring that prospective buyers of airport area property, particularly residential property, are informed about the airport's impact on the property. The *ALUCP* policies include each of these measures.

- **Avigation Easement**—Avigation easements transfer certain property rights from the owner of the underlying property to the owner of an airport or, in the case of military airports, to a local government agency on behalf of the federal government (the U.S. Department of Defense is not authorized to accept avigation easements) (see **ExhibitE-1**). This *ALUCP* requires avigation easement dedication as a condition for approval of development on property subject to high noise levels or a need to restrict heights of structures and trees to less than might ordinarily occur on the property. Specific easement dedication requirements are set forth in this *ALUCP*. Also, airports may require avigation easements in conjunction with programs for noise insulation of existing structures in the airport vicinity. A sample of a standard avigation easement is included in **ExhibitE-3**.

EXHIBIT E-1: AVIGATION EASEMENTS



Source: Mead & Hunt, Inc. 2020

- **Recorded Overflight Notification**—An overflight notification informs property owners that the property is subject to aircraft overflight and generation of noise and other impacts. No restrictions on the heights of objects, requirements for marking or lighting of objects, or access to the property for these purposes are included. An overflight notification serves only as buyer acceptance of overflight conditions. Suggested wording of an overflight notification is included in **ExhibitE-4**. Unlike an avigation easement, overflight easement, or other type of easement, an overflight notification is not a conveyance of property rights. However, like an easement, an overflight notification is recorded on the property deed and, therefore, remains in effect with sale of the property to subsequent owners. Overflight notifications are generally appropriate in areas outside the 60 dB CNEL noise contour, outside Safety Zones, and within areas where the height of structures and other objects would not pose a significant potential of being airspace obstruction hazards.
- **Airport Proximity Disclosure**—A less definitive, but more all-encompassing, form of buyer awareness measure is for the *ALUC* and local jurisdictions to establish a policy indicating that information about and airport's influence area should be disclosed to prospective buyers of all airport-vicinity properties prior to transfer of title. The advantage of this type of program is that it applies to previously existing land uses as well as to new development. The requirement for disclosure of information about the proximity of an airport has been present in state law for some time, but legislation adopted in 2002 and effective in January 2004 explicitly ties the requirement to the airport influence areas established by airport land use commissions (see **Appendix A** for excerpts from sections of the Business and Professions Code and Civil Code that define these requirements). With certain exceptions, these statutes require disclosure of a property's location within an airport influence area under any of the following three circumstances: (1) sale or lease of subdivided lands; (2) sale of common interest developments; and (3) sale of residential real property. In each case, the disclosure statement to be used is defined by state law as follows:

NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.

EXHIBIT E-2: SAMPLE AIRPORT COMBINING ZONE COMPONENTS

An airport compatibility combining zoning ordinance might include some or all of the following components:

- **Airspace Protection**—A combining district can establish restrictions on the height of buildings, antennas, trees, and other objects as necessary to protect the airspace needed for operation of the airport. These restrictions should be based upon the current version of the Federal Aviation Regulations (FAR) Part 77, *Objects Affecting Navigable Airspace*, Subpart C. Additions or adjustment to take into account instrument approach (TERPS) surfaces should be made as necessary. Provisions prohibiting smoke, glare, bird attractions, and other hazards to flight should also be included.
- **FAA Notification Requirements**—Combining districts also can be used to ensure that project developers are informed about the need for compliance with the notification requirements of FAR Part 77. Subpart B of the regulations requires that the proponent of any project which exceeds a specified set of height criteria submit a Notice of Proposed Construction or Alteration (Form 7460-1) to the Federal Aviation Administration prior to commencement of construction. The height criteria associated with this notification requirement are lower than those spelled out in Part 77, Subpart C, which define airspace obstructions. The purpose of the notification is to determine if the proposed construction would constitute a potential hazard or obstruction to flight. Notification is not required for proposed structures that would be shielded by existing structures or by natural terrain of equal or greater height, where it is obvious that the proposal would not adversely affect air safety.
- **State Regulation of Obstructions**—State law prohibits anyone from constructing or altering a structure or altering a structure or permitting an object of natural growth to exceed the heights established by FAR Part 77, Subpart C, unless the FAA has determined the object would or does not constitute a hazard to air navigation (Public Utilities Code, Section 21659). Additionally, a permit from the Department of Transportation is required for any structure taller than 500 feet above the ground unless the height is reviewed and approved by the Federal Communications Commission or the FAA (Section 21656).
- **Designation of High Noise-Impact Areas**—California state statutes require that multi-family residential structures in high-noise exposure areas be constructed so as to limit the interior noise to a Community Noise Equivalent Level of no more than 45 dB. A combining district could be used to indicate the locations where special construction techniques may be necessary in order to ensure compliance with this requirement. The combining district also could extend this criterion to single-family dwellings.
- **Maximum Densities/Intensities**—Airport noise and safety compatibility criteria are frequently expressed in terms of dwelling units per acre for residential uses and people per acre for other land uses. These standards can either be directly included in a combining zone or used to modify the underlying land use designations. For residential land uses, the correlation between the compatibility criteria and land use designations is direct. For other land uses, the method of calculating the intensity limitations needs to be defined. Alternatively, a matrix can be established indicating whether each specific type of land use is compatible with each compatibility zone. To be useful, the land use categories need to be more detailed than typically provided by general plan or zoning ordinance land use designations.
- **Open Areas for Emergency Landing of Aircraft**—In most circumstances in which an accident involving a small aircraft occurs near an airport, the aircraft is under control as it descends. When forced to make an off-airport emergency landing, pilots will usually attempt to do so in the most open areas readily available. To enhance safety both for people on the ground and the occupants of the aircraft, airport compatibility plans often contain criteria requiring a certain amount of open land near airports. These criteria are most effectively carried out by planning at the general or specific plan level, but may also need to be included in a combining district so that they will be applied to development of large parcels. Adequate open areas can often be provided by clustering of development on adjacent land.
- **Areas of Special Compatibility Concern**—A significant drawback of standard general plan and zoning ordinance land use designations is that they can be changed. Uses that are currently compatible are not assured of staying that way in the future. Designation of areas of special compatibility concern would serve as a reminder that airport impacts should be carefully considered in any decision to change the existing land use designation. [A legal consideration which supports the value of this concept is that down-zoning of a property to a less intensive use is becoming more difficult. It is much better not to have inappropriately up-zoned the property in the first place.]
- **Real Estate Disclosure Policies**—The geographic extent and specific language of recommended real estate disclosure statements can be described in an airport combining zone ordinance.

EXHIBIT E-3: TYPICAL AVIGATION EASEMENT

TYPICAL AVIGATION EASEMENT
[Airport Name]

This indenture made this _____ day of _____, 20__, between _____ hereinafter referred to as Grantor, and the [Agency Name], a political subdivision in the State of California, hereinafter referred to as Grantee.

The Grantor, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant to the Grantee, its successors and assigns, a perpetual and assignable easement over the following described parcel of land in which the Grantor holds a fee simple estate. The property which is subject to this easement is depicted as _____ on "Exhibit A" attached and is more particularly described as follows:

[Insert legal description of real property]

The easement applies to the Airspace above an imaginary plane over the real property. The plane is described as follows:

The imaginary plane above the hereinbefore described real property, as such plane is defined by Part 77 of the Code of Federal Regulations, and consists of a plane [describe approach, transition, or horizontal surface]; the elevation of said plane being based upon the [Airport Name] official airport elevation of ___ feet Above Mean Sea Level (AMSL), as determined by the Airport Layout Plan, the approximate dimensions of which said plane are described and shown on Exhibit A attached hereto and incorporated herein by reference.

The aforesaid easement and right-of-way includes, but is not limited to:

(1) For the use and benefit of the public, the easement and continuing right to fly, or cause or permit the flight by any and all persons, or any aircraft, of any and all kinds now or hereafter known, in, through, across, or about any portion of the Airspace hereinabove described; and

(2) The easement and right to cause or create, or permit or allow to be caused and created within all space above the existing surface of the hereinabove described real property and any and all Airspace laterally adjacent to said real property, such noise, vibration, currents and other effects of air illumination and fuel consumption as may be inherent in, or may arise or occur from or during the operation of aircraft of any and all kinds, now or hereafter known or used, for navigation of or flight in air; and

(3) A continuing right to clear and keep clear from the Airspace any portions of buildings, structures or improvements of any kinds, and of trees or other objects, including the right to remove or demolish those portions of such buildings, structures, improvements, trees, or other things which extend into or above said Airspace, and the right to cut to the ground level and remove, any trees which extend into or above the Airspace; and

(4) The right to prohibit or restrict land uses or site features that could attract hazardous wildlife to an Airport Influence Area;

(5) The right to mark and light, or cause or require to be marked and lighted, as obstructions to air navigation, any and all buildings, structures or other improvements, and trees or other objects, which extend into or above the Airspace; and

(6) The right of ingress to, passage within, and egress from the hereinabove described real property, for the purposes described in subparagraphs (3) and (4) above at reasonable times and after reasonable notice.

For and on behalf of itself, its successors and assigns, the Grantor hereby covenants with the [Agency Name], for the direct benefit of the real property constituting the [Airport Name] hereinafter described, that neither the Grantor, nor its successors in interest or assigns will construct, install, erect, place or grow, in or upon the hereinabove described real property, nor will they permit or allow any building structure, improvement, tree, or other object to extend into or above the Airspace so as to constitute an obstruction to air navigation or to obstruct or interfere with the use of the easement and rights-of-way herein granted. If Grantor fails to comply with the foregoing obligations within ten (10) days after Grantee gives written notice of violation to Grantor by depositing said notice in the United States mail, Grantee may enter the above-described real property for the purposes described in subparagraphs (3) and/or (4), above, and charge Grantor for the cost thereof.

The easements and rights-of-way herein granted shall be deemed both appurtenant to and for the direct benefit of that real property which constitutes the [Airport Name], in the County of Napa, State of California; and shall further be deemed in gross, being conveyed to the Grantee for the benefit of the Grantee and any and all members of the general public who may use said easement or right-of-way, in landing at, taking off from or operating such aircraft in or about the [Airport Name], or in otherwise flying through said Airspace.

Grantor, together with its successors in interest and assigns, hereby waives its right to legal action against Grantee, its successors or assigns for monetary damages or other redress due to impacts, as described in paragraph (2) of the granted rights of easement, associated with aircraft operations in the air or on the ground at the airport, including future increases in the volume or changes in location of said operations. Furthermore, Grantee, its successors, and assigns shall have no duty to avoid or mitigate such damages through physical modification of airport facilities or establishment or modification of aircraft operational procedures or restrictions. However, this waiver shall not apply if the airport role or character of its usage (as identified in an adopted airport master plan, for example) changes in a fundamental manner which could not reasonably have been anticipated at the time of the granting of this easement and which results in a substantial increase in the in the impacts associated with aircraft operations. Also, this grant of easement shall not operate to deprive the Grantor, its successors or assigns of any rights which may from time to time have against any air carrier or private operator for negligent or unlawful operation of aircraft.

These covenants and agreements run with the land and are binding upon the heirs, administrators, executors, successors and assigns of the Grantor, and, for the purpose of this instrument, the real property firstly hereinabove described is the servient tenement and said [Airport Name] is the dominant tenement.

DATED _____ _____

_____

STATE OF }

ss

COUNTY OF }

On _____, before me, the undersigned, a Notary Public in and for said County and State personally appeared _____, and _____ known to me to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same.

WITNESS my hand and official seal.

_____

Notary Public

Source: Modified from California Airport Land Use Planning Handbook (January 2002)

EXHIBIT E-4: SAMPLE RECORDED OVERFLIGHT NOTIFICATION

RECORDED OVERFLIGHT NOTIFICATION

This *Overflight Notification* concerns the real property situated in the County of Napa and the City of _____, State of California, described as _____[APN No.:_____].

This *Overflight Notification* provides notification of the condition of the above described property in recognition of, and in compliance with, CALIFORNIA BUSINESS & PROFESSIONS CODE Section 11010 and CALIFORNIA CIVIL CODE Sections 1102.6, 1103.4 and 1353, effective January 1, 2004, and related state and local regulations and consistent with policies of the Airport Land Use Commission for Napa County for overflight notification provided in the Napa Countywide Airport Land Use Compatibility Plan.

NOTICE OF AIRPORT IN VICINITY: This property is located in the vicinity of an airport and within the airport influence area. The property may be subject to some of the annoyances or inconveniences associated with proximity to an airport and aircraft operations (for example: noise, vibration, overflights or odors). Individual sensitivities to those annoyances can vary from person to person. You should consider what airport annoyances, if any, affect the Property before you complete your purchase and whether they are acceptable to you.

The Federal Aviation Administration (FAA) has regulatory authority over the operation of aircraft in flight and on the runway and taxiway surfaces at [Airport Name]. The FAA is, therefore, exclusively responsible for airspace and air traffic management, including ensuring the safe and efficient use of navigable airspace, developing air traffic rules, assigning the use of airspace and controlling air traffic. Please contact the FAA for more detailed information regarding overflight and airspace protection issues associated with the operation of military aircraft.

The airport operator, the [Agency Name], maintains information regarding hours of operation and other relevant information regarding airport operations. Please contact your local airport operator for more detailed information regarding airport specific operational issues including hours of operation.

This *Overflight Notification* shall be duly recorded with the Napa County Assessor's Office, shall run with the Property, and shall be binding upon all parties having or acquiring any right, title or interest in the Property.

Effective Date:_____, 20__

Source: California Airport Land Use Planning Handbook (January 2002)

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Appendix **F**

Referral Form

	PROJECT APPLICATION FOR LAND USE ACTION REVIEW	*ALUC* Identification No.

PROJECT PROPONENT (TO BE COMPLETED BY APPLICANT)

Date of Application			
Applicant		Phone Number	
Mailing Address			
Agent (if any)		Phone Number	
Mailing Address			

PROJECT LOCATION (TO BE COMPLETED BY APPLICANT)

Attach an accurately scaled map showing the relationship of the project site to the airport boundary and runways

Street Address			
Assessor's Parcel No.		Parcel Size	
Subdivision Name		Zoning	
Lot Number		Classification	

PROJECT DESCRIPTION (TO BE COMPLETED BY APPLICANT)

If applicable, attach a detailed site plan showing ground elevations, the location of structures, open spaces and water bodies, and the heights of structures and trees; include additional project description data as needed

Existing Land Use (describe)			
Proposed Land Use (describe)			
For Residential Uses	Number of Parcels or Units on Site (exclude secondary units)		
For Other Land Uses	Hours of Use		
	Number of People On Site…	Maximum Number	
		Method of Calculation	
Height Data	Height above Ground of Tallest Object (including antennas and trees)		ft.
	Highest Elevation (above sea level) of Any Object or Terrain on Site		ft.
Flight Hazards	Does the Project Involve Characteristics that:		
	▪ Could Create Electrical Interference, Confusing Lights, Glare, Smoke, or Other Electrical or Visual Hazards to Aircraft Flight?	☐ Yes ☐ No	
	▪ Could Attract Birds or Other Wildlife to the Airport or Vicinity?	☐ Yes ☐ No	
	If Yes, Describe		

REFERRING AGENCY (TO BE COMPLETED BY SUBMITTING AGENCY STAFF)

Date Received _____

Agency Name _____

_____

Staff Contact _____

Phone Number _____

Agency's Project No. _____

_____

Type of Project

- ☐ General Plan Amendment
- ☐ Zoning Amendment or Variance
- ☐ Subdivision Approval
- ☐ Use Permit
- ☐ Public Facility
- ☐ Other _____

Inter-Agency Coordination: Indicate neighboring agencies that have been notified of project.

☐ City of Napa ☐ City of American Canyon ☐ County of Napa ☐ Other _____

ALUC REVIEW (TO BE COMPLETED BY *ALUC* STAFF / ATTACH ADDITIONAL PAGES IF NECESSARY)

Application Receipt	Date Received	_____ By _____	
	Is Application Complete?	☐ Yes	☐ No
	If no, cite reasons	_____	
Airport	☐ Napa County Airport	☐ Angwin Airport – Parrett Field	
Land Use Category/Categories	_____		
Compatibility Zones	Angwin Airport – Parrett Field	☐ A ☐ B - - ☐ C ☐ D1 ☐ D2 ☐ E	
	Napa County Airport	☐ A ☐ B1 ☐ B2 ☐ B3 ☐ C ☐ D1 ☐ D2 ☐ E	
	Land Use Acceptability	☐ Normally Compatible ☐ Conditional ☐ Incompatible	
	Sitewide Avg. Density/Intensity Criteria Met?	☐ Yes	☐ No
	Single-Acre Density/Intensity Criteria Met?	☐ Yes	☐ No
	Sound Attenuation Required?	☐ Yes	☐ No
	Other Applicable Conditions Met?	☐ Yes	☐ No
Airspace Protection Compatibility	Height Acceptable?	☐ Yes	☐ No
	FAA Notified if Applicable?	☐ Yes	☐ No
	Other Hazards to Flight Excluded?	☐ Yes	☐ No
Other Requirements	Avigation Easement Required?	☐ Yes	☐ No
	Recorded Overflight Notification Required?	☐ Yes	☐ No
	Executed?	☐ Yes	☐ No
Special Site/Project Conditions	Infill Parcel?	☐ Yes	☐ No
	Other (describe)	_____	

ACTIONS TAKEN (TO BE COMPLETED BY *ALUC* STAFF)

ALUC Staff Action

☐ Approve as Submitted Date _____

☐ Refer to *ALUC* ☐ Include Conditions?

Conditions: _____

_____

ALUC Action

☐ Consistent Date _____

☐ Consistent with Conditions (list conditions / attach additional pages if needed)

_____

_____

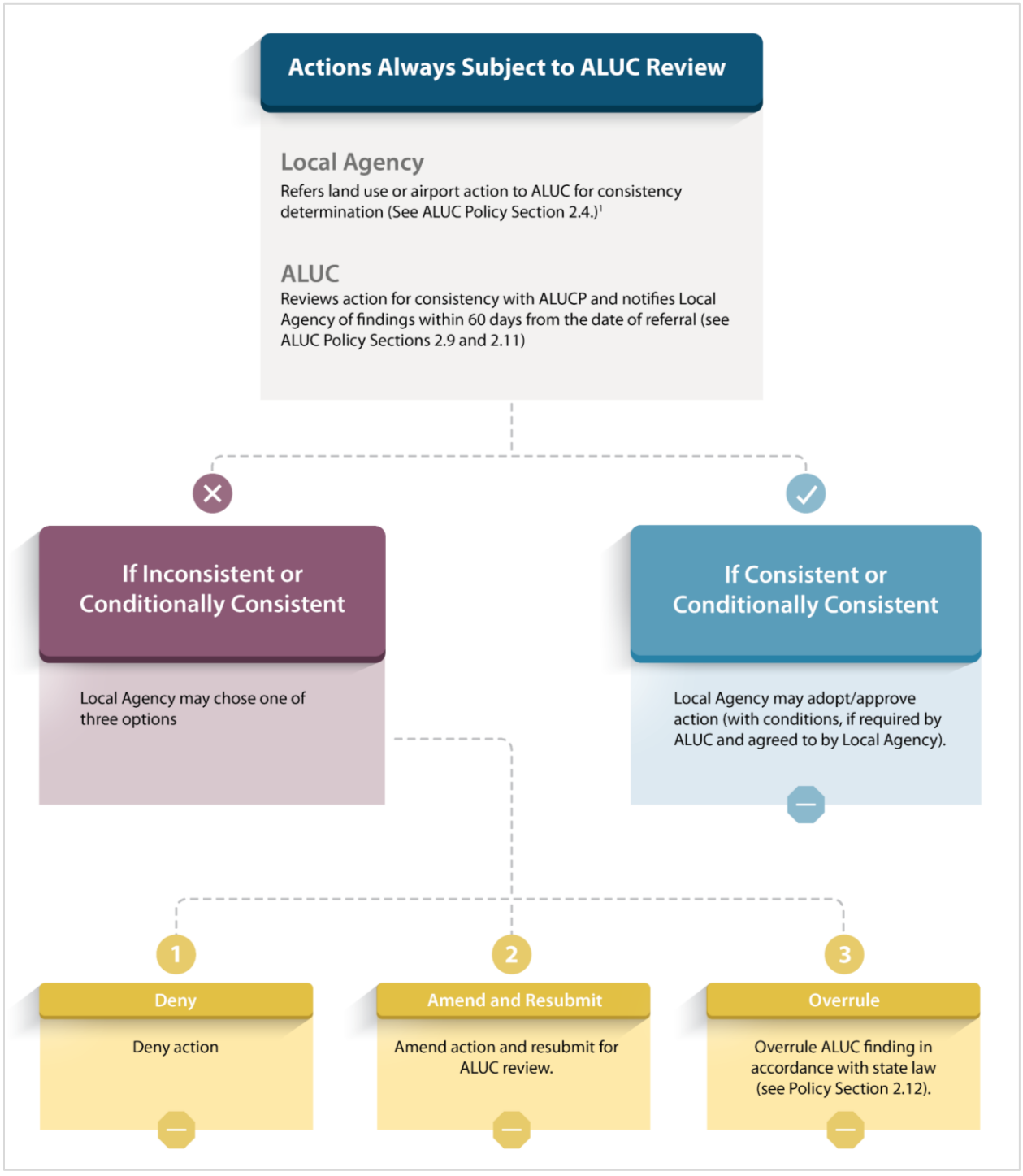
☐ Inconsistent (list reasons / attach additional pages if needed)

_____

_____

EXHIBIT F-1: ACTIONS ALWAYS SUBJECT TO *ALUC* REVIEW

See *ALUC* Policy Sections 2.4, 2.9, and 2.11.

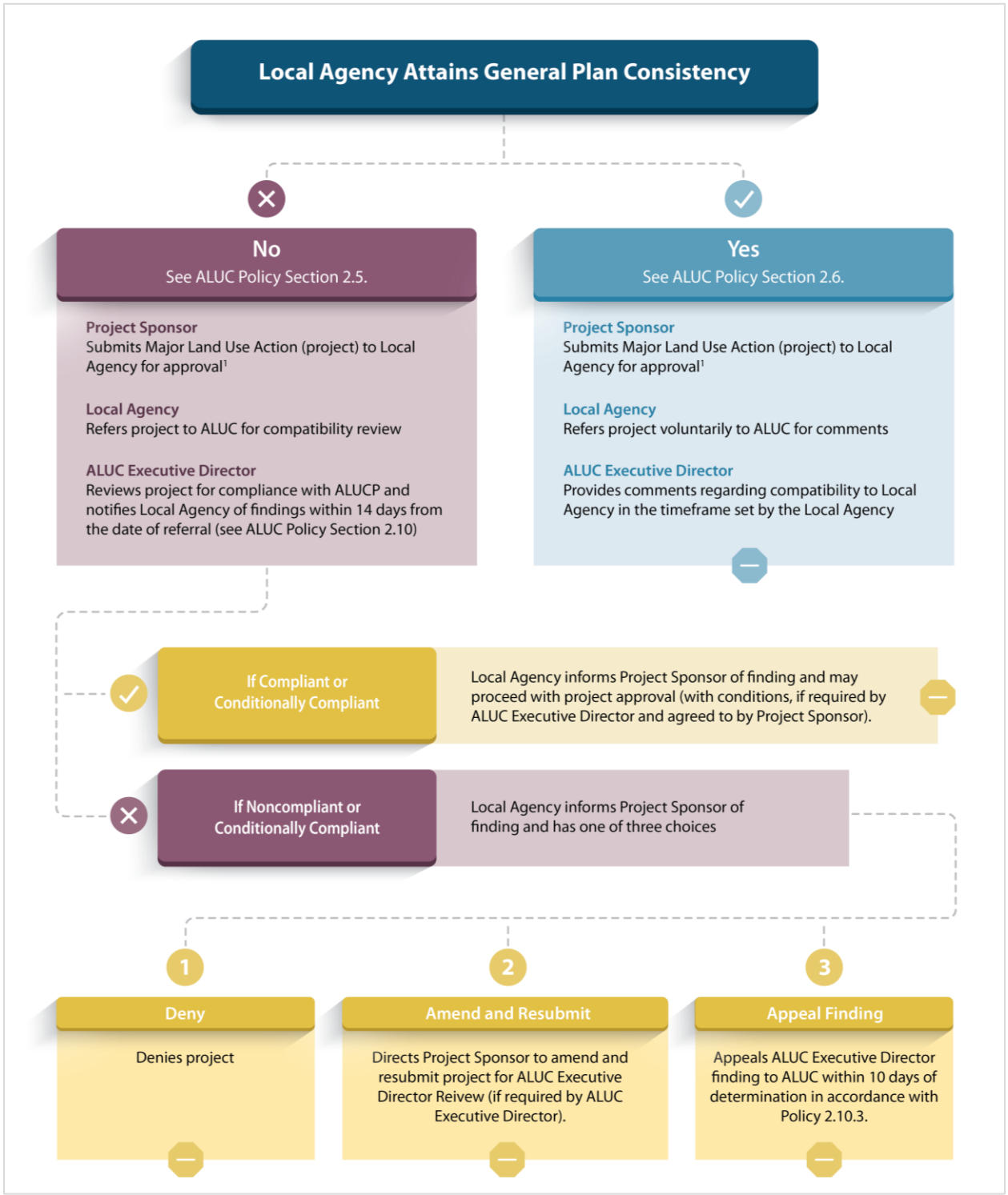


Notes:

1. Actions requiring mandatory referral to the Airport Land Use Commission (*ALUC*) include new or amended general plans, specific plans, facility master plans, airport master plans, zoning ordinances, rezoning of property, and building regulations, as well as Special Conditions Exceptions sought under Policy 3.2.4.
2. Source: Mead & Hunt, Inc. 2021

EXHIBIT F-2: MAJOR LAND USE ACTIONS SUBJECT TO *ALUC* REVIEW

See *ALUC* Policy Sections 2.5, 2.6, and 2.10.



Notes:

1. If project includes a proposed rezoning, it requires mandatory referral to the Airport Land Use Commission (*ALUC*) (see Exhibit F-1).
2. Source: Mead & Hunt, Inc. 2021

Appendix **G**

Glossary of Terms

GLOSSARY

Term	Definition
14 Code of Federal Regulations (CFR) Part 77	The part of Federal Aviation Regulations that deals with objects affecting navigable airspace in the vicinity of airports. Objects that exceed the Part 77 height limits constitute airspace obstructions. CFR Part 77 establishes standards for identifying obstructions to navigable airspace, sets forth requirements for notice to the FAA of certain proposed construction or alteration, and provides for aeronautical studies of obstructions to determine their effect on the safe and efficient use of airspace.
14 CFR Part 77 Surfaces	Imaginary airspace surfaces established with relation to each runway of an airport. There are five types of surfaces: (1) primary; (2) approach; (3) transitional; (4) horizontal; and (5) conical.
Above Ground Level (AGL)	An elevation datum given in feet above ground level.
Accessory Dwelling Unit	An attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated. [Gov Code 66314]
Accident Potential Zones (APZs)	A set of safety-related zones defined by AICUZ studies for areas beyond the ends of military airport runways. Typically, three types of zones are established: a clear zone closest to the runway end, then APZ I and APZ II. The potential for aircraft accidents and the corresponding need for land use restrictions is greatest with the clear zone and diminish with increased distance from the runway.
Acre	A unit of land measure equal to 43,560 square feet.
Advanced Air Mobility (AAM)	A broad concept focusing on emerging aviation markets and use cases for urban, suburban and rural operations. AAM includes local use cases of about a 50-mile radius in rural or urban areas, and intraregional use cases up to a few hundred miles.
Air Carriers	The commercial system of air transportation, consisting of the certificated air carriers, air taxis (including commuters), supplemental air carriers, commercial operators of large aircraft, and air travel clubs.

Air Installation Compatible Use Zones (AICUZ)	A land use compatible plan prepared by the U.S. Department of Defense for military airfields. AICUZ plans serve as recommendations to local governments bodies having jurisdiction over land uses surrounding these facilities.
Air Operations Area (AOA)	All airport areas where aircraft can operate, either under their own power or while in tow. The AOA includes runways, taxiways, and apron areas.
Aircraft Accident	An occurrence incident to flight in which, as a result of the operation of an aircraft, a person (occupant or nonoccupant) receives fatal or serious injury or an aircraft receives substantial damage. ▪ Except as provided below, *substantial damage* means damage or structural failure that adversely affects the structural strength, performance, or flight characteristics of the aircraft, and that would normally require major repair or replacement of the affected component. ▪ Engine failure, damage limited to an engine, bent fairings or cowling, dented skin, small puncture holes in the skin or fabric, ground damage to rotor or propeller blades, damage to landing gear, wheels, tires, flaps, engine accessories, brakes, or wingtips are not considered substantial damage.
Aircraft Incident	A mishap associated with the operation of an aircraft in which neither fatal nor serious injuries nor substantial damage to the aircraft occurs.
Aircraft Mishap	The collective term for an aircraft accident or an incident.
Aircraft Operation	The airborne movement of aircraft at an airport or about an en route fix or at other point where counts can be made. There are two types of operations: local and itinerant. An operation is counted for each landing and each departure, such that a touch-and-go flight is counted as two operations. (FAA Stats)
Airport	An area of land or water that is used or intended to be used for the landing and taking off of aircraft, and includes its buildings and facilities if any. (FAR 1)
Airport Elevation	The highest point of an airport's useable runways, measured in feet above mean sea level. (AIM)
Airport Land Use Commission (*ALUC*)	A commission authorized under the provisions of California Public Utilities Code, Section 21670 et seq. and established (in any county within which a public-use airport is located) for the purpose of promoting compatibility between airports and the land uses surrounding them.
Airport Layout Plan (ALP)	A scale drawing of existing and proposed airport facilities, their location on an airport, and the pertinent clearance and dimensional information required to demonstrate conformance with applicable standards.
Airport Master Plan (AMP)	A long-range plan for development of an airport, including descriptions of the data and analyses on which the plan is based.
Airport Reference Code (ARC)	A coding system used to relate airport design criteria to the operation and physical characteristics of the airplanes intended to operate at an airport. (Airport Design AC)
Airports, Classes of	For the purposes of issuing a Site Approval Permit, The California Department of Transportation, Division of Aeronautics classifies airports into the following categories: (CCR) ▪ *Agricultural Airport or Heliport:* An airport restricted to use only be agricultural aerial applicator aircraft (FAR Part 137 operators).

- *Emergency Medical Services (EMS) Landing Site:* A site used for the landing and taking off of EMS helicopters that is located at or as near as practical to a medical emergency or at or near a medical facility and
  (1) has been designated an EMS landing site by an officer authorized by a public safety agency, as defined in Public Utility Code Section 21662.1, using criteria that the public safety agency has determined is reasonable and prudent for the safe operation of EMS helicopters and
  (2) is used, over any twelve month period, for no more than an average of six landings per month with a patient or patients on the helicopter, except to allow for adequate medical response to a mass casualty event even if that response causes the site to be used beyond these limits, and
  (3) is not marked as a permitted heliport as described in Section 3554 of these regulations and
  (4) is used only for emergency medical purposes.
- *Heliport on Offshore Oil Platform:* A heliport located on a structure in the ocean, not connected to the shore by pier, bridge, wharf, dock or breakwater, used in the support of petroleum exploration or production.
- *Personal-Use Airport:* An airport limited to the non-commercial use of an individual owner or family and occasional invited guests.
- *Public-Use Airport:* An airport that is open for aircraft operations to the general public and is listed in the current edition of the *Airport/Facility Directory* that is published by the National Ocean Service of the U.S. Department of Commerce.
- *Seaplane Landing Site:* An area of water used, or intended for use, for landing and takeoff of seaplanes.
- *Special-Use Airport or Heliport:* An airport not open to the general public, access to which is controlled by the owner in support of commercial activities, public service operations, and/or personal use.
- *Temporary Helicopter Landing Site:* A site, other than an emergency medical service landing site at or near a medical facility, which is used for landing and taking off of helicopters and
  (1) is used or intended to be used for less than one year, except for recurrent annual events and
  (2) is not marked or lighted to be distinguishable as a heliport and
  (3) is not used exclusively for helicopter operations.

Ambient Noise Level	The level of noise that is all encompassing within a given environment for which a single source cannot be determined. It is usually a composite of sounds from many and varied sources near to and far from the receiver.
Annexation	The incorporation of land area into the jurisdiction of an existing city with a resulting change in the boundaries of that city.
Approach Protection Easement	A form of easement that both conveys all of the rights of an avigation easement and sets specified limitations on the type of land uses allowed to be developed on the property.
Approach Speed	The recommended speed contained in aircraft manuals used by pilots when making an approach to landing. This speed will vary for different segments of an approach as well as for aircraft weight and configuration. (AIM)

Aviation-Related Use	Any facility or activity directly associated with the air transportation of persons or cargo or the operation, storage, or maintenance of aircraft at an airport or heliport. Such uses specifically include runways, taxiways, and their associated protected areas defined by the Federal Aviation Administration, together with aircraft aprons, hangars, fixed base operations, terminal buildings, etc.
Avigation Easement	A type of easement that typically conveys the following rights: ▪ A right-of-way for free and unobstructed passage of aircraft through the airspace over the property at any altitude above a surface specified in the easement (usually set in accordance with CFR Part 77 criteria). ▪ A right to subject the property to noise, vibrations, fumes, dust, and fuel particle emissions associated with normal airport activity. ▪ A right to prohibit the erection or growth of any structure, tree, or other object that would enter the acquired airspace. ▪ The right to prohibit or restrict land uses or site features that could attract hazardous wildlife to an Airport Influence Area; ▪ A right-of-entry onto the property, with proper advance notice, for the purpose of removing, marking, or lighting any structure or other object that enters the acquired airspace. ▪ A right to prohibit electrical interference, glare, misleading lights, visual impairments, and other hazards to aircraft flight from being created on the property.
Based Aircraft	Aircraft stationed at an airport on a long-term basis.
California Environmental Quality Act (CEQA)	Statutes adopted by the state legislature for the purpose of maintaining a quality environment for the people of the state now and in the future. The Act establishes a process for state and local agency review of projects, as defined in the implementing guidelines that may adversely affect the environment.
Ceiling	Height above the earth's surface to the lowest layer of clouds or obscuring phenomena. (AIM)
Circling Approach/Circle-to-Land Maneuver	A maneuver initiated by the pilot to align the aircraft with a runway for landing when a straight-in landing from an instrument approach is not possible or not desirable. (AIM)
Clear Zone	The military airport equivalent of runway protection zones at civilian airports.
Combining District	A zoning district that establishes development standards in areas of special concern over and above the standards applicable to basic underlying zoning districts.
Commercial Activities	Airport-related activities that may offer a facility, service or commodity for sale, hire or profit. Examples of commodities for sale are: food, lodging, entertainment, real estate, petroleum products, parts and equipment. Examples of services are: flight training, charter flights, maintenance, aircraft storage, and tiedown. (CCR)
Commercial Operator	A person who, for compensation or hire, engages in the carriage by aircraft in air commerce of persons or property, other than as an air carrier. (FAR 1)
Community Noise Equivalent Level (CNEL)	The noise metric adopted by the State of California for evaluating airport noise. It represents the average daytime noise level during a 24-hour day, adjusted to an equivalent level to account for the lower tolerance of people to noise during evening and nighttime periods relative to the daytime period. (State Airport Noise Standards)
Compatible	Capable of existing together without conflict or ill effects.

Compatibility Plan	As used herein, a plan, usually adopted by an Airport Land Use Commission that sets forth policies for promoting compatibility between airports and the land uses that surround them. Often referred to as a *Comprehensive Land Use Plan (CLUP)*.
Controlled Airspace	Any of several types of airspace within which some or all aircraft may be subject to air traffic control. (FAR 1)
Day-Night Average Sound Level (DNL)	The noise metric adopted by the U.S. Environmental Protection Agency for measurement of environmental noise. It represents the average daytime noise level during a 24-hour day, measured in decibels and adjusted to account for the lower tolerance of people to noise during nighttime periods. The mathematical symbol is L_{dn}.
Decibel (dB)	A unit measuring the magnitude of a sound, equal to the logarithm of the ratio of the intensity of the sound to the intensity of an arbitrarily chosen standard sound, specifically a sound just barely audible to an unimpaired human ear. For environmental noise from aircraft and other transportation sources, an *A-weighted sound level* (abbreviated dBA) is normally used. The A-weighting scale adjusts the values of different sound frequencies to approximate the auditory sensitivity of the human ear.
Deed Notice	A formal statement added to the legal description of a deed to a property and on any subdivision map. As used in airport land use planning, a deed notice would state that the property is subject to aircraft overflights. Deed notices are used as a form of buyer notification as a means of ensuring that those who are particularly sensitive to aircraft overflights can avoid moving to the affected areas.
Density	The number of dwelling units per unit of land. Density usually is expressed "per acre" (e.g., a development with 100 units located on 20 acres has density of 5.0 units per acre).
Designated Body	A local government entity, such as a regional planning agency or a county planning commission, chosen by the county board of supervisors and the selection committee of city mayors to act in the capacity of an airport land use commission.
Displaced Threshold	A landing threshold that is located at a point on the runway other than the designated beginning of the runway (see *Threshold*). (AIM)
Dwelling Unit	Any building, structure or portion thereof which is occupied as, or designed or intended for occupancy as, a residence by one or more families, and any vacant land which is offered for sale or lease for the construction or location thereon of any such building, structure, or portion thereof. (HUD)
Easement	A less-than-fee-title transfer of real property rights from the property owner to the holder of the easement.
Equivalent Sound Level (L_{eq})	The level of constant sound that, in the given situation and time period, has the same average sound energy as does a time-varying sound.
Federal Aviation Administration (FAA)	The U.S. government agency that is responsible for ensuring the safe and efficient use of the nation's airports and airspace.
Federal Aviation Regulations (FAR)	Regulations formally issued by the FAA to regulate air commerce.
Findings	Legally relevant subconclusions that expose a government agency's mode of analysis of facts, regulations, and policies, and that bridge the analytical gap between raw data and ultimate decision.

Fixed Base Operator (FBO)	A business that operates at an airport and provides aircraft services to the general public including, but not limited to, sale of fuel and oil; aircraft sales, rental, maintenance, and repair; parking and tiedown or storage of aircraft; flight training; air taxi/charter operations; and specialty services, such as instrument and avionics maintenance, painting, overhaul, aerial application, aerial photography, aerial hoists, or pipeline patrol.
General Aviation	That portion of civil aviation that encompasses all facets of aviation except air carriers. (FAA Stats)
General Plan	A legal document, adopted by the legislative body of a city or county, setting forth policies regarding long-term development. California law requires the preparation of seven elements or chapters in the General Plan: Land Use, Housing, Circulation, Conservation, Open Space, Noise, and Safety. Additional elements are permitted, such as Economic Development, Urban Design, and similar local concerns.
Glide Slope	An electronic signal radiated by a component of an ILS to provide vertical guidance for aircraft during approach and landing.
Global Positioning System (GPS)	A navigational system that utilizes a network of satellites to determine a positional fix almost anywhere on or above the earth. Developed and operated by the U.S. Department of Defense, GPS has been made available to the civilian sector for surface, marine, and aerial navigational use. For aviation purposes, the current form of GPS guidance provides en route aerial navigation and selected types of nonprecision instrument approaches. Eventual application of GPS as the principal system of navigational guidance throughout the world is anticipated.
Helipad	A small, designated area, usually with a prepared surface, on a heliport, airport, landing/takeoff area, apron/ramp, or movement area used for takeoff, landing, or parking of helicopters. (AIM)
Heliport	A facility used for operating, basing, housing, and maintaining helicopters. (HAI)
Infill	Development that takes place on vacant property (usually individual lots or left-over properties) within areas that are largely surrounded by existing development, especially development that is similar in character.
Instrument Approach Procedure	A series of predetermined maneuvers for the orderly transfer of an aircraft under instrument flight conditions from the beginning of the initial approach to a landing or to a point from which a landing may be made visually. It is prescribed and approved for a specific airport by competent authority (refer to *Nonprecision Approach Procedure* and *Precision Approach Procedure*). (AIM)
Instrument Flight Rules (IFR)	Rules governing the procedures for conducting instrument flight. Generally, IFR applies when meteorological conditions with a ceiling below 1,000 feet and visibility less than 3 miles prevail. (AIM)
Instrument Landing System (ILS)	A precision instrument approach system that normally consists of the following electronic components and visual aids: (1) Localizer; (2) Glide Slope; (3) Outer Marker; (4) Middle Marker; (5) Approach Lights. (AIM)
Instrument Operation	An aircraft operation in accordance with an IFR flight plan or an operation where IFR separation between aircraft is provided by a terminal control facility. (FAA ATA)
Instrument Runway	A runway equipped with electronic and visual navigation aids for which a precision or nonprecision approach procedure having straight-in landing minimums has been approved. (AIM)

Inverse Condemnation	An action brought by a property owner seeking just compensation for land taken for a public use against a government or private entity having the power of eminent domain. It is a remedy peculiar to the property owner and is exercisable by that party where it appears that the taker of the property does not intend to bring eminent domain proceedings.
Land Use Density	A measure of the concentration of land use development in an area. Mostly the term is used with respect to residential development and refers to the number of dwelling units per acre.
Land Use Intensity	A measure of the concentration of nonresidential land use development in an area. For the purposes of airport land use planning, the term indicates the number of people per acre attracted by the land use.
Large Airplane	An airplane of more than 12,500 pounds maximum certificated takeoff weight. (Airport Design AC)
Localizer (LOC)	The component of an ILS that provides course guidance to the runway. (AIM)
Mean Sea Level (MSL)	An elevation datum given in feet from mean sea level.
Minimum Descent Altitude (MDA)	The lowest altitude, expressed in feet above mean sea level, to which descent is authorized on final approach or during circle-to-land maneuvering in execution of a standard instrument approach procedure where no electronic glide slope is provided. (FAR 1)
Missed Approach	A maneuver conducted by a pilot when an instrument approach cannot be completed to a landing. (AIM)
Mixed-Use	Properties on which various uses, such as office, commercial, institutional, and residential, are combined in a single building or on a single site in an integrated development project with significant functional interrelationships and a coherent physical design.
Multi-Family Dwelling Unit	A building or portion thereof designed for or occupied by two or more families living independently of each other, including duplexes, quadplexes, apartments, and condominiums.
National Transportation Safety Board (NTSB)	The U.S. government agency responsible for investigating transportation accidents and incidents.
Navigational Aid (Navaid)	Any visual or electronic device airborne or on the surface that provides point-to-point guidance information or position data to aircraft in flight. (AIM)
Noise Contours	Continuous lines of equal noise level usually drawn around a noise source, such as an airport or highway. The lines are generally drawn in 5-decibel increments so that they resemble elevation contours in topographic maps.
Noise Level Reduction (NLR)	A measure used to describe the reduction in sound level from environmental noise sources occurring between the outside and the inside of a structure.
Nonconforming Use	An existing land use that does not conform to subsequently adopted or amended zoning or other land use development standards.
Nonprecision Approach Procedure	A standard instrument approach procedure in which no electronic glide slope is provided. (FAR 1)

Nonprecision Instrument Runway	A runway with an approved or planned straight-in instrument approach procedure that has no existing or planned precision instrument approach procedure. (Airport Design AC)
Obstruction	Any object of natural growth, terrain, or permanent or temporary construction or alteration, including equipment or materials used therein, the height of which exceed the standards established in Subpart C of Federal Aviation Regulations Part 77, *Objects Affecting Navigable Airspace*.
Overflight	Any distinctly visible and/or audible passage of an aircraft in flight, not necessarily directly overhead.
Overflight Easement	An easement that describes the right to overfly the property above a specified surface and includes the right to subject the property to noise, vibrations, fumes, and emissions. An overflight easement is used primarily as a form of buyer notification.
Overflight Zone	The area(s) where aircraft maneuver to enter or leave the traffic pattern, typically defined by the FAR Part 77 horizontal surface.
Overlay Zone	See *Combining District.*
Planning Area Boundary	An area surrounding an airport designated by an *ALUC* for the purpose of airport land use compatibility planning conducted in accordance with provisions of the State Aeronautics Act.
Precision Approach Procedure	A standard instrument approach procedure where an electronic glide slope is provided. (FAR 1)
Precision Instrument Runway	A runway with an existing or planned precision instrument approach procedure. (Airport Design AC)
Referral Area	The area around an airport defined by the planning area boundary adopted by an airport land use commission within which certain land use proposals are to be referred to the commission for review.
Runway Protection Zone (RPZ)	An area (formerly called a *clear zone*) off the end of a runway used to enhance the protection of people and property on the ground. (Airport Design AC)
Safety Zone	For the purpose of airport land use planning, an area near an airport in which land use restrictions are established to protect the safety of the public from potential aircraft accidents.
Secondary Dwelling Unit	An attached or a detached residential dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family dwelling is situated. (California Department of Housing and Community Development)
Single-Event Noise	As used in herein, the noise from an individual aircraft operation or overflight.
Single Event Noise Exposure Level (SENEL)	A measure, in decibels, of the noise exposure level of a single event, such as an aircraft flyby, measured over the time interval between the initial and final times for which the noise level of the event exceeds a threshold noise level and normalized to a reference duration of one second. SENEL is a noise metric established for use in California by the state Airport Noise Standards and is essentially identical to *Sound Exposure Level (SEL).*
Site Approval Permit	A written approval issued by the California Department of Transportation authorizing construction of an airport in accordance with approved plans, specifications, and conditions. Both public-use and special-use airports require a site approval permit. (CCR)

Small Airplane	An airplane of 12,500 pounds or less maximum certificated takeoff weight. (Airport Design AC)
Sound Exposure Level (SEL)	A time-integrated metric (i.e., continuously summed over a time period) that quantifies the total energy in the A-weighted sound level measured during a transient noise event. The time period for this measurement is generally taken to be that between the moments when the A-weighted sound level is 10 dB below the maximum.
Straight-In Instrument Approach	An instrument approach wherein a final approach is begun without first having executed a procedure turn; it is not necessarily completed with a straight-in landing or made to straight-in landing weather minimums. (AIM)
Structure	Something that is constructed or erected.
Taking	Government appropriation of private land for which compensation must be paid as required by the Fifth Amendment of the U.S. Constitution. It is not essential that there be physical seizure or appropriation for a *taking* to occur, only that the government action directly interferes with or substantially disturbs the owner's right to use and enjoyment of the property.
Terminal Instrument Procedures (TERPS)	Procedures for instrument approach and departure of aircraft to and from civil and military airports. There are four types of terminal instrument procedures: precision approach, nonprecision approach, circling, and departure.
Threshold	The beginning of that portion of the runway usable for landing (also see *Displaced Threshold*). (AIM)
Touch-and-Go	An operation by an aircraft that lands and departs on a runway without stopping or exiting the runway. (AIM)
Traffic Pattern	The traffic flow that is prescribed for aircraft landing at, taxiing on, or taking off from an airport. The components of a typical traffic pattern are upwind leg, crosswind leg, downwind leg, base leg, and final approach. (AIM)
Vertical Takeoff and Landing (VTOL) Aircraft	A vertical take-off and land (VTOL) aircraft that can take off, hover, and land vertically (FAA 2023).
Vertiport/Vertistop	A facility intended to accommodate vertical takeoff and landing (VTOL) aircraft landing pads and parked aircraft. A vertistop includes a single landing pad and parking stall intended to accommodate one or two parked VTOL aircraft. (FAA 2023)
Visual Approach	An approach where the pilot must use visual reference to the runway for landing under VFR conditions.
Visual Flight Rules (VFR)	Rules that govern the procedures for conducting flight under visual conditions. VFR applies when meteorological conditions are equal to or greater than the specified minimum-generally, a 1,000-foot ceiling and 3-mile visibility.
Visual Runway	A runway intended solely for the operation of aircraft using visual approach procedures, with no straight-in instrument approach procedure and no instrument designation indicated on an FAA-approved airport layout plan. (Airport Design AC)
Zoning	A police power measure, enacted primarily by units of local government, in which the community is divided into districts or zones within which permitted and special uses are established, as are regulations governing lot size, building bulk, placement, and other development standards. Requirements vary from district to district, but they must be uniform within districts. A zoning ordinance consists of two parts: the text and a map.

GLOSSARY SOURCES

FAR 1: Federal Aviation Regulations Part 1, Definitions and Abbreviations

AIM: Aeronautical Information Manual

Airport Design AC: Federal Aviation Administration, *Airport Design* Advisory Circular 150/5300-13

CCR: California Code of Regulations, Title 21, Section 3525 et seq., *Division of Aeronautics*

FAA ATA: Federal Aviation Administration, *Air Traffic Activity*

FAA Stats: Federal Aviation Administration, *Statistical Handbook of Aviation*

FAA 2023: Federal Aviation Administration, *Urban Air Mobility (UAM), Concept of Operations Version 2*

HAI: Helicopter Association International

NTSB: National Transportation and Safety Board

ACRONYMS

AAM	Advanced Air Mobility
AC	Advisory Circular
AGL	Above Ground Level
AIA	Airport Influence Area
AIASP	Airport Industrial Area Specific Plan
AICUZ	Air Installation Compatible Use Zones
ALP	Airport Layout Plan
ALUC	Airport Land Use Commission
ALUCP	Airport Land Use Compatibility Plan
AMP	Airport Master Plan
ANG	Angwin Airport – Parrett Field
AOA	Air Operations Area
APC	Napa County Airport
APZ	Accident Potential Zones
ARC	Airport Reference Code
ATCT	Air Traffic Control Tower
CBC	California Building Code
CEQA	California Environmental Quality Act
CFR	Code of Federal Regulations
CHP	California Highway Patrol
CNEL	Community Noise Equivalent Level
dB	Decibel
DNL	Day-Night Average Sound Level
FAA	Federal Aviation Administration
FAR	Federal Aviation Regulations
FBO	Fixed Base Operator

GPS	Global Positioning System
HIRL	High-Intensity Runway Edge Lighting
IFR	Instrument Flight Rules
ILS	Instrument Landing System
LAFCOM	Local Agency Formation Commission
LIRL	Low Intensity Runway Lights
LLC	Limited Liability Company
LNAV	Lateral Navigation
LOC	Localizer
LPV	Localizer Performance with Vertical Guidance
LU	Land Use
MALS	Medium-Intensity Approach Lighting System
MALSR	Medium Intensity Approach Lighting System with Runway Alignment Indicator Lights
MDA	Minimum Descent Altitude
MIRL	Medium-Intensity Runway Edge Lighting
MP	Master Plan
MSL	Mean Sea Level
NAVAID	Navigational Aid
NLR	Noise Level Reduction
NTSB	National Transportation Safety Board
OFA	Object Free Area
PAPI	Precision Approach Path Indicator
PDT	Project Development Team
PUC	Pacific Union College
RDC	Runway Design Code
REILS	Runway End Identifier Lights
RNAV	Area Navigation
ROFA	Runway Object Free Area
RPZ	Runway Protection Zone
RSA	Runway Safety Area
SEL	Sound Exposure Level
SENEL	Single Event Noise Exposure Level
TERPS	Terminal Instrument Procedures
VFR	Visual Flight Rules
VNAV	Vertical Navigation
VOR	Very High Frequency Omnidirectional Range
VTOL	Vertical Takeoff and Landing

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Appendix **H**

Adoption Resolutions

ALUC FORMATION

RESOLUTION NO. 90-22

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA, STATE OF CALIFORNIA, CONCERNING THE COMPOSITION OF THE NAPA COUNTY CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION WHEN SAID COMMISSION FUNCTIONS AS THE AIRPORT LAND USE COMMISSION

WHEREAS, by Resolution No. 75-51, adopted March 25, 1975, this Board, acting pursuant to the provisions of California Public Utilities Code Section 21670.1, designated the Napa County Conservation, Development and Planning Commission the body to assume and accomplish the planning responsibilities of an airport land use commission effective March 25, 1975, and rescinded Resolution No. 70-159 effective that same date; and

WHEREAS, Chapter 1018 of the Statutes of 1987 of the State of California acted to amend certain provisions within Article 3.5 of Chapter Four of Part One, Division Nine of the Public Utilities Code of the State of California dealing with Airport Land Use Commissions including Public Utilities Code Section 21670.1; and

WHEREAS, as amended, Public Utilities Code Section 21670.1 provides that:

> (a) Notwithstanding any other provision of this article, if the board of supervisors and the city selection committee of mayors in the county each makes a determination by a majority vote that proper land use planning can be accomplished through the actions of an appropriately designated body, then the body so designated shall assume the planning responsibilities of an airport land use commission as provided for in this article, and a commission need not be formed in that county.
>
> (b) A body designated pursuant to subdivision (a) which does not include among its membership at least two members having an expertise in aviation, as defined in subdivision (e) of Section 21670, shall, when acting in the capacity of an airport land use commission, be augmented so that that body, as augmented, will have at least two members having that expertise. The commission shall be constituted pursuant to this section on and after March 1, 1988"; and

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R. WESTMEYER
COUNTY COUNSEL
1195 THIRD STREET
NAPA, CALIFORNIA 94559
(707) 253-4521

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WHEREAS, Subdivision (e) of Section 21670 of the Public Utilities Code provides:

> (e) A person having an 'expertise in aviation' means a person who, by way of education, training, business, experience, vocation or avocation has acquired and possesses particular knowledge of, and familiarity with, the function, operation, and role of airports, or is an elected official of a local agency which owns or operates an airport. The Commission shall be constituted pursuant to this Section on and after March 1, 1988; and

WHEREAS, this Board of Supervisors has previously determined that one (1) of the members of the current Napa County Conservation, Development and Planning Commission does have an "expertise in aviation" pursuant to Public Utilities Code Section 21670(e), and further appointed one (1) additional person to augment the Napa County Conservation, Development and Planning Commission when acting in the capacity of an airport land use commission in order to comply with the requirements of Public Utilities Code Section 21670.1(b) that at least two (2) members of the Airport Land Use Commission have expertise in aviation as defined in Public Utilities Code Section 21670.1(e).

NOW, THEREFORE, BE IT RESOLVED by this Board of Supervisors in order to comply with the requirements of Public Utilities Code Sections 21670(e) and 21670.1 on a continuing basis, that anytime there is a change in membership of either the Napa County Conservation, Development and Planning Commission or the Airport Land Use Commission, this Board shall determine how many members of the Conservation, Development and Planning Commission have an "expertise in aviation", defined in California Public Utilities Code Section 21670(e) as "a person who, by way of education, training, business, experience, vocation, or avocation has acquired and possesses particular knowledge of, and familiarity with, the function, operation and role of airports, or is an elected official of a local agency which owns or operates an airport."

BE IT FURTHER RESOLVED THAT The Board shall augment, to the extent necessary, the Napa County Conservation, Development and Planning Commission, whenever said Commission functions as the Airport Land Use Commission, by adding up to two persons to ensure that the Airport Land Use Commission is comprised of at least two members having an expertise in aviation as defined in California Public Utilities Code Section 21670(e).

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COUNTY COUNSEL
1195 THIRD STREET
NAPA, CALIFORNIA 94559
(707) 253-4521

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BE IT FURTHER RESOLVED that under no circumstances may a person specifically appointed to augment the Conservation, Development and Planning Commission, pursuant to California Public Utilities Code Section 21670 et seq., serve as a Conservation, Development and Planning Commissioner.

BE IT FURTHER RESOLVED that the Board hereby amends that section of the Board Policy Manual relating to the Airport Land Use Commission to read as set forth in Attachment A.

The foregoing resolution was duly and regularly adopted by the Board of Supervisors of the County of Napa, State of California, at a regular meeting of said Board held on the 13th day of February, 1990, by the following vote:

AYES: SUPERVISORS NEGRI, WHITE, VARRELMAN, BATTISTI and MIKOLAJCIK

NOES: SUPERVISORS NONE

ABSENT: SUPERVISORS NONE

ATTEST:

AGNES DEL ZOMPO,
Clerk of the Board

By: Teri Sisson, Deputy

APPROVED FEB 13 1990
BOARD OF SUPERVISORS
COUNTY OF NAPA

AGNES DEL ZOMPO
CLERK OF THE BOARD

BY _____ Deputy

R. WESTMEYER
COUNTY COUNSEL
1195 THIRD STREET
NAPA, CALIFORNIA 94559
(707) 253-4521

D:1102(d)

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02/02/90

ATTACHMENT "A"

AIRPORT LAND USE COMMISSION

Established pursuant to Resolution No. 70-159 dated December 22, 1970; as amended by Resolution No. 75-51 dated March 25, 1975, and further amended by Resolution No. 90-22 dated February 13 , 1990.

Resolution No. 70-159, adopted December 22, 1970, the Board, acting pursuant to the provisions of California Public Utilities Code Section 21670.1, determined that the Napa County Planning Commission and the Napa County Airport Advisory Commission jointly should constitute the body to assume and accomplish the planning responsibilities of an airport land use commission as provided for in said section, and that a separate Airport Land Use Commission need not be formed in the County of Napa.

On March 25, 1975, the Board adopted Resolution No. 75-51, amending Resolution No. 70-159 as follows:

> The Board has determined that proper land use planning in relation to the Napa County Airport can henceforth be accomplished through the actions of the Napa County Planning Commission, now renamed the Conservation Development and Planning Commission, acting by itself and not jointly with the Napa County Airport Commission.
>
> The Selection Committee of Mayors for the County of Napa has heretofore determined by majority vote that said Napa County Conservation, Development and Planning Commission may appropriately be designated to perform the planning functions and responsibilities of the Airport Land Use Commission.
>
> Pursuant to the provisions of said Section 21670.1 of the Public Utilities Code of the State of California, the Napa County Conservation, Development and Planning Commission is hereby designated the body to assume and accomplish the planning responsibilities of an Airport Land Use Commission effective March 25, 1975, and that Resolution No. 70-159 is hereby rescinded effective that same date.
>
> A separate Airport Land Use Commission need not be formed in this County.
>
> The Clerk of the Board shall notify the Secretary of State of this determination in conformance with the provisions of said Section 21670.1 of the California Public Utilities Code.

R. WESTMEYER
COUNTY COUNSEL
1195 THIRD STREET
NAPA, CALIFORNIA 94559
(707) 253-4521

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Resolution No. 75-51 of the Board of Supervisors of the County of Napa, is hereby amended to conform to California Public Utilities Code Section 21670.1, as amended by Chapter 1018, Section 2, of the statutes of 1987, regarding the composition of an appropriately designated body when functioning as the Airport Land Use Commission, as follows:

> Whenever there is a change in membership in either the Napa County Conservation, Development and Planning Commission or the Airport Land Use Commission, the Board of Supervisors of the County of Napa shall determine how many members of the Conservation, Development and Planning Commission have "expertise in aviation," defined in California Public Utilities Code Section 21670(e) as "a person who, by way of education, training, business, experience, vocation, or avocation has acquired and possesses particular knowledge of, and familiarity with, the function, operation and role of airports, or is an elected official of a local agency which owns or operates an airport."
>
> The Board shall augment, to the extent necessary, the Napa County Conservation, Development and Planning Commission, whenever said Commission functions as the Airport Land Use Commission, by adding up to two persons to ensure that the Airport Land Use Commission is comprised of at least two members having an expertise in aviation as defined in California Public Utilities Code Section 21670(e). Under no circumstances may a person appointed to augment the Conservation, Development and Planning Commission, pursuant to California Public Utilities Code Section 21670 et seq., serve as a Conservation, Development and Planning Commissioner.

R. WESTMEYER
COUNTY COUNSEL
1195 THIRD STREET
NAPA, CALIFORNIA 94559
(707) 253-4521

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Filed MAR 25 1975
FLORENCE W. CUNNY
By Agnes Del Zompo
Clerk of the Board

RESOLUTION NO. 75-51

RESOLUTION OF DETERMINATION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA, STATE OF CALIFORNIA, CONCERNING AIRPORT LAND USE COMMISSION FOR THE COUNTY OF NAPA

WHEREAS, by Resolution No. 70-159, adopted December 22, 1970, this Board, acting pursuant to the provisions of California Public Utilities Code section 21670.1, determined that the Napa County Planning Commission and the Napa County Airport Committee jointly should constitute the body to assume and accomplish the planning responsibilities of an airport land use commission as provided for in said section, and that a separate airport land use commission need not be formed in the County of Napa; and

WHEREAS, this Board has determined that proper land use planning in relation to the Napa County Airport can henceforth be accomplished through the actions of the Napa County Planning Commission, now re-named the Conservation, Development and Planning Commission, acting by itself and not jointly with the Napa County Airport Committee; and

WHEREAS, the Selection Committee of Mayors for the County of Napa has heretofore determined by majority vote that said Napa County Conservation, Development and Planning Commission may appropriately be designated to perform the planning functions and responsibilities of the airport land use commission.

NOW, THEREFORE, BE IT RESOLVED by this Board of Supervisors that, pursuant to the provisions of said section 21670.1 of the Public Utilities Code of the State of California, the Napa County Conservation, Development and Planning Commission is hereby designated the body to assume and accomplish the planning responsibilities of an airport land use commission effective March 25, 1975, and that Resolution No. 70-159 is hereby rescinded effective that same date.

BE IT FURTHER RESOLVED that a separate airport land use commission need not be formed in this County.

BE IT FURTHER RESOLVED that the Clerk of this Board shall notify the Secretary of State of this determination in conformance with the provisions of said section 21670.1 of the California Public Utilities Code.

The foregoing resolution was duly and regularly adopted by the Board of Supervisors of the County of Napa, State of California, at a regular meeting of said Board of Supervisors held on the 25th day of March, 1975, by the following vote:

AYES: SUPERVISORS MARTZ, TUTEUR, CHAPMAN, NORRISS AND SIMMS

NOES: SUPERVISORS NONE

ABSENT: SUPERVISORS NONE

ATTEST:

FLORENCE W. CUNNY, County Clerk of the
County of Napa, State of California

By Agnes Del Zompo
Clerk of the Board

Office of the Secretary of State
March Fong Eu

111 Capitol Mall
Sacramento, California 95814

Executive Office	(916) 445-6371
Certification	(916) 445-1430
Corporation Index	(916) 445-2900
Corporation Records	(916) 445-1768
Election Division	(916) 445-0820
Legal Division (Corp.)	(916) 445-0620
Notary Public Division	(916) 445-6507
State Archives	(916) 445-4293
Uniform Commercial Code	(916) 445-8061

Office of Board of Supvr. of Napa County
Carithers Bldg., Rm. 1115
Napa, Ca. 94558

Attn: Mrs. Agnes Del Zompo, Clerk of the Board

Re: NAPA COUNTY AIRPORT LAND USE COMMISSION

Gentlemen:

Enclosed is our original Certificate of Filing with respect to your recent Certificate of Completion.

Also enclosed is a counterpart original of our Certificate of Filing for recording in the county in which the district is located.

Very truly yours,

James E. Harris

James E. Harris
Staff Counsel

Encl.

Sec/State Form DF 104

So recorded 4-8-75

March 25, 1975

Honorable March Fong Eu
Secretary of State
State Capitol Building
Sacramento, California 95814

Dear Mrs. Eu:

The Napa County Board of Supervisors at its meeting of March 25, 1975, adopted Resolution No. 75-51 designating the Napa County Conservation, Development and Planning Commission as the body to assume and accomplish the planning responsibilities of an airport land use commission effective March 25, 1975, and rescinded Resolution No. 70-159 effective that same date.

Resolution No. 75-51 is enclosed.

Sincerely,

(Mrs.) Agnes Del Zompo
Clerk of the Board

Enclosure

Court House - P. O. Box 880
Napa, California 94558

OFFICE OF THE COUNTY CLERK
NAPA COUNTY, CALIFORNIA
FLORENCE W. CUNNY, County Clerk

Telephone (707) 224-7988

March 20, 1975

TO: COUNTY ADMINISTRATOR
FROM: COUNTY CLERK

The City Selection Committee, of which I am secretary, concurs in the adoption of the attached resolution, by a majority vote of three (3) mayors, i.e., Bolin, Schmitt and Ericson.

MARCH FONG EU
SECRETARY OF STATE

State of California
Office of the
Secretary of State
SACRAMENTO

CERTIFICATE OF FILING

I, MARCH FONG EU, Secretary of State of the State of California, hereby certify:

That on the 31st day of March, 1975, in accordance with Section 56452 of the Government Code, there was filed in this office a ~~Certificate of Completion~~ Resolution on behalf of

AIRPORT LAND COMMISSION of
NAPA COUNTY

That said Certificate of Completion was executed by Mrs. Agnes Del Zompo, Clerk of the Board

That said Certificate of Completion referred to Resolution No. 75-51 designating the Napa County Conservation, Development and Planning Commission as the body to assume and accomplish planning responsibilities of an airport land use commission effective March 25, 1975, rescided Resolution No. 70-159 effect that same date.

THE GREAT SEAL OF THE STATE OF CALIFORNIA
EUREKA

IN WITNESS WHEREOF, I execute this certificate and affix the Great Seal of the State of California this day of 31st March, 1975.

MARCH FONG EU
Secretary of State

By James E. Harris
Deputy Secretary of State

SEC/STATE FORM DF-107 (REV. 1-75)

To recorder 4-8-75

VOL 959 PAGE 301

State of California BL0426

MARCH FONG EU
SECRETARY OF STATE

Office of the
Secretary of State
SACRAMENTO

RECORDED AT REQUEST OF County Clerk
IN OFFICIAL RECORDS OF
NAPA COUNTY, CALIF.
10:45 A.M. APR 9 1975
ELEANOR E. KIMBROUGH
COUNTY RECORDER

No fee

CERTIFICATE OF FILING

B..... C..... P.....

I, MARCH FONG EU, Secretary of State of the State of California, hereby certify:

That on the 31st day of March, 1975, in accordance with Section 56452 of the Government Code, there was filed in this office a ~~Certificate of Completion~~ Resolution on behalf of

AIRPORT LAND COMMISSION of
NAPA COUNTY

That said Certificate of Completion was executed by Mrs. Agnes Del Zompo, Clerk of the Board

That said Certificate of Completion referred to Resolution No. 75-51 designating the Napa County Conservation, Development and Planning Commission as the body to assume and accomplish planning responsibilities of an airport land use commission effective March 25, 1975, rescided Resolution [illegible]-159 effect that same date.

IN WITNESS WHEREOF, I execute this certificate and affix the Great Seal of the State of California this day of 31st March, 1975.

MARCH FONG EU
Secretary of State

By James E. Harris
Deputy Secretary of State

SEC/STATE FORM DF-107 (REV. 1-75)

END OF DOCUMENT

ADOPTION RESOLUTION ANGWIN AIRPORT

RESOLUTION NO. 2024-01 (ALUC)

RESOLUTION OF THE NAPA COUNTY AIRPORT LAND USE COMMISSION, ADOPTING AND CERTIFYING A NEGATIVE DECLARATION AND AN AIRPORT LAND USE COMPATIBILITY PLAN FOR ANGWIN PARRETT FIELD

WHEREAS, the Napa County Airport Land Use Commission ("ALUC") was established pursuant to the State Aeronautics Act, Public Utilities Code §21670, *et seq.*, to protect public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses; and

WHEREAS, this purpose is served by the adoption of an Airport Land Use Compatibility Plan ("ALUCP"), which provide the basic tools to ensure actions taken by local agencies serve the public health, safety, and welfare by maintaining consistent planning and development near airports;

WHEREAS, in 1991, the ALUC adopted the current ALUCP to cover the airport influence areas surrounding the Napa County Airport, the Angwin Airport-Parrett Field, and the Calistoga Gliderport, and revised the plan in 1999 to incorporate changes in technology, airport operations and fleets, and revised guidance from the State;

WHEREAS, since the last revision in 1999, the California Department of Transportation, Division of Aeronautics, has made substantial revisions to its guidance, published in the California Airport Land Use Planning Handbook, most recently in 2011;

WHEREAS, in 2022, ALUC staff began working on a process to update the ALUCP, engaging Mead & Hunt as a consultant to prepare the plan. Staff and Mead & Hunt convened a Project Development Team ("PDT") consisting of representatives from local agencies and the airports that would be affected by the ALUCP;

WHEREAS, staff and Mead & Hunt engaged in several public hearings, meetings, or information sessions to gather information and inform the public about the ALUCP updates, including a kickoff meeting of the ALUC on February 1, 2023, public workshops on November 16, 2023, and December 7, 2023, and information sessions about the proposed ALUCP on May 29, 2024;

WHEREAS, the draft ALUCP was released for public review and comment on June 17, 2024, along with an Initial Study/Negative Declaration analyzing the potential environmental impacts, pursuant to the California Environmental Quality Act ("CEQA");

WHEREAS, ALUC Staff, Mead & Hunt, and Dudek, which was hired to perform the environmental review, prepared an Initial Study/Negative Declaration, finding that the adoption of the ALUCP would not result in significant impacts on the environment, since the displacement of

DocNo. 122274

uses as a result of the new restrictions on development in the Airport Influence Areas would be more than offset by the reduction in displaced uses as compared to the current ALUCP. The Initial Study/Negative Declaration sets forth the displacement analysis, along with analyses of the resource categories required by the CEQA Guidelines, section 15063;

WHEREAS, the proposed ALUCP and Initial Study/Negative Declaration were considered by the Commission at a public hearing on July 17, 2024, where ALUC staff presented the ALUCP and the Commission took public comment. The Commission continued the public hearing to September 18, 2024, to allow ALUC staff to reach out to stakeholders, local agencies, and members of the public who continued to raise questions about the ALUCP. The September 18, 2024, meeting was cancelled due to a lack of quorum and the matter was continued to November 6, 2024;

WHEREAS, after the continuance, ALUC staff reached out to many individuals, as well as all of the local agencies that would be impacted by the ALUCP and offered to provide detailed presentations and to answer any questions about the ALUCP. ALUC staff also received several comments on the draft ALUCP. ALUC staff and Mead & Hunt considered these comments and made appropriate changes to the proposed ALUCP to address these concerns, and also prepared detailed responses to each comment;

WHEREAS, the November 6, 2024, public hearing was continued to December 4, 2024 so that ALUC staff could work with the consulting firm to make final edits to the ALUCP based on comments received at the hearing and specific direction from the ALUC.

WHEREAS, after the continuance, ALUC staff reached out to the Local Area Formation Commission Executive Officer, CalTrans Aeronautics staff, as well as individuals to clarify questions raised by the ALUC and update the plan accordingly. ALUC staff and Mead & Hunt have considered these discussions and made appropriate changes to the proposed ALUCP;

WHEREAS, the final draft of the ALUCP and the Initial Study/Negative Declaration were published with the agenda on November 26, 2024, in advance of the December 4, 2024, public hearing;

NOW, THEREFORE, BE IT RESOLVED by the Napa County Airport Land Use Commission as follows:

1. The Commission, having read and considered the Initial Study/Negative Declaration, finds that the proposed Airport Land Use Compatibility Plan will not result in substantial impacts to the environment and, therefore, adopts and certifies the Negative Declaration.
2. The Commission finds that the proposed Airport Land Use Compatibility Plan will serve the public health, safety, and welfare of the public within the airport influence area of Angwin Airport-Parrett Field, and, in accordance with the State Aeronautics Act, hereby adopts the Airport Land Use Compatibility Plan as presented, and directs staff to prepare the final, adopted version.

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DocNo. 122274

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Napa County Airport Land Use Commission, State of California, at a regular meeting of the Commission held on the 4th day of December 2024, by the following vote:

AYES: COMMISSIONERS Whitmer, Brunzell, Brod, Phillips.

NOES: COMMISSIONERS None.

ABSTAIN: COMMISSIONERS None.

ABSENT: COMMISSIONERS Koch, Dameron, Mazotti.

David R. Whitmer

David Whitmer, Pro tem Chair of the Airport Land Use Commission

APPROVED AS TO FORM Office of County Counsel By: *Jason M. Dooley* Deputy County Counsel Date: November 26, 2024	APPROVED BY THE NAPA COUNTY AIRPORT LAND USE COMMISSION Date: Processed By: Deputy Clerk of the Commission	ATTEST: ANGIE-RAMIREZ-VEGA Clerk of the Commission By:

DocNo. 122274

ADOPTION RESOLUTION NAPA COUNTY AIRPORT

RESOLUTION NO. 2024-02 (ALUC)

RESOLUTION OF THE NAPA COUNTY AIRPORT LAND USE COMMISSION, ADOPTING AND CERTIFYING A NEGATIVE DECLARATION AND AN AIRPORT LAND USE COMPATIBILITY PLAN FOR NAPA AIRPORT

WHEREAS, the Napa County Airport Land Use Commission ("ALUC") was established pursuant to the State Aeronautics Act, Public Utilities Code §21670, *et seq.*, to protect public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses; and

WHEREAS, this purpose is served by the adoption of an Airport Land Use Compatibility Plan ("ALUCP"), which provide the basic tools to ensure actions taken by local agencies serve the public health, safety, and welfare by maintaining consistent planning and development near airports;

WHEREAS, in 1991, the ALUC adopted the current ALUCP to cover the airport influence areas surrounding the Napa County Airport, the Angwin Airport-Parrett Field, and the Calistoga Gliderport, and revised the plan in 1999 to incorporate changes in technology, airport operations and fleets, and revised guidance from the State;

WHEREAS, since the last revision in 1999, the California Department of Transportation, Division of Aeronautics, has made substantial revisions to its guidance, published in the California Airport Land Use Planning Handbook, most recently in 2011;

WHEREAS, in 2022, ALUC staff began working on a process to update the ALUCP, engaging Mead & Hunt as a consultant to prepare the plan. Staff and Mead & Hunt convened a Project Development Team ("PDT") consisting of representatives from local agencies and the airports that would be affected by the ALUCP;

WHEREAS, staff and Mead & Hunt engaged in several public hearings, meetings, or information sessions to gather information and inform the public about the ALUCP updates, including a kickoff meeting of the ALUC on February 1, 2023, public workshops on November 16, 2023, and December 7, 2023, and information sessions about the proposed ALUCP on May 29, 2024;

WHEREAS, the draft ALUCP was released for public review and comment on June 17, 2024, along with an Initial Study/Negative Declaration analyzing the potential environmental impacts, pursuant to the California Environmental Quality Act ("CEQA");

WHEREAS, ALUC Staff, Mead & Hunt, and Dudek, which was hired to perform the environmental review, prepared an Initial Study/Negative Declaration, finding that the adoption of the ALUCP would not result in significant impacts on the environment, since the displacement of uses as a result of the new restrictions on development in the Airport Influence Areas would be

DocNo. 122275

more than offset by the reduction in displaced uses as compared to the current ALUCP. The Initial Study/Negative Declaration sets forth the displacement analysis, along with analyses of the resource categories required by the CEQA Guidelines, section 15063;

WHEREAS, the proposed ALUCP and Initial Study/Negative Declaration were considered by the Commission at a public hearing on July 17, 2024, where ALUC staff presented the ALUCP and the Commission took public comment. The Commission continued the public hearing to September 18, 2024, to allow ALUC staff to reach out to stakeholders, local agencies, and members of the public who continued to raise questions about the ALUCP. The September 18, 2024, meeting was cancelled due to a lack of quorum and the matter was continued to November 6, 2024;

WHEREAS, after the continuance, ALUC staff reached out to many individuals, as well as all of the local agencies that would be impacted by the ALUCP and offered to provide detailed presentations and to answer any questions about the ALUCP. ALUC staff also received several comments on the draft ALUCP. ALUC staff and Mead & Hunt considered these comments and made appropriate changes to the proposed ALUCP to address these concerns, and also prepared detailed responses to each comment;

WHEREAS, the November 6, 2024, public hearing was continued to December 4, 2024, so that ALUC staff could work with the consulting firm to make final edits to the ALUCP based on comments received at the hearing and specific direction from the ALUC.

WHEREAS, after the continuance, ALUC staff reached out to the Local Area Formation Commission Executive Officer, CalTrans Aeronautics staff, as well as individuals to clarify questions raised by the ALUC and update the plan accordingly. ALUC staff and Mead & Hunt have considered these discussions and made appropriate changes to the proposed ALUCP;

WHEREAS, the final draft of the ALUCP and the Initial Study/Negative Declaration were published with the agenda on November 26, 2024, in advance of the December 4, 2024, public hearing;

NOW, THEREFORE, BE IT RESOLVED by the Napa County Airport Land Use Commission as follows:

1. The Commission, having read and considered the Initial Study/Negative Declaration, finds that the proposed Airport Land Use Compatibility Plan will not result in substantial impacts to the environment and, therefore, adopts and certifies the Negative Declaration.
2. The Commission finds that the proposed Airport Land Use Compatibility Plan will serve the public health, safety, and welfare of the public within the airport influence area of the Napa Airport, and, in accordance with the State Aeronautics Act, hereby adopts the Airport Land Use Compatibility Plan as presented, and directs staff to prepare the final, adopted version.

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DocNo. 122275

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Napa County Airport Land Use Commission, State of California, at a regular meeting of the Commission held on the 4th day of December 2024, by the following vote:

AYES: COMMISSIONERS Whitmer, Brunzell, Brod, Phillips.

NOES: COMMISSIONERS None.

ABSTAIN: COMMISSIONERS None.

ABSENT: COMMISSIONERS Koch, Dameron, Mazotti.

David R. Whitmer

David Whitmer, Pro tem Chair of the Airport Land Use Commission

APPROVED AS TO FORM Office of County Counsel By: *Jason M. Dooley* Deputy County Counsel Date: November 26, 2024	APPROVED BY THE NAPA COUNTY AIRPORT LAND USE COMMISSION Date: Processed By: M. Quackenbush Deputy Clerk of the Commission	ATTEST: ANGIE-RAMIREZ-VEGA Clerk of the Commission By: A. Ramirez-Vega

DocNo. 122275

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Chapter 19.55 Airport Land Use Compatibility

19.55.010 Purpose and Applicability

This chapter establishes procedures to ensure development within American Canyon is compatible with the Napa County Airport Land Use Compatibility Plan (NALUCP) (General Plan Goal LU-9). The NALUCP, which is incorporated into the General Plan as a standalone document, provides policy direction for subsequent development in American Canyon that is subject to the NALUCP.

19.55.020 Projects Subject to Napa Airport Land Use Commission Review.

Consistent with Public Utilities Code Section 21676(b), the City shall refer the following actions to the Napa Airport Land Use Commission (ALUC) for determination of consistency with the NALUCP.

(1) Adoption or approval of any new general plan, specific plan, or facility master plan, or any amendment thereto, that affects lands within an Airport Influence Area. This includes actions that are applicable throughout a land use jurisdiction as well as for development proposals for an individual site.

(2) Adoption or a zoning ordinance or building regulation, including any proposed change or variance to any ordinance or regulation, that (1) affects land within an Airport Influence Area depicted in Figure 19.55.060 and (2) involves any one of the following airport impact concerns:

i. Noise: Locations exposed to potentially disruptive aircraft noise levels.

ii. Safety: Areas where the risk of an aircraft accident poses heightened safety concerns for people and property on the ground.

iii. Airspace Protection: Places where height and various other land use characteristics need to be restricted in order to prevent physical, visual, or electronic hazards to flight within the airspace required for aircraft operation to and from the Airport.

iv. Overflight: Locations where aircraft overflights can be intrusive and annoying to many people.

(3) Land Use Actions for which a Special Conditions Exception is being sought under NALUCP Policy 3.2.4.

19.55.030 Projects Exempt from NALUCP

The NALUCP does not apply to Existing Land Uses as described in California Public Utilities Code 21670(a) and 21674(a).

19.55.040 Projects Subject to City Review

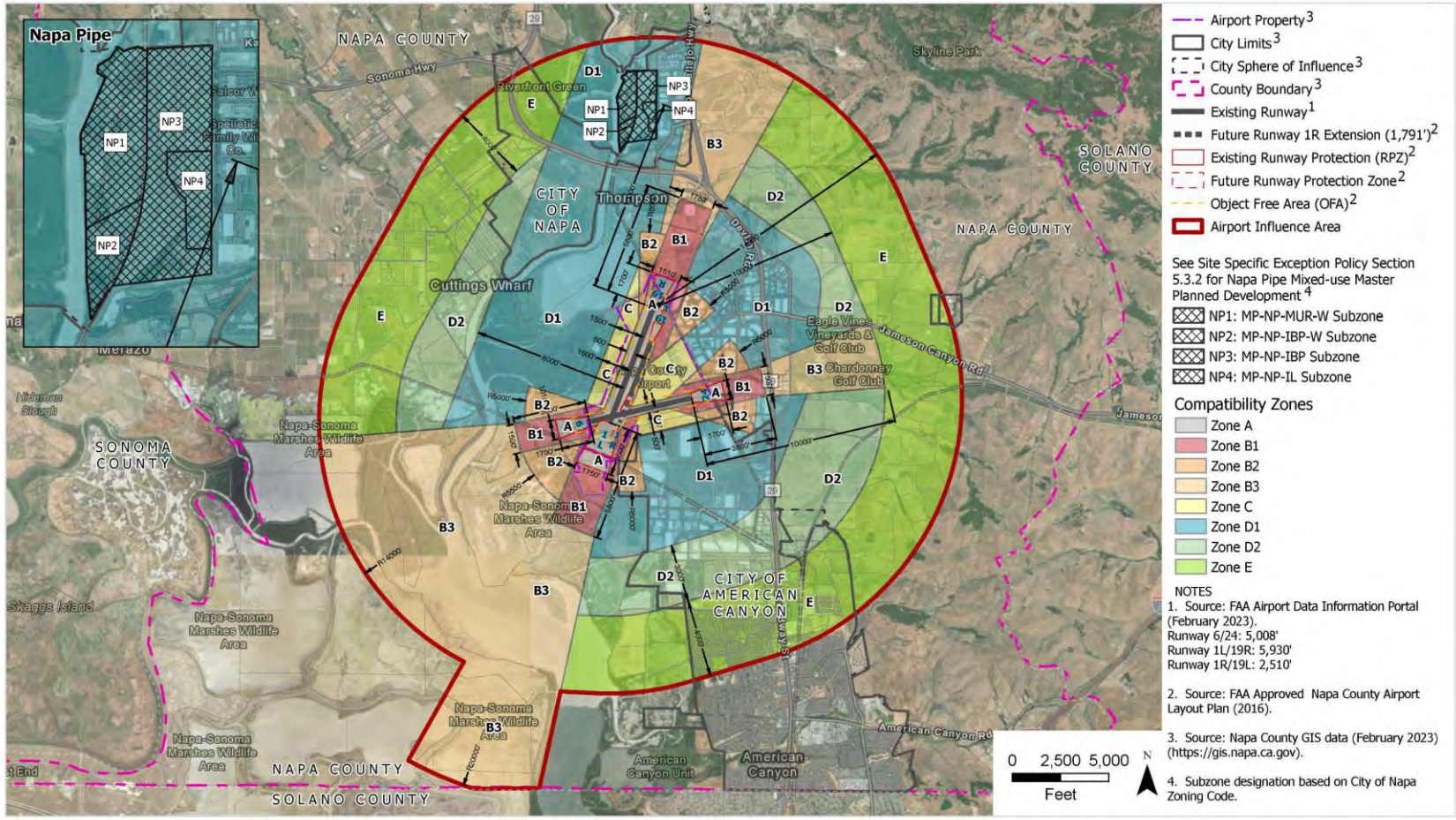
Except for projects identified in ACMC Section 19.55.020 and 19.55.030, all new development within the City that is subject to the NALUCP shall be evaluated consistent with the procedures in NALUCP Section 5.1.

19.55.050 Existing Nonconforming Uses that do not Conform to the NALUCP

Existing uses that do not conform to the NALUCP shall be subject to nonconforming policies in ACMC Chapter 19.49.

Figure 19.55.060
Napa Airport Compatibility Policy Map

EXHIBIT 5-2: COMPATIBILITY POLICY MAP, NAPA COUNTY AIRPORT



NOTES

1. Source: FAA Airport Data Information Portal (February 2023).
Runway 6/24: 5,008'
Runway 1L/19R: 5,930'
Runway 1R/19L: 2,510'

2. Source: FAA Approved Napa County Airport Layout Plan (2016).

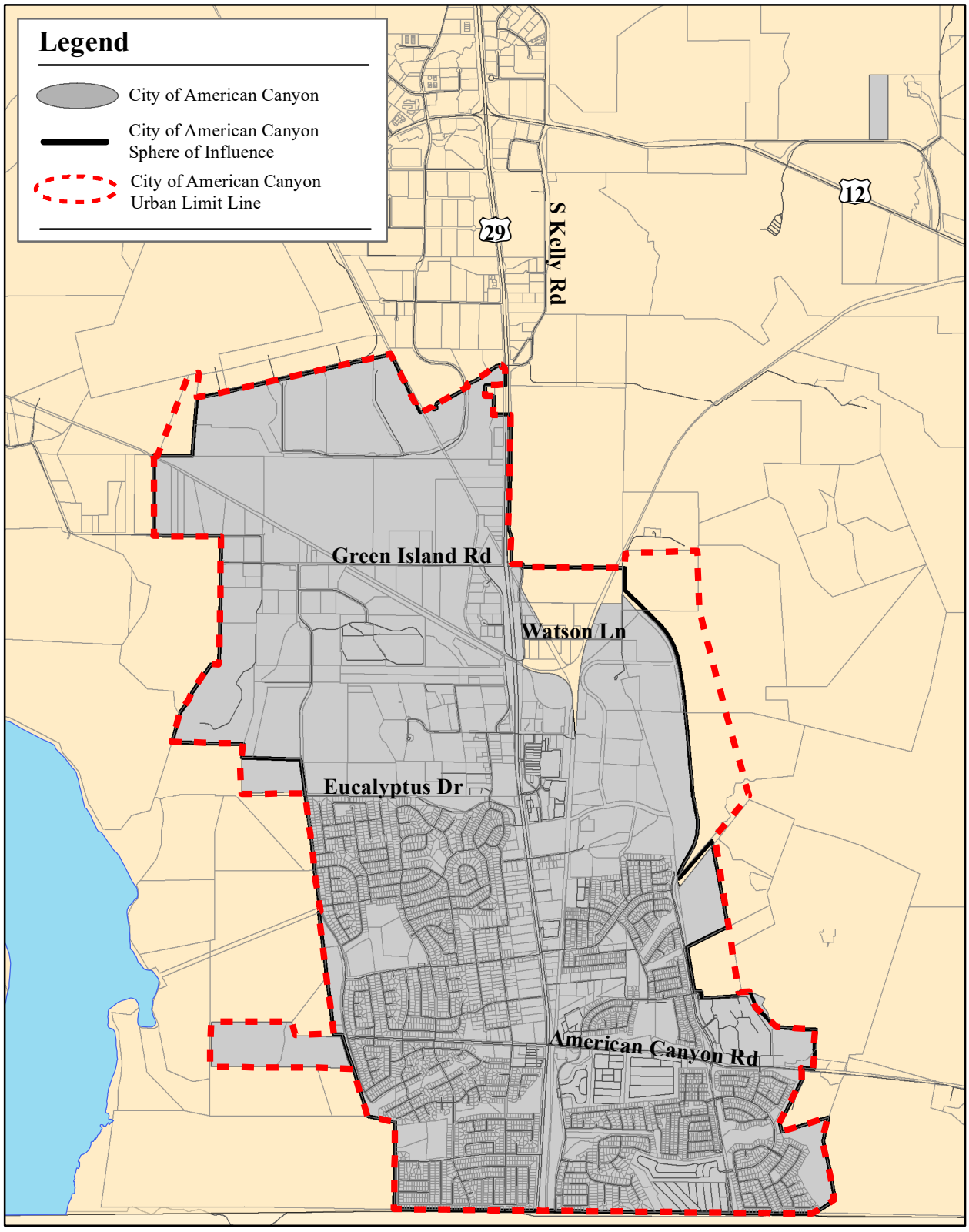
3. Source: Napa County GIS data (February 2023) (https://gis.napa.ca.gov).

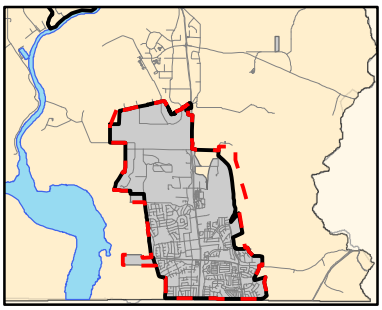
4. Subzone designation based on City of Napa Zoning Code.

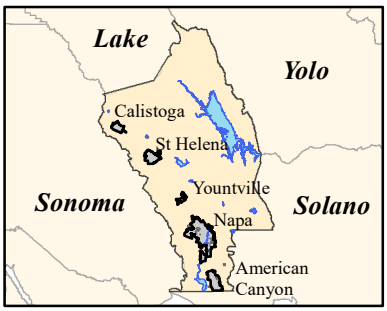
Mead & Hunt, Inc. 2024

Policy Plans and Regulations

City of American Canyon





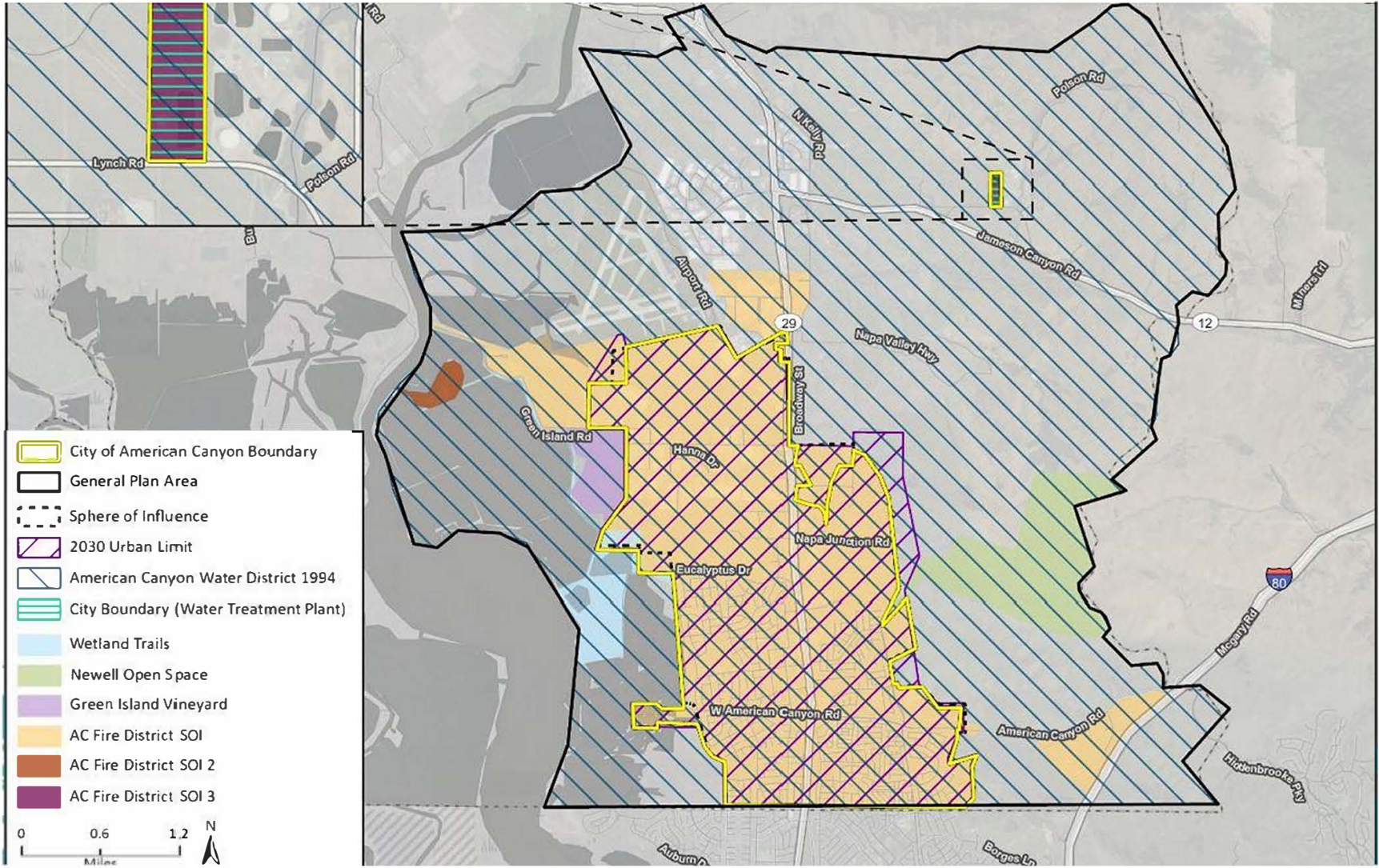


Not to Scale
November 10, 2021
Prepared by BF

N

LAFCO of Napa County
1754 Second Street, Suite C
Napa, California 94559
www.napa.lafco.ca.gov

General Plan Study Area



West Side Connector
Advisory Committee Recommendation
June 15, 2021

NOTICE OF PREPARATION
City of American Canyon General Plan Update

Date: July 5, 2022

To: Reviewing Agencies, Interested Parties, and Organizations

Subject: Notice of Preparation of a Draft Environmental Impact Report for the City of American Canyon General Plan Update

The City of American Canyon (City) is preparing an update to the City's General Plan. The City has determined that a Program Environmental Impact Report (EIR) will be necessary to evaluate environmental impacts of the General Plan Update pursuant to the California Environmental Quality Act (CEQA). In compliance with CEQA, the City will be the Lead Agency and will prepare the Program EIR. The City is requesting comments and guidance on the scope and content of the Program EIR from responsible and trustee agencies, interested public agencies, organizations, and the general public (CEQA Guidelines Section 15082).

This Notice of Preparation (NOP) provides a summary of the General Plan Update; includes the City's preliminary identification of the potential environmental issues to be analyzed in the EIR; and provides information on how to comment on the scope of the EIR.

Notice of Preparation Public Review Period: July 5, 2022 to August 4, 2022

The City requests your careful review and consideration of this notice, and it invites any and all input and comments from interested agencies, persons, and organizations regarding the preparation of the Program EIR. Comments and responses to this notice must be in writing and submitted to the Lead Agency Contact through August 4, 2022 at 4:00 p.m. If applicable, please indicate a contact person for your agency or organization. If your agency is a responsible agency as defined by CEQA Guidelines Section 15381, your agency may use the environmental documents prepared by the City when considering permits or approvals for action regarding the proposed project.

Lead Agency Contact:

Brent Cooper, Community Development Director
City of American Canyon Community Development Department
4381 Broadway Street, Suite 201
American Canyon, California 94503
bcooper@cityofamericancanyon.org

Written Comments: Please submit written comments within 30 days of the date of this notice to any of the below by 4:00 p.m. on August 4, 2022:

- Email: njones@cityofamericancanyon.org
- Regular Mail: Nicolle Jones, Community Development Department, City of American Canyon, 4381 Broadway Street, Suite 201, American Canyon, California 94503

Public Scoping Meeting: The City will hold a virtual scoping meeting to provide an opportunity for agency staff and interested members of the public to submit written and oral comments on the scope of the environmental issues to be addressed in the EIR. The scoping meeting will be held on **July 28, 2022 at 6:30 p.m**. To attend the scoping meeting, go to https://zoom.us/join.

Webinar ID: 884 4514 1942
Passcode: 038881
Dial: (408) 638 0968

The scoping presentation will be available to view after July 28, 2022 on https://www.cityofamericancanyon.org/government/city-hall/city-clerk/meetings-agendas.

Project Background: The City must undertake a technical update to its General Plan to ensure the General Plan is internally consistent and maintains a balance of land uses; maintains and supports quality-of-life, community satisfaction, and safety for all residents; and meets new State requirements. A Regional Location map is included as Figure 1.

Project Location: The General Plan Update will encompass the City of American Canyon city limits, the Sphere of Influence, Urban Limit Line, and historic water service area (Figure 2).

Proposed Project: The American Canyon General Plan update will serve as a long-term framework for future growth and development. The General Plan represents the community's view of its future and contains the goals and polices upon which the City Council, Planning Commission, staff, and the entire community will base land use and resource decisions. To provide a contemporary plan that will guide the community through the next 20 years, the General Plan update will reflect recent development decisions and changes in State law. Major components of the comprehensive technical General Plan Update include:

- **Land Use Element.** This element will resolve inconsistencies between existing and General Plan land uses, expand the Urban Limit Line to include the "Hess/Laird Property," and accommodate land use amendments for certain properties owned by the Napa Valley Unified School District. Proposed land use amendments are depicted in Figure 3. The proposed Urban Limit Line is shown in Figure 4.
- **Circulation Element.** This element will incorporate Vehicle Miles Travelled policies consistent with Senate Bill 743 (SB 743); update street standards for all modes, including pedestrians, bicyclists, and transit consistent with the California Complete Streets Act; include two new Industrial Collector roadways: 1) a new "West Side Connector" roadway segment and 2) a Newell Drive roadway segment between Paoli Loop and S. Kelly Drive and delete former planned connection between Commerce Court and Eucalyptus Drive. See Figure 5.
- **Community Services Element.** This element will focus on goals and policies related to public services, including police, fire, and emergency services.

- **Open Space and Recreation Element.** This element will address the wide variety of parks, trails, and open spaces serving the diverse recreation needs of American Canyon residents, particularly youth, and emphasize the unique features of the City's natural environment – from the Newell Open Space to the east to the wetlands and trails to the west.
- **Conservation Element.** This element will consider the effects of existing and planned development on natural resources located on public lands, including military installations, consistent with Government Code Section 65302(d). This Element will address State law requirements, including air quality, greenhouse gas emissions, and climate change adaptation.
- **Safety Element.** This element will cover seismic activity, other geologic hazards, fire hazards, hazardous materials, flooding, and other potential hazards, consistent with Government Code Section 65302(g). It will also address resiliency and risks from natural hazards in American Canyon, pursuant to Senate Bill (SB) 379. This element update will require a vulnerability analysis to comply with State law.
- **Noise Element.** This element will require, consistent with Government Code Section 65302(f), the inclusion of new existing noise contours as well as projected noise contours based on future traffic volumes projected to arise from improvements planned for in the Circulation Element.
- **Housing Element.** This element will be an update for the 2023-2031 RHNA cycle to adequately plan to meet the housing needs of everyone in the community, consistent with Government Code Section 65583. Due to State-Mandated deadlines, the Housing Element update is anticipated to be completed earlier than the rest of the comprehensive technical General Plan update.
- **Implementation.** This chapter will be a comprehensive implementation strategy with discrete, tangible actions that the City will undertake to carry out all the Plan's goals, policies, and objectives. It will also highlight goals, policies, and programs related to administration of the General Plan. The chapter will detail timing, potential funding sources, and the responsible parties for each implementation measure.

Project Alternatives: The EIR will evaluate a reasonable range of proposed project alternatives that, consistent with CEQA, meet most of the proposed project objectives and reduce or avoid potential environmental effects, including a required No Project Alternative.

Potential Environmental Effect Areas: The EIR will describe the reasonably foreseeable and potentially significant adverse effects of the proposed project (both direct and indirect). The EIR also will evaluate the cumulative impacts of the proposed project when considered in conjunction with other related past, present, and reasonably foreseeable future projects. The City preliminarily anticipates that the proposed project could result in potentially significant environmental impacts in the following topic areas, which will be further evaluated in the EIR.

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Greenhouse Gas Emissions
- Land Use and Planning
- Noise
- Population and Housing
- Public Services and Recreation
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire
- Cumulative Effects
- Growth Inducing Effects

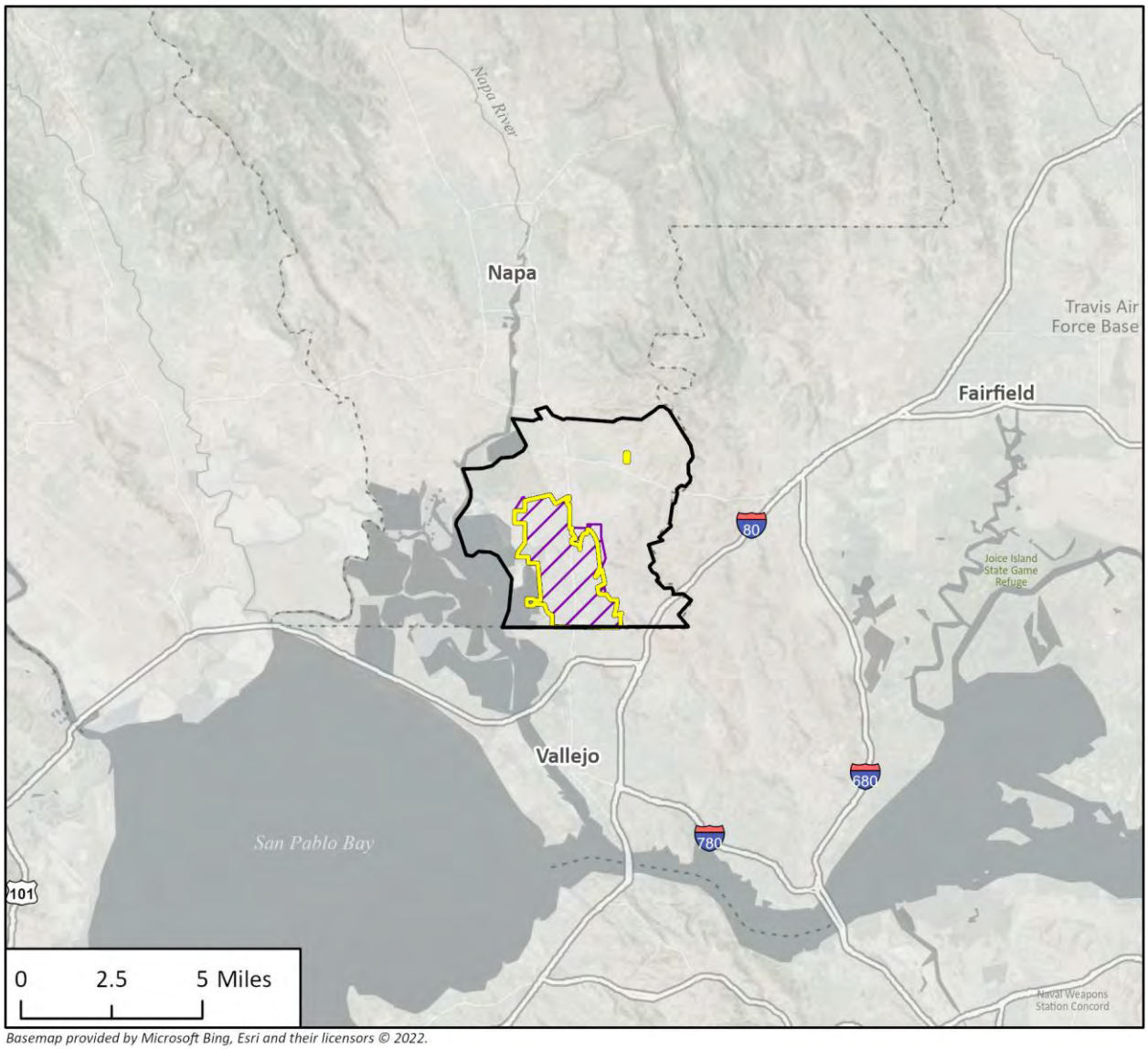
When the Draft EIR is completed, it will be available for review at the City's offices located at 4381 Broadway Street, Suite 201, American Canyon, California 94503 and online at: https://www.cityofamericancanyon.org/government/community-development/planning-zoning/general-plan-update. The City will issue a Notice of Availability of a Draft EIR at that time to inform the public and interested agencies, groups, and individuals of how to access the Draft EIR and provide comments.

If you have questions regarding this NOP or the scoping meeting, please contact Brent Cooper at (707) 647-4335 or via email at bcooper@cityofamericancanyon.org

_____ _____

Brent Cooper, Community Development Director Date

Figure 1 Regional Location



Basemap provided by Microsoft Bing, Esri and their licensors © 2022.
Additional data provided by the City of American Canyon, 2022.

City of American Canyon Boundary
General Plan Area
2030 Urban Limit
Project Location

N

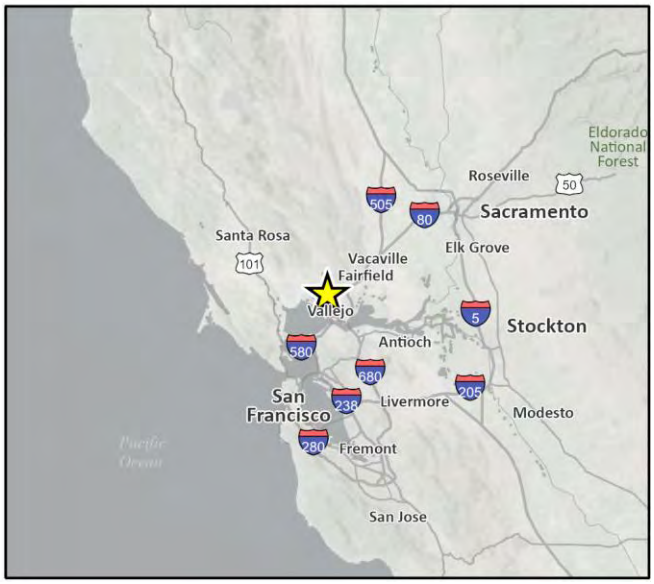
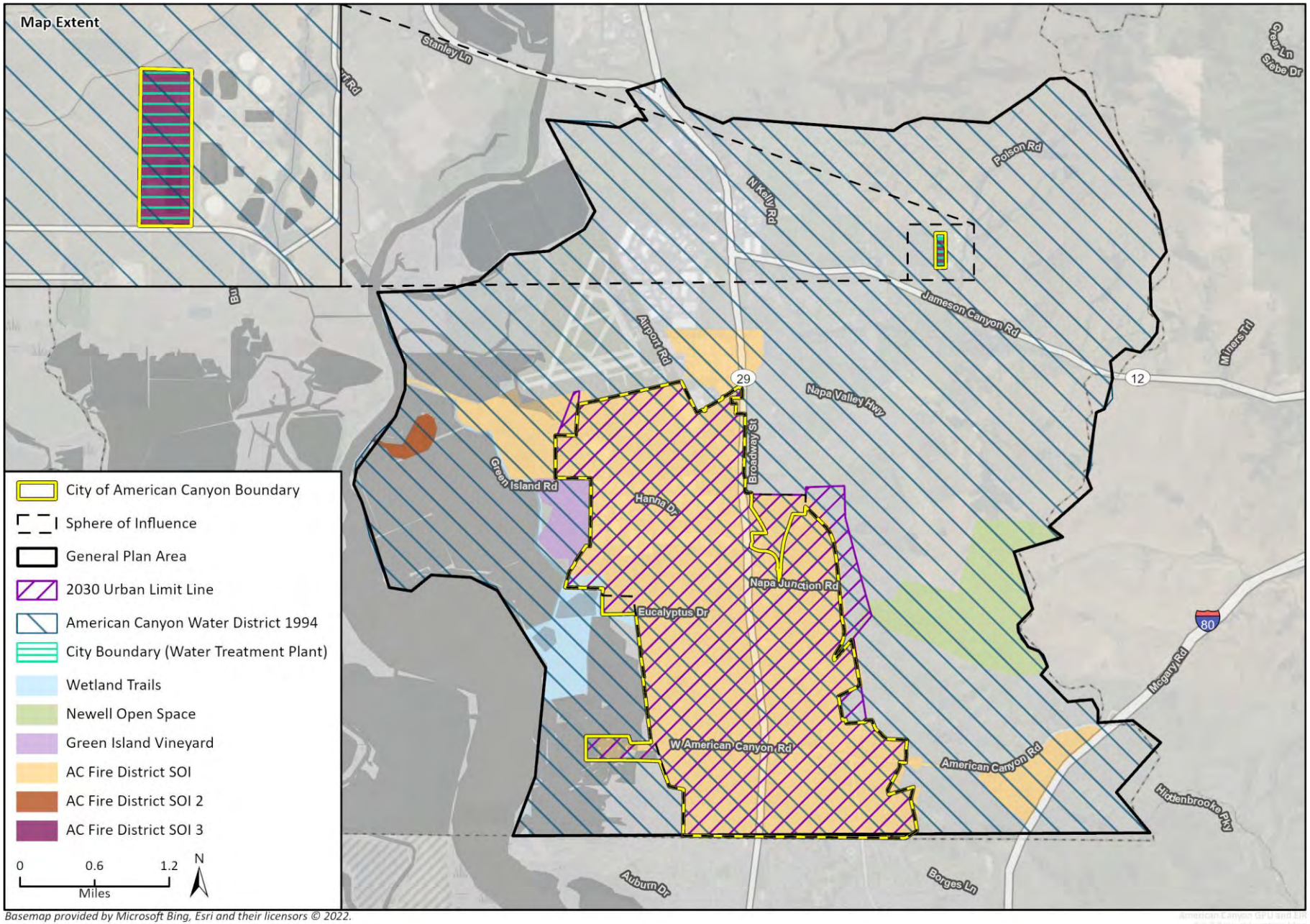
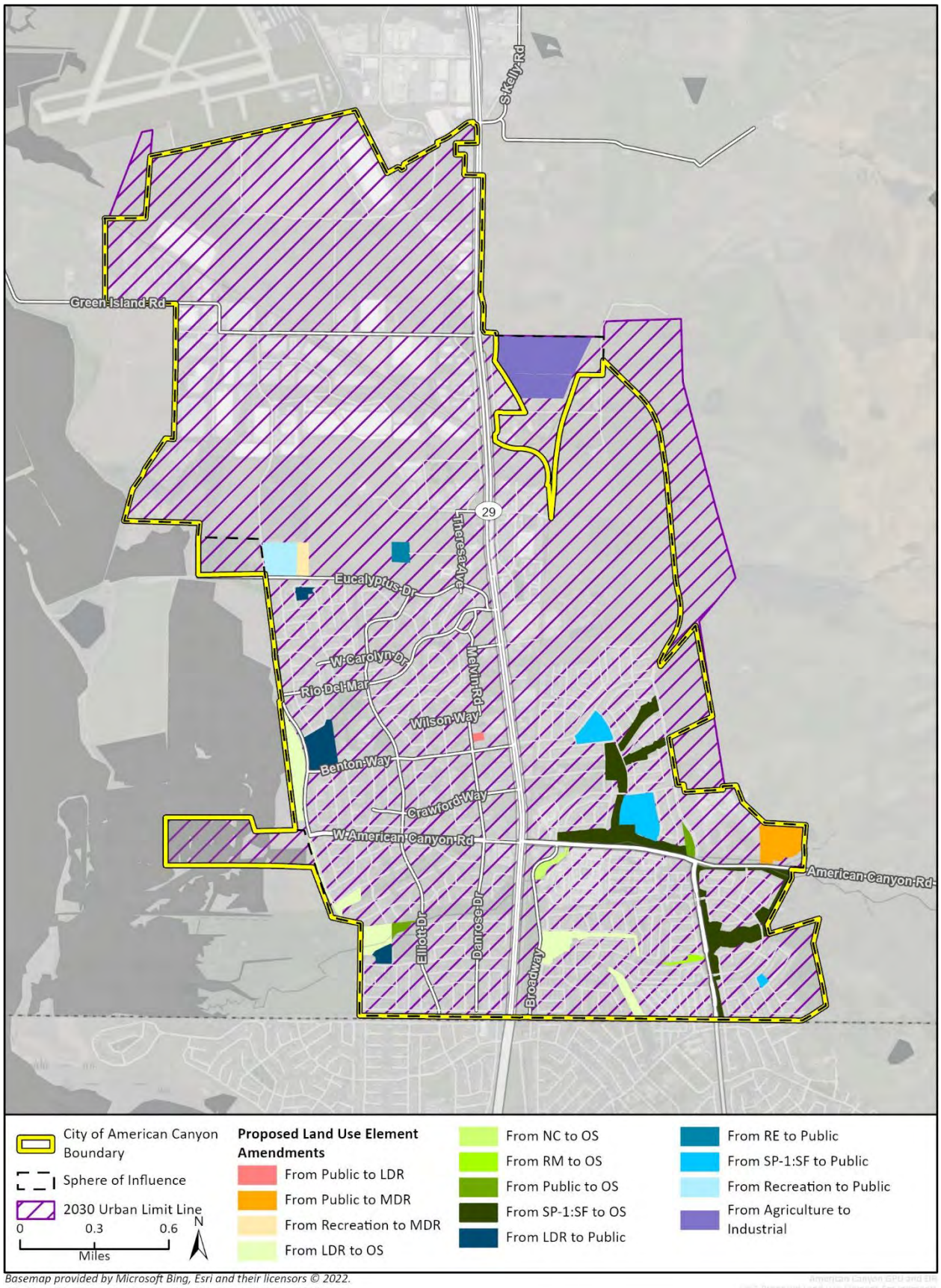


Figure 2 Project Location



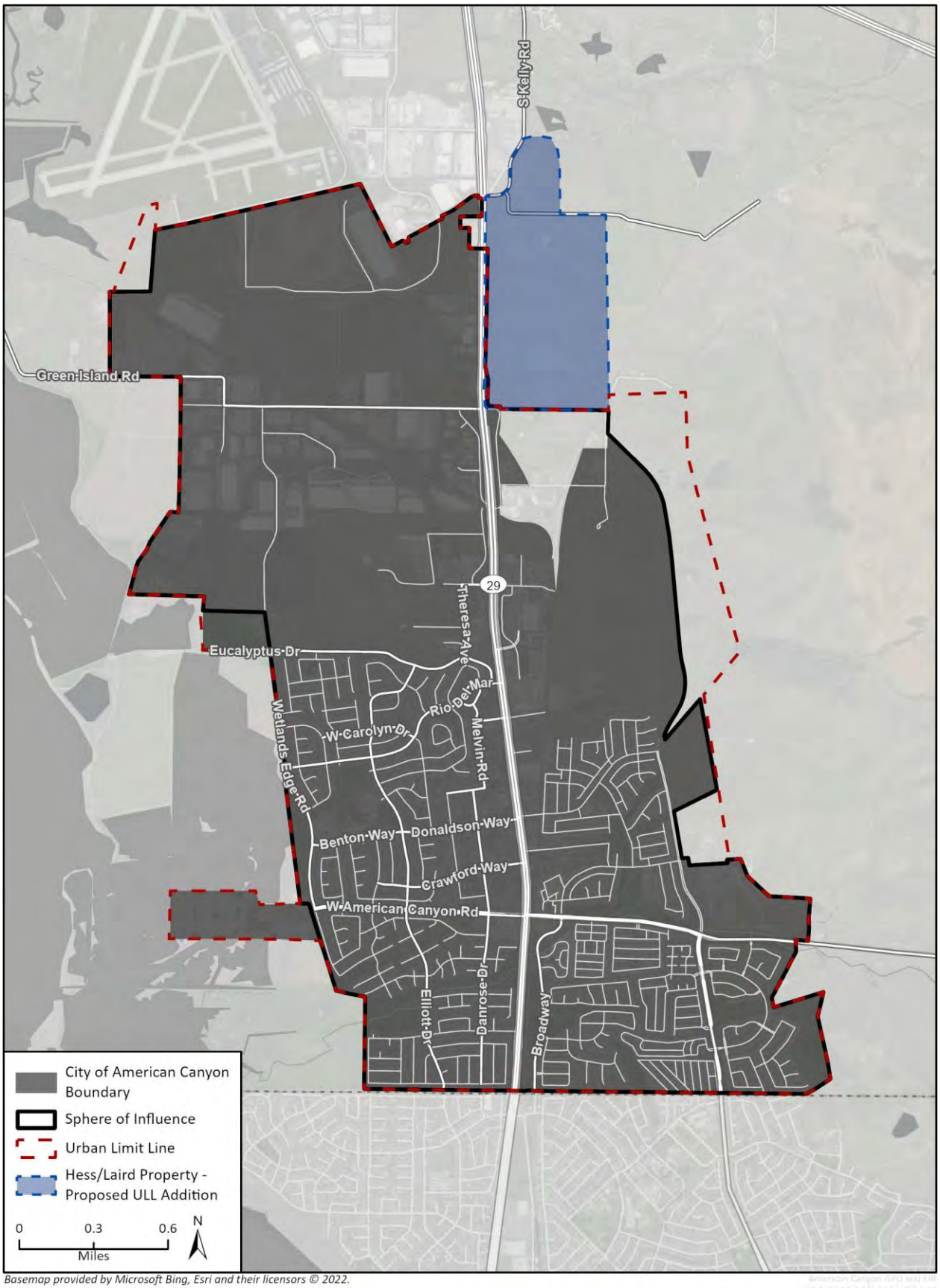
Basemap provided by Microsoft Bing, Esri and their licensors © 2022.
Additional data provided by the City of American Canyon, 2022.

Figure 3 Area of Proposed Land Use Element Amendments



Basemap provided by Microsoft Bing, Esri and their licensors © 2022.
Additional data provided by the City of American Canyon, 2022.

Figure 4 Proposed Urban Limit Line



Basemap provided by Microsoft Bing, Esri and their licensors © 2022.
Additional data provided by the City of American Canyon, 2021; Hess/Laird Property digitized from the Proposed Urban Limit Line Addition, 2022.

Figure 5 Proposed Circulation Element Amendments

Figure 2-3 2040 General Plan Land Use Designations

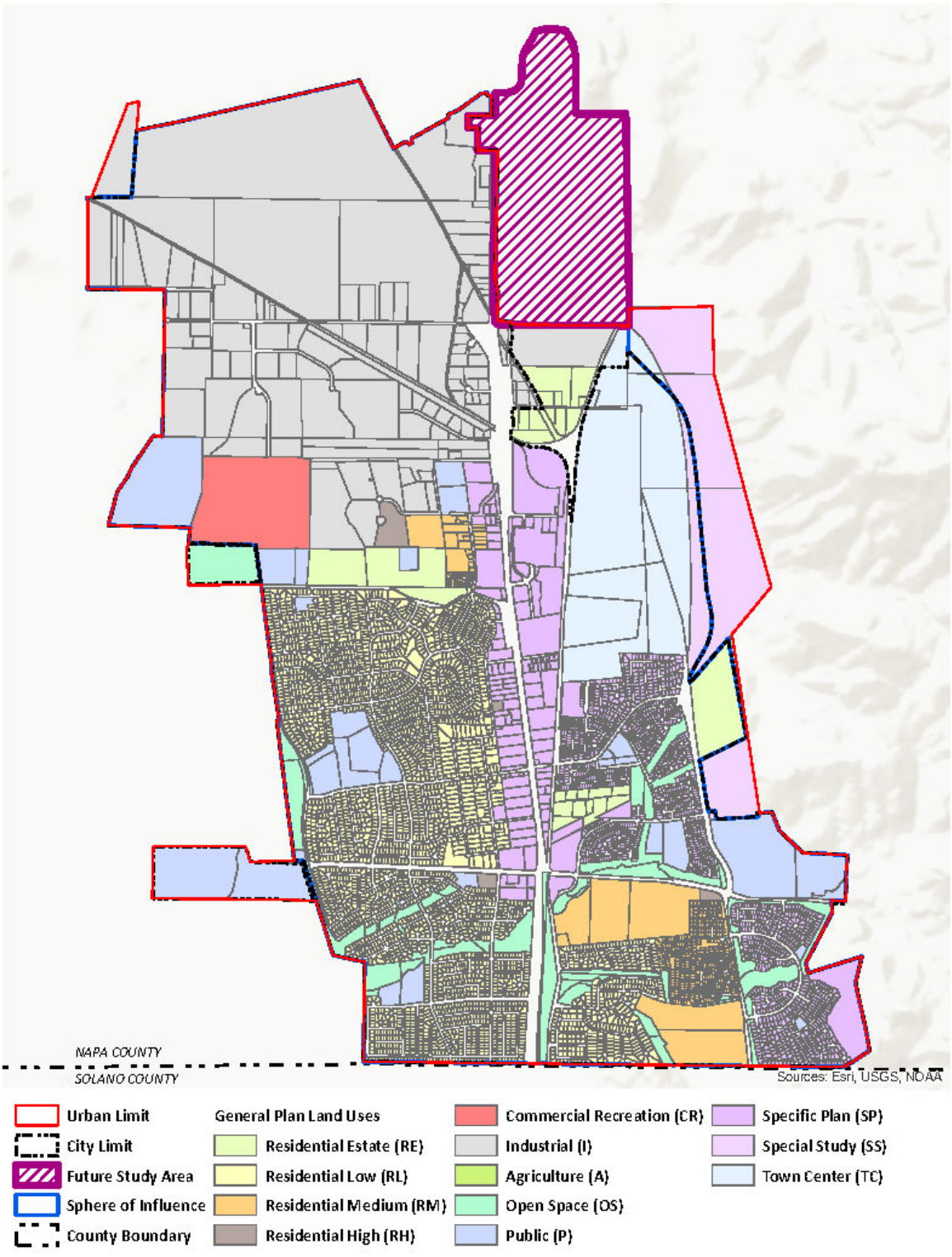
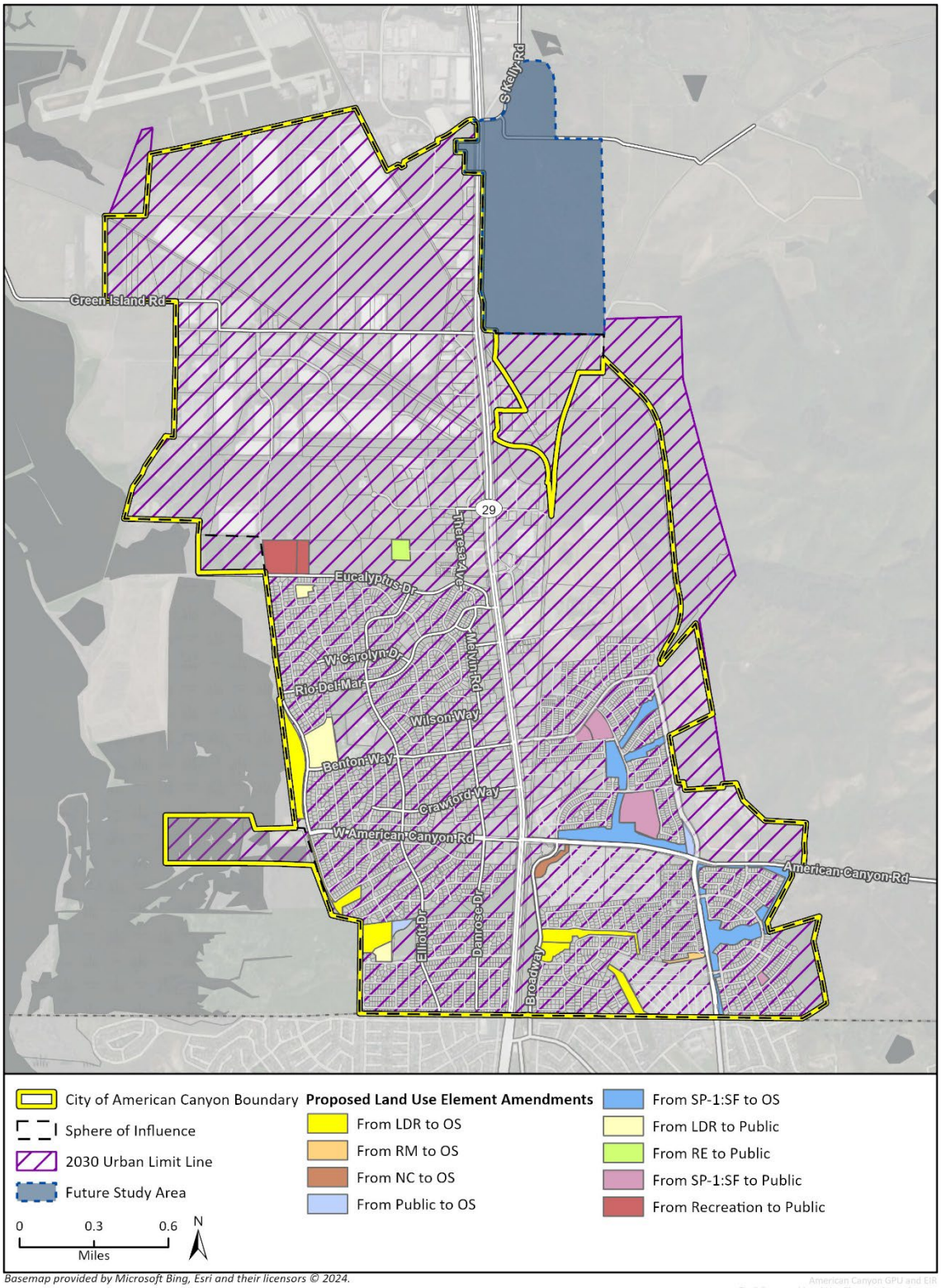


Figure 2-4 Proposed Land Use Element Amendments



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Additional data provided by the City of American Canyon, 2022.

American Canyon GPU and EIR
Fig 3 Proposed Land Use Element Amendments

American Canyon 2040 General Plan Update

Draft Environmental Impact Report

SCH# 2022070038

prepared by

City of American Canyon
Community Development Department
4381 Broadway Street Suite 201
American Canyon, California 94503
Contact: Brent Cooper, Community Development Director

prepared with the assistance of

Rincon Consultants, Inc.
449 15th Street, Suite 303
Oakland, California 94612

September 2024

RINCON CONSULTANTS, INC. SINCE 1994

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Appendix A Notice of Preparation and Scoping Comments Recieved
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Executive Summary

This document is an Environmental Impact Report (EIR) analyzing the environmental effects of the proposed City of American Canyon 2040 Technical General Plan Update ("project"). This executive summary summarizes the characteristics of the proposed project, EIR alternatives, and the environmental impacts and mitigation measures associated with implementation of the proposed project.

Project Synopsis

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Project Description

This EIR has been prepared to examine the potential environmental effects of the proposed project. The following is a summary of the full project description, which can be found in Chapter 2, *Project Description*.

The project is an update to the City's current General Plan, which includes the following chapters: Introduction, Land Use Element, Housing Element, Economic Development Element, Circulation Element, Utilities Element, Public Services and Facilities Element, Parks and Recreation Element, Natural and Historic & Cultural Resources Element, Geology Element, Flood Hazards Element, and Noise Element. The project establishes the City's vision for future development through the horizon year of 2040. The project will serve as the City's primary guide for future land use and development decisions in a way that meets the community needs and priorities while serving as a key tool for influencing and improving the quality of life for residents and businesses. As such, it serves as the "blueprint" for future development and conservation of a community. The 2040 General Plan Update will help the City plan for important community issues, such as community growth; health, housing, mobility, and infrastructure needs; climate change; and environmental protection. It will also set the stage for future social, physical, and economic development of the city.

Project Objectives

The Technical 2040 General Plan will serve as a long-term framework for future growth and development, represents the community's view of its future, and contains the goals and policies upon with the City Council, Planning Commission, and the entire community will base land use and resource decisions. The Technical 2040 General Plan will provide a contemporary plan that will guide American Canyon though the next 20 years. The primary objective of this project is to update the existing American Canyon General Plan in order for it to be compliant with State law.

The Technical 2040 General Plan would implement the vision of the existing General Plan. The City identifies the following three fundamental roles of the City:

1. The City should be home for a residential population, internally accommodating a sufficient range of uses to support the needs of residents (including a mix of housing types, commercial services, entertainment, employment, recreation, education, health, religious, cultural facilities, transportation services, and open space). At the present time, many of these uses are located outside the City, which necessitates extensive travel by residents to access these services.
2. The City should be a center of employment and commerce for regional, as well as local residents. This will provide an opportunity to capitalize upon (1) the cluster of uses which have developed in the Green Island Industrial Park; (2) the proximity of the City to the Napa County Airport and Southern Pacific railroad, and (3) the relationship of the City to the agricultural and vineyard industries of Napa County.
3. The City can capture visitors to the Napa Valley by providing uses which capitalize on the unique environmental setting of the foothills, river valleys, and agriculture. Environmental educational facilities, such as wetlands interpretative centers, overnight camping and recreational vehicle facilities, river recreational facilities such as boating, golf courses, and hotel/motels and restaurants are representative of the range of uses which may be considered.

Alternatives

As required by the California Environmental Quality Act (CEQA), this EIR examines alternatives to the proposed plan. Studied alternatives include the following three alternatives. Based on the alternatives analysis, Alternative 3 was determined to be the environmentally superior alternative.

- Alternative 1: No Project Alternative
- Alternative 2: Watson Ranch Natural Alternative
- Alternative 3: Limited Growth

Refer to Chapter 6, *Alternatives*, for the complete EIR alternatives analysis.

Areas of Known Controversy

The EIR scoping process did not identify areas of known controversy for the proposed plan. Public responses to the Notice of Preparation of a Draft EIR as well as public input received at the EIR scoping meeting held by the City are summarized in Chapter 1.0, *Introduction*.

Issues to be Resolved

There are no CEQA-related issues to be resolved at this time.

Issues Not Studied in Detail in the EIR

Impacts related to Agriculture and Forestry Resources, Energy, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, and Mineral Resources were found to be less than significant. Discussion of these impacts is included in Chapter 4.15, *Effects Found Not to be Significant,* of the EIR.

Summary of Impacts and Mitigation Measures

Table ES-1 summarizes the environmental impacts, mitigation measures, and residual impacts (the impact after application of mitigation, if required) associated with implementation of the proposed project. Impacts are categorized as follows:

- **Significant and Unavoidable.** An impact that cannot be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires a Statement of Overriding Considerations to be issued if the proposed plan is approved pursuant to Section15093 of the CEQA Guidelines.
- **Less than Significant with Mitigation Incorporated.** An impact that can be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires findings under Section 15091 of the CEQA Guidelines.
- **Less than Significant.** An impact that may be adverse but does not exceed the threshold levels and does not require mitigation measures. However, mitigation measures that could further lessen the environmental effect may be suggested if readily available and easily achievable.
- **No Impact:** The proposed plan would have no effect on environmental conditions or would reduce existing environmental problems or hazards.

Table ES-1 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Impact Statement	Mitigation Measure(s)	Residual Impact
Aesthetics		
Impact AES-1. The project would not have a substantial adverse effect on a scenic vista, including views of hills, and impacts would be less than significant**.**	No mitigation is required	Less than Significant
Impact AES-2. The city of American Canyon does not have a designated state scenic highway and the project would not damage scenic resources within a state scenic highway. No impact would occur.	No mitigation is required	No Impact
Impact AES-3. The project would implement policies that would require development of objective design standards for future development. The project would not conflict with applicable zoning and other regulations governing scenic quality and this impact would be less than significant.	No mitigation is required	Less than Significant
Impact AES-4. Construction and operation of future development facilitated by the project could create new sources of light or glare that could adversely affect the visual environment. Impacts would be less than significant with mitigation.	**AES-1 Construction Lighting Plan.** Prior to nighttime construction, if needed for a particular project, project applicants shall submit a construction lighting plan to the City for review and approval. The construction lighting plan shall ensure that the minimum amount of lighting is used to meet safety requirements and ensure no spillover occurs to nearby sensitive uses. All lighting shall be directed downward and away from surrounding land uses**.** **AES-2 Operational Lighting Plan.** Prior to discretionary project approval, the project applicant shall prepare and submit a photometric plan to the City for review and approval which demonstrates that all exterior light fixtures will be directed downward or employ full cut-off fixtures to prevent light spillage. The approved plan shall be incorporated into project design plans.	Less than Significant with Mitigation
Air Quality		
Impact AQ-1. The project would be consistent with the BAAQMD's 2017 Clean Air Plan. Impacts would be less than significant.	No mitigation is required	Less than Significant
Impact AQ-2. The project would not result in a cumulatively considerable net increase of criteria pollutants during construction or operations. Impacts would be less than significant.	No mitigation is required	Less than Significant

Impact Statement	Mitigation Measure(s)	Residual Impact
Impact AQ-3. Construction activities for projects lasting longer than two months or located within 1,000 feet of sensitive receptors could expose sensitive receptors to substantial pollutant concentrations. Implementation of the project may also expose sensitive receptors to operational sources of toxic air contaminants. Impacts would be less than significant with mitigation.	**AQ-1 Conduct Construction Health Risk Assessment.** Prior to issuance of a grading or building permit, whichever occurs first, the applicant shall submit to the City a construction health risk assessment (HRA) in accordance with BAAQMD recommendations for any development project that has at least one the following characteristics: ▪ The project is located within 1,000 feet of sensitive receptors. ▪ Project construction would last longer than two months. ▪ Project construction would not utilize equipment rated USEPA Tier 4 (for equipment of 50 horsepower or more); construction equipment fitted with Level 3 Diesel Particulate Filters (for all equipment of 50 horsepower or more); or alternative fuel construction equipment. If the HRA determines that construction will exceed BAAQMD significance thresholds, the HRA shall provide mitigation measures to reduce the impact to less than significant, including but not limited to requiring the use of Tier 4 engines, Level 3 Diesel Particulate Filters, and/or alternative fuel construction equipment. **AQ-2 Reduce Operational Toxic Air Contaminants Near Sensitive Receptors.** For new sensitive receptors proposed within 500 feet of a major sources of TAC (high-volume roadways with 10,000 vehicles or more per day), the project applicant shall prepare an operational health risk assessment for the City's review and approval. If TAC exposure at new sensitive receptor sites would exceed BAAQMD health risk thresholds, require the project applicant include mechanical air filtration or other measures to reduce health risk exposure to acceptable levels. **AQ-3 Conduct Operational Health Risk Assessment.** Prior to permit approval for industrial, warehousing, or commercial land uses that would generate at least 100 diesel trucks per day or 40 or more trucks with diesel-powered transport refrigeration units per day, the applicant shall submit an operational health risk assessment (HRA) or submit proof that an HRA is not required in accordance with BAAQMD thresholds to the City for review and approval. If required by the City, the operational HRA shall be prepared in accordance with the Office of Environmental Health Hazard Assessment and BAAQMD requirements, and mitigated to an acceptable level. Typical measures to reduce risk impacts may include, but are not limited to: ▪ Restricting idling on-site beyond Air Toxic Control Measures idling restrictions, as feasible. ▪ Electrifying warehousing docks. ▪ Truck Electric Vehicle (EV) Capable trailer spaces. ▪ Requiring use of newer equipment and/or vehicles. ▪ Restricting off-site truck travel through the creation of truck routes.	Less than Significant with Mitigation

Impact Statement	Mitigation Measure(s)	Residual Impact
	The operational HRA shall be provided to the City for review and concurrence prior to project approval.	
Impact AQ-4. The project would not create objectionable odors that could adversely affect a substantial number of people. Impacts related to odors would be less than significant with mitigation**.**	**AQ-4 Reduce Operational Odor Impacts.** Prior to discretionary approval by the City, if it is determined by the City that a development project has the potential to emit nuisance odors beyond the property line, the project applicant shall prepare an odor management plan and submit it to the City for review and approval. Facilities that have the potential to generate nuisance odors include, but are not limited to: ▪ Wastewater treatment plants ▪ Composting, green waste, or recycling facilities ▪ Fiberglass manufacturing facilities ▪ Painting/coating operations ▪ Large-capacity coffee roasters ▪ Food-processing facilities The odor management plan shall demonstrate compliance with the latest BAAQMD screening distances and guidelines. The odor management plan shall identify the best available control technologies for toxics (T-BACTs) that will be utilized to reduce potential odors to acceptable levels, including appropriate enforcement mechanisms. T-BACTs may include but are not limited to scrubbers (i.e., air pollution control devices) at the industrial facility. T-BACTs identified in the odor management plan shall be identified as mitigation measures in the documents prepared for the development project and/or incorporated into the project's site plan.	Less than Significant with Mitigation
Biological Resources		
Impact BIO-1. The project could have the potential to have an adverse impact on special status species. Implementation of federal, state, and local regulations and policies, as well as mitigation measures bio-1 and bio-2, would ensure development facilitated by the project would not have a substantial adverse effect on candidate, sensitive, or special status species. This impact would be less than significant with mitigation.	**BIO-1 Biological Resources Screening and Assessment. F**or projects proposed within undeveloped parcels, the City shall require project applicants to engage a qualified biologist (having the appropriate education and experience level) to perform a baseline Biological Resources Screening and Assessment to determine whether projects proposed within undeveloped parcels have any potential to impact special-status biological resources, inclusive of special-status plants and animals, sensitive vegetation communities (including vernal pools and other wetlands), and critical habitat. If it is determined that the project has no potential to impact biological resources, no further action is required. If the project would have the potential to impact biological resources, prior to construction, a qualified biologist shall conduct a project-specific biological analysis to document the existing biological resources within a project footprint plus a minimum buffer of 500 feet around the project footprint, as is feasible, and to determine the potential impacts to those resources. The project-specific biological analysis shall evaluate the potential for impacts to all biological resources including, but not limited to special-status species, nesting birds,	Less than Significant with Mitigation

Impact Statement	Mitigation Measure(s)	Residual Impact
	wildlife movement, sensitive plant communities, critical habitats, and other resources judged to be sensitive by local, state, and/or federal agencies. If the project would have the potential to impact these resources, the following mitigation measures (mitigation measures BIO-2 through BIO-8) shall be incorporated, as applicable, to reduce impacts to a less than significant level. Pending the results of the project-specific biological analysis, design alterations, further technical studies (e.g., protocol surveys) and consultations with the USFWS, CDFW, and/or other local, state, and federal agencies may be required. Note that specific surveys described in the mitigation measures below may be completed as part of the project-specific biological analysis where suitable habitat is present. **BIO-2 Special-status Plant Species Surveys.** If the project-specific Biological Resources Screening and Assessment (Mitigation Measure BIO-1) determines that there is potential for significant impacts to federally or state-listed plants or regional population level impacts to species with a CRPR of 1B or 2B from project development, a qualified biologist shall complete surveys for special-status plants prior to any vegetation removal, grubbing, or other construction activity (including staging and mobilization). The surveys shall be floristic in nature and shall be seasonally timed to coincide with the target species. All plant surveys shall be conducted by a qualified biologist during the blooming season prior to development permit approval. All special-status plant species identified on site shall be mapped onto a site-specific aerial photograph or topographic map with the use of Global Positioning System unit. Surveys shall be conducted in accordance with the most current protocols established by the CDFW, USFWS, and the local jurisdictions if said protocols exist. A report of the survey results shall be submitted to the City, and the CDFW and/or USFWS, as appropriate, for review and/or approval. **BIO-3 Special-status Plant Species Avoidance, Minimization, and Mitigation.** If federally and/or state-listed or CRPR 1B or 2 species are found during special-status plant surveys (pursuant to Mitigation Measure BIO-2), and would be directly impacted, or there would be a population-level impact to non-listed sensitive species, then the project shall be re-designed to avoid impacting those plant species, where feasible. Rare and listed plant occurrences that are not within the immediate disturbance footprint but are located within 50 feet of disturbance limits shall have bright orange protective fencing installed at least 30 feet beyond their extent, or other distance as approved by a qualified biologist, to protect them from harm. **BIO-4 Habitat Restoration Plan.** If federally or state-listed plants or non-listed special-status CRPR 1B and 2 plant populations identified during special status plant surveys (pursuant to Mitigation Measure BIO-2), cannot be avoided, and will be impacted by development, all impacts shall be mitigated by the applicant at a ratio not lower than 1:1 per acre of impact (and 1:1 per tree), and to be determined by the City (in coordination with CDFW and USFWS as and if applicable) for each species as a component of habitat	

Impact Statement	Mitigation Measure(s)	Residual Impact
	restoration. A qualified biologist shall prepare and submit a restoration plan to the City for review and approval prior to City approval of project plans. (Note: if a federally and/or state-listed plant species will be impacted, the restoration plan shall be submitted to the USFWS and/or CDFW for review, and federal and/or state take authorization may be required by these agencies.) The restoration plan shall include, at a minimum, the following components: 1. Description of the project/impact site (i.e., location, responsible parties, areas to be impacted by habitat type). 2. Goal(s) of the compensatory mitigation project (type[s] and area[s]) of habitat to be established, restored, enhanced, and/or preserved; specific functions and values of habitat type[s] to be established, restored, enhanced, and/or preserved). 3. Description of the proposed compensatory mitigation site (location and size, ownership status, existing functions, and values). 4. Implementation plan for the compensatory mitigation site (rationale for expecting implementation success, responsible parties, schedule, site preparation, planting plan). 5. Maintenance activities during the monitoring period, including weed removal as appropriate (activities, responsible parties, schedule). 6. Monitoring plan for the compensatory mitigation site, including no less than quarterly monitoring for the first year (performance standards, target functions and values, target acreages to be established, restored, enhanced, and/or preserved, annual monitoring reports). 7. Success criteria based on the goals and measurable objectives; said criteria to be, at a minimum, at least 80 percent survival of container plants and 30 percent relative cover by vegetation type or other industry standards as determined by a qualified restoration specialist. 8. An adaptive management program and remedial measures to address any shortcomings in meeting success criteria. 9. Notification of completion of compensatory mitigation and agency confirmation. 10. Contingency measures (initiating procedures, alternative locations for contingency compensatory mitigation, funding mechanism). 11. All nursery plants used in restoration shall be inspected for sudden oak death. **BIO-5 Endangered/Threatened Special-status Species Habitat Assessments and Protocol Surveys.** If the results of the project-specific biological analysis (Mitigation Measure BIO-1) determine that suitable habitat may be present for federal or state listed, candidate, or proposed species, protocol habitat assessments/surveys shall be completed in accordance with current CDFW and/or USFWS protocols prior to issuance of any construction permits.	

Impact Statement	Mitigation Measure(s)	Residual Impact
	If, through consultation with the CDFW and/or USFWS, it is determined that protocol habitat assessments/surveys are not required, the applicant shall complete and document this consultation and submit it to the City prior to issuance of any construction permits. Each protocol has different survey and timing requirements. The applicant shall be responsible for ensuring they understand the protocol requirements and shall hire a qualified biologist to conduct protocol surveys. (Note: if a federally and/or state-listed wildlife species will be impacted, federal and/or state take authorization may be required by USFWS and CDFW.) **BIO-6 Endangered/Threatened Animal Species Avoidance and Minimization.** The following measures shall be applied to impacted aquatic and/or terrestrial animal species identified by the project-specific Biological Resources Screening and Assessment required under Mitigation Measure BIO-1. 1. Ground disturbance shall be limited to the minimum necessary to complete the project. A qualified biologist shall flag the project limits of disturbance. Areas of special biological concern within or adjacent to the limits of disturbance shall have highly visible orange construction fencing installed between said area and the limits of disturbance. 2. All projects occurring within/adjacent to aquatic habitats (including riparian habitats and wetlands) shall be completed between April 1 and October 31, if feasible, to avoid impacts to sensitive aquatic species. Any work outside these dates would require project-specific approval from the City and may be subject to regulatory agency approval. 3. All projects occurring within or adjacent to sensitive habitats that may support federally and/or state-listed endangered/threatened species shall have a CDFW- and/or USFWS-approved biologist present during all initial ground disturbing/vegetation clearing activities. Once initial ground disturbing/vegetation clearing activities have been completed, said biologist shall conduct daily pre-activity clearance surveys for endangered/threatened species. Alternatively, and upon approval of the CDFW and/or USFWS, said biologist may conduct site inspections at a minimum of once per week to ensure all prescribed avoidance and minimization measures are fully implemented. 4. No endangered/threatened species shall be captured and relocated without express permission from the CDFW and/or USFWS. 5. If at any time during project construction an endangered/threatened species enters the construction site or otherwise may be impacted by the project, all project activities shall cease. A CDFW/USFWS-approved biologist shall document the occurrence and consult with the CDFW and USFWS, as appropriate, to determine whether it was safe for project activities to resume.	

Impact Statement	Mitigation Measure(s)	Residual Impact
	6. For all work occurring in areas where endangered/threatened species may be present and are at risk of entering the project site during construction, the applicant shall install exclusion fencing along the project boundaries prior to start of construction (including staging and mobilization). The placement of the fence shall be at the discretion of the CDFW/USFWS-approved biologist. This fence shall consist of solid silt fencing placed at a minimum of three feet above grade and two feet below grade and shall be attached to wooden stakes placed at intervals of not more than five feet. The applicant shall inspect the fence weekly and following rain events and high wind events and shall be maintained in good working condition until all construction activities are complete. 7. All vehicle maintenance/fueling/staging shall occur not less than 100 feet from any riparian habitat or water body, including seasonal wetland features. Suitable containment procedures shall be implemented to prevent spills. A minimum of one spill kit shall be available at each work location near riparian habitat or water bodies. 8. No equipment shall be permitted to enter wetted portions of any affected drainage channel or wetland. 9. At the end of each workday, excavations shall be secured with a cover or a ramp provided to prevent wildlife entrapment. 10. All trenches, pipes, culverts, or similar structures shall be inspected for animals prior to burying, capping, moving, or filling. 11. Considering the potential for the project to impact federally and state-listed species and their habitat, the City shall contact CDFW and USFWS to identify mitigation banks within Napa County during project development. If the results of the project-specific biological analysis (Mitigation Measure BIO-1) determine that impacts to federally and state threatened or endangered species habitat are expected, City and/or applicant shall explore species-appropriate mitigation bank(s) servicing the region for purchase of mitigation credits. 12. Prior to grading and construction in natural areas of containing suitable upland habitat, a qualified biologist shall conduct a preconstruction survey as determined necessary during the biological analysis (Mitigation Measure BIO-1) . The survey should include a transect survey over the entire project disturbance footprint (including access and staging areas), and mapping of suitable habitat features, such as burrows, that are potentially suitable for listed species. If any listed species are detected, no work shall be conducted until the individual(s) leaves the site of their own accord, unless federal and/or state “take” authorization has been issued for relocation. Typical preconstruction survey procedures, such as burrow scoping and burrow collapse, cannot be conducted without federal and state permits. If any life stage of listed species are found within the survey area, the City and/or applicant shall consult with the	

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	USFWS and CDFW to determine the appropriate course of action to comply with the FESA and CESA, if permits are not already in place at the time of construction. **BIO-7: Pre-Construction Bird Surveys, Avoidance, and Notification.** For all future development under the 2040 General Plan, construction activities initiated during the bird nesting season (February 1 – September 15), involving removal of vegetation (e.g. trees and shrubs), abandoned structures, or other nesting bird habitat, a pre-construction nesting bird survey shall be conducted no more than 5 days prior to initiation of ground disturbance and vegetation removal. The nesting bird pre-construction survey shall be conducted on foot and shall include a buffer around the construction site at a distance determined by a qualified biologist, including staging and storage areas. The minimum survey radii surrounding the work area shall be the following: 250 feet for non-raptors and 1,000 feet for raptors. The survey shall be conducted by a qualified biologist familiar with the identification of avian species known to occur in the American Canyon region. If construction lapses for seven days or longer, the qualified biologist shall conduct another focused survey before project activities are reinitiated. If nests are found, an avoidance buffer shall be determined by the biologist dependent upon the species, the proposed work activity, and existing disturbances associated with land uses outside of the site. The qualified biologist shall observe the active nest to establish a behavioral baseline of the adults and nestlings, if present. The qualified biologist shall continuously monitor the active nests to detect signs of disturbance and behavioral change as a result of construction impacts, such as noise, vibration, odors, or worker/equipment motion. If signs of disturbance and behavioral changes are observed, the qualified biologist shall cease work causing those changes and may contact CDFW or USFWS for guidance. The buffer shall be demarcated by the biologist with bright orange construction fencing, flagging, construction lathe, or other means to demarcate the boundary. All construction personnel shall be notified of the buffer zone as an “Ecologically Sensitive Area” and to avoid entering the buffer zone during the nesting season. No ground disturbing activities shall occur within the buffer until the biologist has confirmed that breeding/nesting is completed and the young have fledged the nest. Encroachment into the buffer shall occur only at the discretion of the qualified biologist on the basis that the encroachment will not be detrimental to an active nest. A report summarizing the pre-construction survey(s) shall be prepared by a qualified biologist and shall be submitted to the City prior to the commencement of construction activities. Project site plans shall include a statement acknowledging compliance with the federal MBTA and California Fish and Game Code that includes avoidance of active bird nests and identification of Best Management Practices to avoid impacts to active nests, including checking for nests prior to construction activities during February 1 to September 15, and	

Impact Statement	Mitigation Measure(s)	Residual Impact
	what to do if an active nest is found so that the nest is not inadvertently impacted during grading or construction activities. **BIO-8 Roosting Bat Surveys and Avoidance Prior to Removal.** For all future development under the 2040 General Plan that will require the removal of large trees (greater than 20 inches in diameter at five feet from the ground), abandoned buildings, bridges, or other suitable roosting structure identified during the Biological Resources Screening and Assessment (Mitigation Measure BIO-1), prior to tree and/or structure removal, a qualified biologist shall conduct a focused survey of all trees and structures to be removed or impacted by construction activities to determine whether active roosts of special-status bats are present on site. Tree or structure removal shall be planned for either the spring or the fall, and timed to ensure both suitable conditions for the detection of bats and adequate time for tree and/or structure removal to occur during seasonal periods of bat activity exclusive of the breeding season, as described below. Trees and/or structures containing suitable potential bat roost habitat features shall be clearly marked or identified. If no bat roosts are found, the results of the survey will be documented and submitted to the City within 30 days of the survey, after which no further action will be required. If roosts are present, the biologist shall prepare a site-specific roosting bat protection plan to be implemented by the contractor following the City's approval. Additionally, the qualified biologist shall determine compensatory mitigation for temporary or permanent habitat loss due to tree removal, in conjunction with CDFW. The plan shall incorporate the following guidance as appropriate: ▪ When possible, removal of trees/structures identified as suitable roosting habitat shall be conducted during seasonal periods of bat activity, including the following: Between September 1 and about October 15, or before evening temperatures fall below 45 degrees Fahrenheit and/or more than 0.5 inch of rainfall within 24 hours occurs. Between March 1 and April 15, or after evening temperatures rise above 45 degrees Fahrenheit and/or no more than 0.5 inch of rainfall within 24 hours occurs. ▪ If a tree/structure must be removed during the breeding season and is identified as potentially containing a colonial maternity roost, then a qualified biologist shall conduct acoustic emergence surveys or implement other appropriate methods to further evaluate if the roost is an active maternity roost. Under the biologist's guidance, the contractor shall implement measures similar to or exceeding the following: If it is determined that the roost is not an active maternity roost, then the roost may be removed in accordance with the other requirements of this measure.	

Impact Statement	Mitigation Measure(s)	Residual Impact
	If it is found that an active maternity roost of a colonial roosting species is present, the roost shall not be disturbed during the breeding season (April 15 to August 31). ▪ Tree removal procedures shall be implemented using a two-step tree removal process. This method is conducted over two consecutive days and works by creating noise and vibration by cutting non-habitat branches and limbs from habitat trees using chainsaws only (no excavators or other heavy machinery) on day one. The noise and vibration disturbance, together with the visible alteration of the tree, is very effective in causing bats that emerge nightly to feed to not return to the roost that night. The remainder of the tree is removed on day two. ▪ Prior to the demolition of vacant structures within the project site, a qualified biologist shall conduct a focused habitat assessment of all structures to be demolished. The habitat assessment shall be conducted enough in advance to ensure the commencement of building demolition can be scheduled during seasonal periods of bat activity (see above), if required. If no signs of day roosting activity are observed, no further actions will be required. If bats or signs of day roosting by bats are observed, a qualified biologist will prepare specific recommendations such as partial dismantling to cause bats to abandon the roost, or humane eviction, both to be conducted during seasonal periods of bat activity, if required. ▪ If the qualified biologist determines a roost is used by a large number of bats (large hibernaculum), bat boxes shall be installed near the project site. The number of bat boxes installed will depend on the size of the hibernaculum and shall be determined through consultation with CDFW. If a maternity colony has become established, all construction activities shall be postponed within a 500-foot buffer around the maternity colony until it is determined by a qualified biologist that the young have dispersed. Once it has been determined that the roost is clear of bats, the roost shall be removed immediately. **BIO-9 Conduct Pre-construction Crotch's Bumblebee surveys and Implement Avoidance Measures.** If the results of the project-specific biological analysis (Mitigation Measure BIO-1) determine that suitable habitat may be present for Crotch's bumble bee, a habitat assessment shall be performed by a qualified biologist knowledgeable and experienced with Crotch's bumblebee and the habitat in which they occur. If the biologist determines that suitable habitat for Crotch's bumblebee is present, a focused survey shall be performed during the species' active flight period for Crotch's bumblebee and peak blooming period of nectar and pollen sources (May 1 through July 31). The Crotch's bumblebee survey shall be conducted on foot and shall encompass the entirety of a project site and focus on areas that allow for the highest probability of detection, such as high abundance nectar or pollen sources and rodent burrows that may be used for breeding and nesting. If Crotch's bumblebee is determined to be present, the project proponent shall	

Impact Statement	Mitigation Measure(s)	Residual Impact
	map the locations of the observed bumblebee, areas of abundant nectar or pollen sources, and any active nesting sites. A report summarizing the results of the habitat assessment and focused survey (if required) shall be prepared by the qualified biologist and shall be submitted to the City prior to the commencement of construction activities. Further, consultation with the CDFW will be necessary in the event Crotch's bumblebee was observed within a project site and an Incidental Take Permit, in accordance with the California Endangered Species Act, may be required prior to initiating any ground disturbance on the site. If Crotch's bumble are not listed and no longer candidates for listing at the time of project implementation, this mitigation measure would not be required.	
Impact BIO-2. Development and mobility improvements facilitated by the project would be subject to adopted city regulations to minimize impacts to riparian habitat, sensitive natural communities, and wetlands. Compliance with the NPDES construction general permit, ms4 storm water permit, American Canyon municipal code, and proposed policies in the 2040 general plan would ensure potential impacts to riparian habitat, sensitive natural communities, and wetlands would be less than significant.	No mitigation is required.	Less than Significant
Impact BIO-3. Implementation of the project would not substantially impede the movement of native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors after implementation of proposed policies in the 2040 general plan and compliance with the American Canyon municipal code.	No mitigation is required.	Less than Significant
Impact BIO-4. The project would implement proposed policies designed to protect biological resources. Development and mobility improvements facilitated by the project would be required to adhere to these policies, as well as American Canyon municipal code requirements to protect biological resources. Therefore, this impact would be less than significant.	No mitigation is required.	Less than Significant

Impact Statement	Mitigation Measure(s)	Residual Impact
Impact BIO-5. Implementation of the project would not conflict with the provision of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan. No impact would occur.	No mitigation is required.	No Impact
Cultural Resources		
Impact CUL-1. Development facilitated by the project could adversely affect previously unidentified historic-period resources. Impacts to historic-period resources would be less than significant with mitigation.	**CUL-1 Historical Built Environment.** Prior to project approval, the applicant shall submit a report to the City that identifies any historic-age features (i.e., structures over 45 years of age) proposed to be altered or demolished. If historical-age features are present, the applicant shall submit a historical resources evaluation to the City prepared in areas that contains buildings, structures, objects, sites, landscape/site plans, or other features that are 45 years of age or older, by a qualified architectural historian or historian who meets the Secretary of the Interior's Professional Qualifications Standards (PQS) in architectural history or history (36 CFR Part 61). The evaluation shall include an intensive-level evaluation, in accordance with the guidelines and best practices meeting the State Office of Historic Preservation guidelines. All evaluated properties shall be documented on Department of Parks and Recreation Series 523 Forms. The report shall be submitted to the City for review and approval. If historical resources are identified through the survey and evaluation, efforts shall be made by the applicant to ensure that the relocation, rehabilitation, or alteration of the resource is consistent with the Secretary of the Interior's Standards for the Treatments of Historic Properties (Standards). The applicant shall submit a report to the City that identifies and specifies the treatment of character-defining features and construction activities, and demonstrates how the project complies with the Standards and avoids the substantial adverse change in the significance of the historical resource as defined by CEQA Guidelines Section 15064.5(b). The report shall be prepared by an architectural historian or historical architect meeting the PQS as defined by 36 CFR Part 61 and provided to the City for review and concurrence prior to project approval.	Less than Significant with Mitigation
Impact CUL-2. Development facilitated by the project could adversely affect previously unidentified archaeological resources. Impacts would be less than significant with mitigation**.**	**CUL-2 Archaeological Resources Assessment.** Prior to project approval of a project that involves ground disturbance activities (that may include but are not limited to, pavement removal, potholing, grubbing, tree removal, and grading), the applicant shall submit to the City an archaeological resources assessment prepared by a qualified archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards in either prehistoric or historic archaeology. Assessments shall include a CHRIS records search at the NWIC and a SLF Search from the NAHC. The records searches shall characterize the results of previous cultural resource surveys and disclose any cultural resources that have been recorded and/or evaluated in and around the development site. A qualified professional	Less than Significant with Mitigation

Impact Statement	Mitigation Measure(s)	Residual Impact
	shall conduct a Phase I pedestrian survey for those projects that include undeveloped areas to locate any surface cultural materials. If the Phase I archaeological survey identifies resources that may be affected, the applicant shall also conduct Phase II testing and evaluation. If resources are determined significant or unique through Phase II testing and site avoidance is not possible, the qualified professional shall identify appropriate site-specific mitigation measures in the Phase II evaluation. These measures may include, but would not be limited to, a Phase III data recovery program, avoidance, or other appropriate actions to be determined by a qualified archaeologist. If significant archaeological resources cannot be avoided, impacts may be reduced to less than significant level by filling on top of the sites rather than cutting into the cultural deposits. Alternatively, and/or in addition, a data collection program may be warranted, including mapping the location of artifacts, surface collection of artifacts, or excavation of the cultural deposit, to characterize the nature of the buried portions of sites. Curation of the excavated artifacts or samples would occur as specified by the archaeologist. The City shall review and approve the archaeological resources assessment prior to project approval. **CUL-3 Unanticipated Discoveries.** For projects whose Phase I archaeological survey identifies archaeological resources that may be affected, the applicant shall retain a qualified cultural resource specialist to monitor construction activities that involve ground-disturbing activities greater than 12 inches in depth and occur within 60 feet of a potentially significant cultural resource. If archaeological resources are encountered during ground-disturbing activities, work in the immediate area must halt and an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for Archaeology should be contacted immediately to evaluate the find. If necessary, the evaluation may require preparation of a treatment plan and archaeological testing for CRHR eligibility. If the discovery proves to be significant under CEQA and cannot be avoided by the project, additional work, such as excavating the cultural deposit to fully characterize its extent and collecting and curating artifacts may be warranted to mitigate any significant impacts to cultural resources. If archaeological resources of Native American origin are identified during construction, a qualified archaeologist will consult with the City to begin Native American consultation procedures. Periodic reports of the find and subsequent evaluations shall be submitted to the City during construction.	
Impact CUL-3. Development facilitated by the project could result in damage to or destruction of human burials. Impacts would be less than significant through adherence to existing regulations and with mitigation.	**CUL-4 Human Remains.** In the event of an accidental discovery or recognition of any human remains, CEQA Guidelines Section 15064.5, Health and Safety Code Section 7050.5, and Public Resources Code Sections 5097.94 and Section 5097.98 shall be followed. If during construction, there is accidental discovery or recognition of any human remains, the following steps shall be taken:	Less than Significant with Mitigation

Impact Statement	Mitigation Measure(s)	Residual Impact
	1. There shall be no further excavation or disturbance within 100 feet of the remains until the County Coroner is contacted to determine whether the remains are Native American and if an investigation of the cause of death is required. If the Coroner determines the remains to be Native American, the Coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours, and the NAHC shall identify the person or persons it believes to be the Most Likely Descendant (MLD) of the deceased Native American. The MLD may make recommendations to the landowner or the person responsible for the excavation work within 48 hours, for means of treating or disposing of, with appropriate dignity, the human remains, and any associated grave goods as provided in Public Resource Code Section 5097.98. 2. Where the following conditions occur, the landowner or authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the MLD or on the project site in a location not subject to further subsurface disturbance: ▪ The NAHC is unable to identify an MLD or the MLD failed to make a recommendation within 48 hours after being notified by the commission. ▪ The descendant identified fails to make a recommendation. ▪ The landowner or authorized representative rejects the recommendation of the descendant, and mediation by the NAHC fails to provide measures acceptable to the landowner. Additionally, California Public Resources Code Section 15064.5 requires the following relative to Native American Remains: ▪ When an initial study identifies the existence of, or the probable likelihood of, Native American Remains within a project, a lead agency shall work with the appropriate Native Americans as identified by the NAHC as provided in Public Resources Code Section 5097.98. The applicant may each develop a plan with respect to their respective individual development proposals for treating or disposing of, with appropriate dignity, the human remains, and any items associated with Native American Burials with the appropriate Native Americans as identified by the NAHC.	
Greenhouse Gas Emissions		
Impact GHG-1. Development facilitated by the project would make progress towards achieving state goals but would not necessarily meet state 2030 or 2045 goals. Mitigation measures ghg-2 and ghg-3 would require implementation of CEQA GHG thresholds and a climate	**GHG-1 Construction GHG BMPs.** Prior to the issuance of any grading permits, the project applicant shall provide the City of American Canyon with documentation (e.g., site plans) demonstrating implementation of construction Best Management Practices (BMPs). Measures may include but are not limited to:	Significant and Unavoidable

Impact Statement	Mitigation Measure(s)	Residual Impact
action plan (cap); however, development facilitated by the project would not meet the 2030 or 2045 goals until the cap is updated and adopted. This impact would be significant and unavoidable**.**	▪ At least 15 percent of the construction fleet for each project phase shall be alternatively fueled or electric. ▪ At least 10 percent of building materials used for project construction shall be sourced from local suppliers. ▪ At least 65 percent of construction and demolition waste materials shall be recycled or reused. ▪ At least one contractor that has a business location in American Canyon shall be contracted for project construction. ▪ All construction contracts shall include language that requires all off-road equipment with a power rating below 19 kilowatts (e.g., plate compactors, pressure washers) using during construction be electrically powered. ▪ Architectural coatings used for project construction shall be "Low-VOC," containing no greater than 50 grams of volatile organic compounds (VOC) per liter of product. ▪ Project construction shall prohibit the use of generators and shall establish grid power connection to electrical equipment needs. ▪ Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California Airborne Toxics Control Measure [ATCM] Title 13, Section 2485 of California Code of Regulations). Clear signage regarding idling restrictions shall be provided for construction workers at all access points. ▪ All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. ▪ The prime construction contractor shall post a publicly visible sign with their telephone number and contractor to contact. The construction contractor shall take corrective action within 48 hours. The BAAQMD's phone number shall also be identified and visible to ensure compliance with applicable regulations. **GHG-2 Adopt and Implement a CEQA GHG Emissions Threshold.** The City shall include and implement a new 2040 General Plan policy under the Environment Element to prepare, adopt, and implement a CEQA GHG Emissions threshold of significance. The City shall adopt the CEQA GHG Emissions threshold of significance by the end of 2025 for use in future CEQA GHG emissions analyses through 2030. In addition, upon completion of future CAP updates and as necessary, the City shall update the CEQA GHG Emissions threshold of significance and American Canyon CEQA GHG Checklist to be consistent with each CAP update. **GHG-3 Adopt American Canyon CAP to Meet the State's 2030 and 2045 GHG Emissions Goals.** The City shall draft and adopt the American Canyon qualified CAP by the end of 2025	

Impact Statement	Mitigation Measure(s)	Residual Impact
	to outline how American Canyon will meet the State's 2030 goal of 40 percent below 1990 emissions levels and 2045 goal of carbon neutrality. Implementation measures in the updated qualified CAP to achieve the 2030 and 2045 goals may include, but are not limited to, the following: Develop and adopt Zero Net Energy requirements for new and remodeled residential and non-residential development; ▪ Develop and adopt a building electrification ordinance for existing and proposed structures; ▪ Expand charging infrastructure and parking for electric vehicles; ▪ Implement carbon sequestration by expanding the urban forest, participating in soil-based or compost application sequestration initiatives, supporting regional open space protection, and/or incentivizing rooftop gardens; and ▪ Implement policies and measures included in the California 2022 Climate Change Scoping Plan, such as mobile source strategies for increasing clean transit options and zero emissions vehicles by providing electric vehicle charging stations.	
Land Use and Planning		
Impact LU-1. The project would not physically divide an established community and there would be no impact**.**	No mitigation is required.	No Impact
Impact LU-2. The project would not result in a significant environmental impact due to a conflict with a plan adopted for the purpose of avoiding or mitigating an environmental effect. Impacts would be less than significant**.**	Mitigation measures AES-1, AES-2, AQ-1 through AQ-4, BIO-1, BIO-2, CUL-1 through CUL-3, GHG-1 through GHG-3, NOI-1 through NOI-3, PAL-1, WF-1, and WF-2.	Less than Significant

Impact Statement	Mitigation Measure(s)	Residual Impact
Noise		
Impact NOI-1. Construction of development facilitated by the project would temporarily increase noise levels, potentially affecting nearby noise-sensitive land uses. Development facilitated by the project would also introduce new noise sources and contribute to increases in operational noise. The continued regulation of noise, consistent with the city municipal code and implementation of proposed policies in the 2040 general plan would minimize impacts to adjacent land uses. However, construction and operational traffic noise could exceed standards even after implementation of mitigation. This impact would be significant and unavoidable.	**NOI-1 Conduct Construction Noise Analysis.** The City shall review future developments within 1,000 feet of a sensitive receiver, and where applicable, require the following feasible measures as standard conditions of approval to reduce construction noise levels below a level of significance: ▪ **Mufflers.** During excavation and grading construction phases, all construction equipment, fixed or mobile, shall be operated with closed engine doors and shall be equipped with properly operating and maintained mufflers consistent with manufacturers' standards. ▪ **Stationary Equipment.** All stationary construction equipment shall be placed so that emitted noise is directed away from the nearest sensitive receivers. ▪ **Equipment Staging Areas.** Equipment staging shall be located in areas that will create the greatest distance feasible between construction-related noise sources and noise-sensitive receivers. ▪ **Smart Back-up Alarms.** Mobile construction equipment shall have smart back-up alarms that automatically adjust the sound level of the alarm in response to ambient noise levels. Alternatively, back-up alarms shall be disabled and replaced with human spotters to ensure safety when mobile construction equipment is moving in the reverse direction in compliance with applicable safety laws and regulations. ▪ **Electrically-Powered Tools and Facilities.** Electrical power shall be used to run air compressors and similar power tools and to power any temporary structures, such as construction trailers or caretaker facilities, where feasible. ▪ **Noise Disturbance Coordinator.** The project applicant shall designate a "noise disturbance coordinator" responsible for responding to any local complaints about construction noise. The disturbance coordinator shall determine the cause of any noise complaint and shall require that reasonable measures be implemented to correct the problem. A telephone number for the disturbance coordinator and the City shall be posted at the construction site. ▪ **Temporary Noise Barriers.** Erect temporary noise barriers, where feasible, when construction noise is predicted to exceed the City's construction standards and when the anticipated construction duration is greater than is typical (e.g., two years or greater). Temporary noise barriers shall be constructed with solid materials (e.g., wood) with a density of at least 1.5 pounds per square foot with no gaps from the ground to the top of the barrier. If a sound blanket is used, barriers shall be constructed with solid material with a density of at least 1 pound per square foot with no gaps from the ground to the top of the barrier and be lined on the construction side with acoustical	Significant and Unavoidable.

Impact Statement	Mitigation Measure(s)	Residual Impact
	blanket, curtain or equivalent absorptive material rated sound transmission class (STC) 32 or higher. **NOI-2 Implement Roadway Vehicle Noise Reduction Measures.** The City shall install "quiet pavement" roadway improvements, such as rubberized asphalt or open-grade asphalt concrete overlays along impacted roadway segments (American Canyon Road west of I-80 and Newell Drive north of American Canyon Road). The program may be funded by "fair share" developer contributions for proposed projects along impacted roadways to pay for the "quiet pavement" roadway improvements.	
Impact NOI-2. Construction of development facilitated by the project would temporarily generate groundborne vibration and noise, potentially affecting nearby land uses. This impact would be less than significant with mitigation. Operation of development facilitated by the project would not result in substantial groundborne vibration and noise and this impact would be less than significant.	**NOI-3 Construction Vibration Control Plan.** Prior to issuance of a building permit for a project that includes the following, the project applicant shall prepare a groundborne noise and vibration analysis to assess and mitigate potential noise and vibration impacts related to these construction activities: ▪ Pile driving within: ▫ 135 feet of fragile structures such as historical resources; ▫ 100 feet of non-engineered timber and masonry buildings (e.g., most residential buildings); or ▫ 75 feet of engineered concrete and masonry (no plaster); ▪ A vibratory roller within: ▫ 40 feet of fragile historical resources; or ▫ 25 feet of any other structure ▪ A dozer or other large earthmoving equipment within: ▫ 20 feet for a fragile historical structure; or ▫ 15 feet of any other structure The noise and vibration analysis shall be conducted by a qualified and experienced acoustical consultant or engineer. The vibration levels shall not exceed FTA architectural damage thresholds (e.g., 0.12 in/sec PPV for fragile or historical resources, 0.2 in/sec PPV for non-engineered timber and masonry buildings, and 0.3 in/sec PPV for engineered concrete and masonry). If vibration levels would exceed this threshold, alternative uses such as drilling piles as opposed to pile driving, static rollers as opposed to vibratory rollers, and lower horsepower earthmoving equipment shall be used. If necessary, construction vibration monitoring shall be conducted to ensure FTA vibration thresholds are not exceeded.	Less than Significant with Mitigation

Impact Statement	Mitigation Measure(s)	Residual Impact
Impact NOI-3. Development facilitated by the project would not result in a significant increase in airport or airstrip activity. The continued regulation of airport noise consistent with state and federal regulations, the implementation of proposed policies in the 2040 general plan, and compliance with napa county airport land use compatibility plan would minimize disturbance to people residing or working within proximity of the napa county airport. Impacts would be less than significant.	No mitigation is required.	Less than Significant
Paleontological Resources		
Impact PAL-1.the project has the potential to result in impacts to paleontological resources. Impacts would be less than significant with mitigation incorporated**.**	**PAL-1 Retention of a Qualified Professional Paleontologist.** Prior to submittal of a discretionary development application in areas underlain by high or undetermined sensitivity geologic units (i.e., Pleistocene alluvial fan deposits; Markley Sandstone; Jameson Shale Member of Markley Sandstone; Domengine Sandstone; and sandstone and shale of the Great Valley Complex), the City shall require a Qualified Professional Paleontologist [as defined by the Society of Vertebrate Paleontology (SVP) (2010)] be retained to determine the project's potential to significantly impact paleontological resources according to SVP (2010) standards. If necessary, the Qualified Professional Paleontologist shall recommend mitigation measures to reduce potential impacts to paleontological resources to a less than significant level. The City shall review and approve the Qualified Professional Paleontologist's findings and recommendation. All recommendations shall be incorporated into the project plans prior to issuance of a grading permit**.**	Less than Significant with Mitigation
Population and Housing		
Impact POP-1. Implementation of the project would facilitate the construction of new housing in American Canyon and would increase population. The 2040 general plan would accommodate and plan for population growth and includes policies to manage growth and development. Impacts would be less than significant.	No mitigation is required.	Less than Significant

Impact Statement	Mitigation Measure(s)	Residual Impact
Impact POP-2. Implementation of the project would not result in the displacement of substantial numbers of housing or people. The project would facilitate the development of new housing in accordance with state and local housing requirements, while preserving existing residential neighborhoods. Impacts would be less than significant**.**	No mitigation is required.	Less than Significant
Public Services and Recreation		
Impact PS-1. Development facilitated by the project would increase the population in the planning area, which would result in an increase in demand for fire, police, and libraries. Compliance with proposed policies in the 2040 general plan and continued environmental review would minimize adverse environmental effects associated with the provision of new or physically altered fire, police, or library facilities. These impacts would be less than significant.	No mitigation is required.	Less than Significant
Impact PS-2. Future development facilitated by the project would be required to pay impact fees that would provide funding for the provision or expansion of new school facilities, pursuant to government code section 65995(b). Impacts from the project would be offset by the payment of impact fees and impacts would be less than significant.	No mitigation is required.	Less than Significant
Impact PS-3. Development facilitated by the project would increase the population in the planning area, which would increase the use of parks and recreational facilities. Adherence to American Canyon municipal code regulations and proposed 2040 general plan policies would ensure impacts related to parks and recreational facilities would be less than significant.	No mitigation is required	Less than Significant
Transportation		
Impact TRA-1. The project would not conflict with a program, plan, ordinance or policy addressing the circulation system and impacts would be less than significant.	No mitigation is required.	Less than Significant

Impact Statement	Mitigation Measure(s)	Residual Impact
Impact TRA-2. The future (2040) citywide rate of Residential VMT per Capita with the proposed 2040 General Plan would be higher than the significance threshold. The project would therefore conflict with or be inconsistent with CEQA Guidelines 15064.3(b) and impacts would be significant.	No feasible mitigation measures beyond policies included in the Mobility Element of the General Plan.	Significant and Unavoidable
Impact TRA-3. The project would not substantially increase hazards due to a geometric design feature and impacts would be less than significant.	No mitigation is required.	Less than Significant
Impact TRA-4. The project would not result in inadequate emergency access and impacts would be less than significant**.**	No mitigation is required.	Less than Significant
Tribal Cultural Resources		
Impact TCR-1. The project could adversely impact tribal cultural resources. Impacts would be less than significant through consultation conducted pursuant to AB 52.	No mitigation is required.	Less than Significant
Utilities and Service Systems		
Impact UTL-1. Development facilitated by the project would increase demand for water, wastewater, electric power, telecommunications, and stormwater drainage; however, no additional relocation or construction of utility services would be required to service the project beyond connections to existing utilities. The project would result in a minimal increase in natural gas demand. Impacts would be less than significant**.**	No mitigation is required.	Less than Significant
Impact UTL-2. The project would increase demand for water. Water supply for the project would be provided by the City of American Canyon from existing and planned supply sources including imported water and supplemental water purchased from the City of Vallejo as well as locally developed recycled water. Potential impacts would be less than significant.	No mitigation is required.	Less than Significant

Impact Statement	Mitigation Measure(s)	Residual Impact
Impact UTL-3. Development facilitated by the project would increase demand for wastewater treatment. The timing, intensity, and location of an expansion of wastewater treatment facilities is unknown at this time, but an expansion would require additional ceqa review and compliance with existing building and zoning codes. As such, impacts related to expansion of wastewater treatment facilities as a result of the 2040 general plan would be less than significant.	No mitigation is required.	Less than Significant
Impact UTL-4. The project would not generate solid waste in excess of state or local standards, would not exceed the capacity of local infrastructure, and would not impair the attainment of solid waste reduction goals. Impacts would be less than significant.	No mitigation is required.	Less than Significant
Wildfire		
Impact W-1. The 2040 general plan proposed policies address emergency access, response, and preparedness. Therefore, the project would not impair an emergency response plan or emergency evacuation plan. Impacts would be less than significant.	No mitigation is required.	Less than Significant
Impact W-2. The project could expose people and structures to wildfire risk; however, wildfire risks would be reduced with mitigation and impacts would be less than significant.	**WF-1 Wildfire Risk Reduction During Construction.** For projects located in proximity to agricultural or undeveloped areas (including hillside areas) with flammable vegetation, prior to issuance of a grading or building permit, whichever occurs first, the applicant shall submit documentation that they will implement the following measures to reduce risk of loss, injury, or death from wildfire during construction: 1. Construction equipment powered by internal combustion engines shall be equipped with spark arresters. The spark arresters shall be maintained pursuant to manufacturer recommendations to ensure adequate performance. 2. Certain project construction activities with potential to ignite wildfires during red-flag warnings issued by the National Weather Service for the project site location shall be prohibited. Example activities that shall be prohibited during red-flag warnings include welding and grinding outside of enclosed buildings, mowing, chain sawing, chipping, the use of any equipment with the potential to introduce sparks. 3. Fire extinguishers shall be required to be onsite during construction. Construction vehicles shall be equipped with at least one (1) functioning fire extinguisher and one (1) shovel or McLeod firefighting tool. Heavy machinery or equipment (e.g., tractors,	Less than Significant with Mitigation

Impact Statement	Mitigation Measure(s)	Residual Impact
	grinders, tree chippers, excavators, bulldozers) shall be equipped with one (1) shovel, McLeod firefighting tool, or Pulaski; one (1) functioning fire extinguisher; and at least one 5-gallon backpack pump or larger capacity water (or CAFS) pump/delivery system.. Fire extinguishers shall be maintained to function according to manufacturer specifications. Construction personnel shall receive training on the proper methods of using a fire extinguisher. **WF-2 Fire Resistant Vegetation and Landscaping.** For projects located in proximity to agricultural or undeveloped areas (including hillside areas) with flammable vegetation, prior to issuance of a building permit for development located within or adjacent to a VHFHSZ, the applicant shall submit landscape plans prepared by a registered Landscape Architect that are consistent with applicable Building and Fire Codes.	
Impact W-3. The project would include the installation of utilities and future mobility improvements; however, compliance with the HMP and proposed policies in the 2040 general plan would reduce impacts to less than significant.	No mitigation is required.	Less than Significant
Impact W-4. The planning area is relatively flat and compliance with proposed policies in the 2040 general plan and the American Canyon municipal code would ensure that risks from flooding or landslides due to a wildfire would be less than significant.	No mitigation is required	Less than Significant

1 Introduction

This Environmental Impact Report (EIR) examines the potential environmental effects of the proposed City of American Canyon (City) 2040 Technical General Plan Update ("project"). The environmental review process for the project, and legal basis for preparing an EIR, are described below.

1.1 Environmental Impact Report Background

This document is an EIR that evaluates the potential environmental impacts associated with implementation of the project. This section of the EIR:

1. Provides an overview of project's background.
2. Summarizes the process involved in developing the project.
3. Describes the purpose of and legal authority of the EIR.
4. Summarizes the scope and content of the EIR.
5. Lists lead, responsible, and trustee agencies for the EIR.
6. Describes the intended uses of the EIR.
7. Provides a synopsis of the environmental review process required under the California Environmental Quality Act (CEQA).

The contents of other EIR sections are as follows:

- Section 2, *Project Description*, provides a detailed discussion of the project.
- Section 3, *Environmental Setting*, describes the general environmental setting for the City of American Canyon.
- Section 4*, Environmental Impact Analysis*, describes the potential environmental effects associated with development facilitated by the project.
- Section 5*, Other CEQA Required Sections*, discusses issues such as growth inducement and significant irreversible environmental effects.
- Section 6, *Alternatives*, discusses alternatives to the project, including the CEQA-required "no project" alternative.
- Section 7, *References and Report Preparers*, lists informational sources for the EIR and persons involved in the preparation of the document.

In addition, this EIR also includes the following Appendices:

- Appendix A. Notice of Preparation and Scoping Comments Received
- Appendix B. Supporting Biological Resources Information
- Appendix C. Supporting Noise Information

1.2 Overview of the Project

State law (Government Code Section 65300) requires each city and county adopt a comprehensive general plan. The City's existing General Plan was adopted by the City Council on November 3, 1994. The project is a comprehensive effort to update the existing General Plan to respond to current local and regional conditions, and changes in State law that may not have been in effect when the General Plan was originally adopted. The proposed 2040 Technical General Plan Update has been organized into the following elements: Land Use; Housing; Economic Development; Mobility; Utilities; Public Services and Facilities; Environment, Parks, and Recreation; Safety; and Environmental Justice. Together, these elements cover all topics required to include in a General Plan under State law.

The General Plan defines the policy framework by which the City's physical and economic resources are to be managed and used over the next 18 years. City decision-makers will use the General Plan as a blueprint for:

- Choices about the use of land;
- Protection of environmental resources;
- Conservation and development of housing;
- Provision of supporting infrastructure and public and human services; and
- Protection of people and property from natural and constructed hazards.

The General Plan serves as a constitution for future development in American Canyon. Therefore, any City decision affecting land use and development must be consistent with the General Plan. This includes development projects that may be proposed in the future. An action, program, or project would be considered consistent with the General Plan if, considering all of its aspects, it will further the objectives and policies of the General Plan or not obstruct their attainment.

The project contains goals, policies, and implementation programs to implement the City's overarching objectives.

- **Goals** are statements that provide direction and state the desired end condition.
- **Policies** establish basic courses of action to achieve these goals, and directly guide the response of elected and appointed officials to development proposals and related community actions.
- **Implementation Programs** are specific actions, procedures, standards or techniques that the City must take to help achieve a specified goal or implement an adopted policy.

1.3 Purpose and Legal Authority

This EIR has been prepared in accordance with the CEQA Guidelines. In accordance with CEQA Guidelines Section 15121(a) (California Code of Regulations, Title 14, Division 6, Chapter 3), the purpose of an EIR is to:

> Inform public agency decision-makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project.

This EIR fulfills the requirements for a Program EIR. Although the legally required contents of a Program EIR are the same as a Project EIR, Program EIRs are by necessity more conceptual and may

contain more general discussion of impacts, alternatives, and mitigation measures than a Project EIR. As provided in CEQA Guidelines Section 15168, a Program EIR may be prepared on a series of actions characterized as one large project. Use of a Program EIR enables the City (as Lead Agency) to consider broad policy alternatives and program-wide mitigation measures and greater flexibility to address environmental issues and/or cumulative impacts on a comprehensive basis. While the Program level EIR uses expansive program-level thresholds, it should not be assumed that impacts determined to be less than significant at a program level would be less than significant for an individual project implemented under the 2040 General Plan, even if the individual project is consistent with the 2040 General Plan.

Once a Program EIR has been prepared, subsequent activities within the Project must be evaluated to determine what, if any, additional CEQA documentation needs to be prepared. If the Program EIR addresses the Project's effects as specifically and comprehensively as possible, many subsequent activities could be found to be within the Program EIR scope and additional environmental documentation may not be required (CEQA Guidelines Section 15168(c)). When a Lead agency relies on a Program EIR for a subsequent activity, it must incorporate applicable mitigation measures and alternatives developed in the Program EIR into the subsequent activities (CEQA Guidelines Section 15168(c)(3)). If a subsequent activity would have effects not contemplated or not within the scope of the Program EIR, the Lead Agency must prepare a new Initial Study leading to a Negative Declaration, Mitigated Negative Declaration, or a project level EIR. In this case, the Program EIR still serves a valuable purpose as the first-tier environmental analysis. CEQA Guidelines Section 15168(b) encourage the use of Program EIRs, citing five advantages:

- Provision of a more exhaustive consideration of impacts and alternatives than would be practical in an individual EIR.
- Focus on cumulative impacts that might be slighted in a case-by-case analysis.
- Avoidance of continual reconsideration of recurring policy issues.
- Consideration of broad policy alternatives and programmatic mitigation measures at an early stage when the agency has greater flexibility to deal with them.
- Reduction of paperwork by encouraging the reuse of data (through tiering).

This EIR has been prepared to analyze potentially significant environmental impacts resulting from implementation of the project and provides feasible mitigation measures or project alternatives that would minimize or eliminate these impacts.

1.4 Scope and Content

In accordance with the CEQA Guidelines, a Notice of Preparation (NOP) of a Draft EIR was circulated to potentially interested parties on July 5, 2022. The NOP, included in Appendix A, indicates that all issues on the City's environmental checklist would be discussed in the EIR. These include:

- Aesthetics
- Agricultural and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Noise
- Population and Housing
- Public Services and Recreation
- Transportation
- Tribal Cultural Resources

- Greenhouse Gas Emissions
- Land Use and Planning
- Utilities and Service Systems
- Wildfire

This EIR evaluates potential impacts in each of these areas. Impacts regarding the CEQA topics of Agriculture and Forestry Resources, Energy, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, and Mineral Resources were determined to not be significant and are analyzed in section 4.15 of this EIR. The focus of this EIR is to:

- Provide information about the project for consideration by the City Council in its selection of the project, an alternative to the project, or a combination of various elements from the project and its alternatives, for approval;
- Review and evaluate the potentially significant environmental impacts that could occur as a result of the growth and development envisioned in the project;
- Identify feasible mitigation measures that may be incorporated into the project to reduce or eliminate potentially significant effects;
- Disclose any potential growth-inducing and/or cumulative impacts associated with the project; and
- Examine a reasonable range of alternative growth scenarios (including growth according to the existing General Plan, reduced growth, and alternative locations within the City for growth) that could feasibly attain the basic objectives of the project, while eliminating and/or reducing some or all of its potentially significant adverse environmental effects.

The NOP of this EIR received three written responses. The responses, included in Appendix A, are addressed, as appropriate, in the analysis contained in the various subsections of Section 4, *Environmental Impact Analysis*. The City staff also conducted a virtual scoping meeting on July 28, 2022. Two Planning Commissioners and one member of the public made comments at the Scoping Meeting. Table 1-1 shows a summary of the written comments and Scoping Meeting comments. The NOP and written comments are included in Appendix A.

Table 1-1 NOP Comments and EIR Response

Commenter	Issue Area/Issues Raised	How and Where Addressed in the EIR
Agency Comments		
California Department of Fish and Wildlife (CDFW)	Requested that the EIR include the following information: land use changes; project footprints; temporarily impacted areas; plans for proposed structures, ground disturbing activities, landscaping, stormwater improvements, fencing, paving, stationary machinery; operational features; and construction activities.	Chapter 2, *Project Description* includes the complete project description. Some of the information requested by CDFW is currently not available, including footprints, plans for buildings, operational features, and construction information. This EIR is a programmatic EIR and the information requested by CDFW will be available when future plans and projects are proposed and reviewed by the City.
	Requested creation of procedure or checklist for evaluating subsequent project impacts on biological resources to determine if individual projects are within the scope of the Program EIR.	Section 1.3, *Purpose and Legal Authority* identifies how this Programmatic EIR would be used in the future.
	Noted regulatory authority under the California Endangered Species Act, Native	These regulations are incorporated into Section 4.3, *Biological Resources.*

Commenter	Issue Area/Issues Raised	How and Where Addressed in the EIR
	Plant Protection Act, Fish and Game Code, and Migratory Bird Treaty Act.	
	Recommended EIR provide baseline data for species and habitat from multiple sources.	The baseline data used for this EIR is included in Section 4.3, *Biological Resources.*
	Recommended surveys be conducted for special-status species.	A requirement for biological resource surveys for future projects is included in Section 4.3, *Biological Resources.*
	Requested discussion of all direct and indirect impacts associated with the project, feasible mitigation, and cumulative impacts	Impacts and mitigation are identified in Section 4.3, *Biological Resources.*
California Department of Transportation (Caltrans)	Identified that VMT analysis should include discussion of multimodal transportation and traffic safety issues; the project's effects on pedestrians, bicycles, travelers with disabilities, and transit performance; and, if necessary, mitigation for an increase in VMT.	Comment is addressed in Section 4.11, *Transportation*
Native American Heritage Commission (NAHC)	Noted tribal consultation is required under Assembly Bill 52 and Senate Bill 18.	The notification process, pursuant to Assembly Bill 52 and Senate Bill 18, is summarized in Section 4.12, *Tribal Cultural Resources.*
	Identified procedures to follow and requested feasible mitigation be considered, including provisions for the inadvertent discovery of tribal cultural resources.	Comment is addressed in Section 4.4, *Cultural Resources* and Section 4.12, *Tribal Cultural Resources.*
Planning Commission Comments		
Vice Chair Wong	Requested information on Measure J consistency with the American Canyon General Plan and Napa County General Plan	This comment concerns the General Plan Update and is not relevant to the EIR.
	Requested information on EIR and General Plan noticing process to public and Planning Commission.	Summary of noticing is provided in Section 1.7*, Environmental Review Process.*
	Asked how the draft resolutions regarding climate change would be incorporated into the General Plan Update.	This comment concerns the General Plan Update and is not relevant to the EIR. A discussion of greenhouse gas emissions is provided in Section 4.7, *Greenhouse Gas Emissions.*
Commissioner Navarro	Asked if General Plan Update and EIR would address climate change and prohibiting new gas stations in the City.	Comment is addressed in Section 4.5, *Energy*, and Section 4.7, *Greenhouse Gas Emissions.*
	Noted highlighting greenhouse gas reduction measures may result in extra community engagement.	A discussion of greenhouse gas emissions is provided in Section 4.7, *Greenhouse Gas Emissions.*
Public Comments		
Chris James	Requested clarification on Measure J, Green Island Vineyards project, and LAFCO's effect on the General Plan Update.	This comment concerns the General Plan Update and is not relevant to the EIR.
	Requested information on the Urban Limit Line and introduction of the Hess Laird property.	A discussion of the Urban Limit Line and Hess Laird property is included in Chapter 2, *Project Description.*

1.5 Lead, Responsible, and Trustee Agencies

The City of American Canyon is the lead agency under CEQA for this EIR because it has primary discretionary authority to determine whether or how to approve the project. CEQA Guidelines Section 15381 defines responsible agencies as other public agencies that are responsible for carrying out/implementing a specific component of a project or for approving a project that implements the goals and policies of a General Plan. There are no responsible agencies for the project. Although not responsible agencies under CEQA, several other agencies have review authority over aspects of the project or approval authority over projects that could potentially be implemented in accordance with various objectives and policies included in the project. These agencies and their roles are listed below.

- The State Geologist is responsible for the review of the City's program for minimizing exposure to geologic hazards and for regulating surface mining activities.
- The Napa Local Agency Formation Commission (LAFCO) has responsibility for approving any annexations to the City that might occur over the life of the project.
- The California Department of Transportation (Caltrans) has responsibility for approving future improvements to the state highway system, including State Route 29.
- The California Department of Fish and Wildlife (CDFW) has responsibility for issuing take permits and streambed alteration agreements for any projects with the potential to affect plant or animal species listed by the State of California as rare, threatened, or endangered or that would disturb waters of the State.
- The Napa County Airport Land Use Commission (ALUC) has the responsibility of reviewing the project and future individual projects, as applicable, for consistency with the ALUC's Airport Land Use Compatibility Plan (ALUCP).
- Any other public agencies which may own land within City boundaries.

Trustee agencies have jurisdiction over certain resources held in trust for the people of California but do not have a legal authority over approving or carrying out the project. CEQA Guidelines Section 15386 designates four agencies as trustee agencies: CDFW with regards to fish and wildlife, native plants designated as rare or endangered, game refuges, and ecological reserves; the State Lands Commission, with regard to state-owned "sovereign" lands, such as the beds of navigable waters and State school lands; the California Department of Parks and Recreation, with regard to units of the State park system; and the University of California, with regard to sites within the Natural Land and Water Reserves System. The CDFW, due to the potential for rare or endangered species, is the only trustee agencies for the project.

1.6 Intended Uses of the EIR

This EIR is as an informational document for use in the City's review and consideration of the project. This document is a Program EIR. CEQA Guidelines Section 15168(a) states that:

> A Program EIR is an EIR which may be prepared on a series of actions that can be characterized as one large project and are related either: (1) geographically; (2) as logical parts in a chain of contemplated actions; (3) in connection with issuance of rules, regulations, plans, or other general criteria, to govern the conduct of a continuing program; or (4) as individual activities

carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.

As a programmatic document, this EIR presents and discloses a region-wide assessment of the environmental impacts of the project. The information and analysis in this EIR will be used by the City of American Canyon Planning Commission and City Council, trustee agencies, and the general public to evaluate the project's potential effects on the environment.

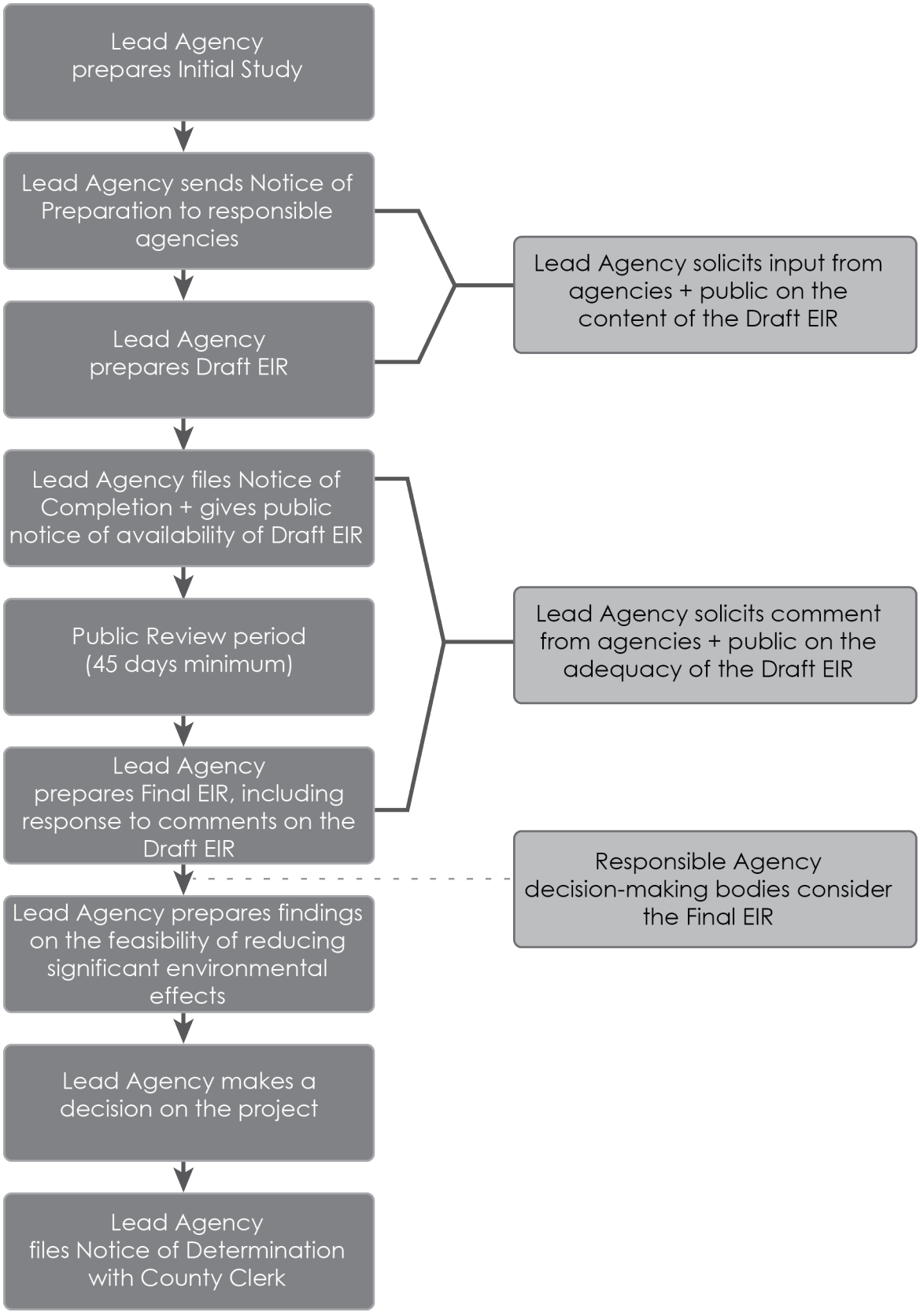
1.7 Environmental Review Process

The environmental impact review process required under CEQA is summarized below and illustrated in Figure 1-1. The steps appear in sequential order.

1. **Notice of Preparation (NOP) Distributed.** Immediately after deciding that an EIR is required, the lead agency must file a NOP soliciting input on the EIR scope to "responsible," "trustee," and involved federal agencies; to the State Clearinghouse, if one or more state agencies is a responsible or trustee agency; and to parties previously requesting notice in writing. The NOP must be posted in the County Clerk's office for 30 days. A scoping meeting to solicit public input on the issues to be assessed in the EIR is not required but may be conducted by the lead agency. The NOP public comment period for the project was from July 5, 2022 to August 4, 2022 and a scoping meeting was held on July 28, 2022. Public comments were received in response to the NOP and scoping process.
2. **Draft EIR Prepared.** The Draft EIR must contain: a) table of contents or index; b) summary; c) project description; d) environmental setting; e) significant impacts (direct, indirect, cumulative, growth-inducing and unavoidable impacts); f) alternatives; g) mitigation measures; and h) irreversible changes.
3. **Public Notice and Review.** A lead agency must prepare a Public Notice of Availability of an EIR. The Notice must be placed in the County Clerk's office for 30 days (Public Resources Code Section 21092) and sent to anyone requesting it. Additionally, public notice of Draft EIR availability must be given through at least one of the following procedures: a) publication in a newspaper of general circulation; b) posting on and off the project site; and c) direct mailing to owners and occupants of contiguous properties. The lead agency must consult with and request comments on the Draft EIR from responsible and trustee agencies, and adjacent cities and counties. When a Draft EIR is sent to the State Clearinghouse for review, the public review period must be 45 days, unless a shorter period is approved by the Clearinghouse (Public Resources Code 21091). Distribution of the Draft EIR may be required through the State Clearinghouse. This EIR will be circulated for a 45-day public review and will be sent to the State Clearinghouse.
4. **Notice of Completion.** A lead agency must file a Notice of Completion with the State Clearinghouse as soon as it completes a Draft EIR.
5. **Final EIR.** A Final EIR must include: a) any revisions to the Draft EIR; b) copies of comments received during public review; c) list of persons and entities commenting; and d) responses to comments.
6. **Certification of Final EIR.** The lead agency shall certify that: a) the Final EIR has been completed in compliance with CEQA; b) the Final EIR was presented to the decision-making body of the lead agency; and c) the decision-making body reviewed and considered the information in the Final EIR prior to approving a project.

7. **Lead Agency Project Decision.** A lead agency may: a) disapprove a project because of its significant environmental effects; b) require changes to a project to reduce or avoid significant environmental effects; or c) approve a project despite its significant environmental effects, if the proper findings and statement of overriding considerations are adopted.
8. **Findings/Statement of Overriding Considerations.** For each significant impact of the project identified in the EIR, the lead or responsible agency must find, based on substantial evidence, that: a) the project has been changed to avoid or substantially reduce the magnitude of the impact; b) changes to the project are within another agency's jurisdiction and such changes have or should be adopted; or c) specific economic, social, or other considerations make the mitigation measures or project alternatives infeasible. If an agency approves a project with unavoidable significant environmental effects, it must prepare a written Statement of Overriding Considerations that set forth the specific social, economic, or other reasons supporting the agency's decision.
9. **Mitigation Monitoring/Reporting Program.** When an agency makes findings on significant effects identified in the EIR, it must adopt a reporting or monitoring program for mitigation measures that were adopted or made conditions of project approval to mitigate significant effects.
10. **Notice of Determination.** An agency must file a Notice of Determination after deciding to approve a project for which an EIR is prepared. A local agency must file the Notice with the County Clerk. The Notice must be posted for 30 days and sent to anyone previously requesting notice. Posting of the Notice starts a 30-day statute of limitations on CEQA challenges.

Figure 1-1 Environmental Review Process



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2 Project Description

The project analyzed in this Environmental Impact Report (EIR) is the City of American Canyon (City) Technical 2040 General Plan Update, hereafter referred to as the "project." This section of the EIR describes the key characteristics of the project, including the project proponent/lead agency, the geographic extent of the plan, project objectives, required approvals, and the development forecasted by the project.

2.1 Project Purpose

The project is an update to the City's current General Plan, which includes the following chapters: Introduction, Land Use Element, Housing Element, Economic Development Element, Circulation Element, Utilities Element, Public Services and Facilities Element, Parks and Recreation Element, Natural and Historic & Cultural Resources Element, Geology Element, Flood Hazards Element, and Noise Element. The project establishes the City's vision for future development through the horizon year of 2040. The project will serve as the City's primary guide for future land use and development decisions in a way that meets the community needs and priorities while serving as a key tool for influencing and improving the quality of life for residents and businesses. As such, it serves as the "blueprint" for future development and conservation of a community. The 2040 General Plan Update will help the City plan for important community issues, such as community growth; health, housing, mobility, and infrastructure needs; climate change; and environmental protection. It will also set the stage for future social, physical, and economic development of the City.

2.2 Project Proponent/Lead Agency

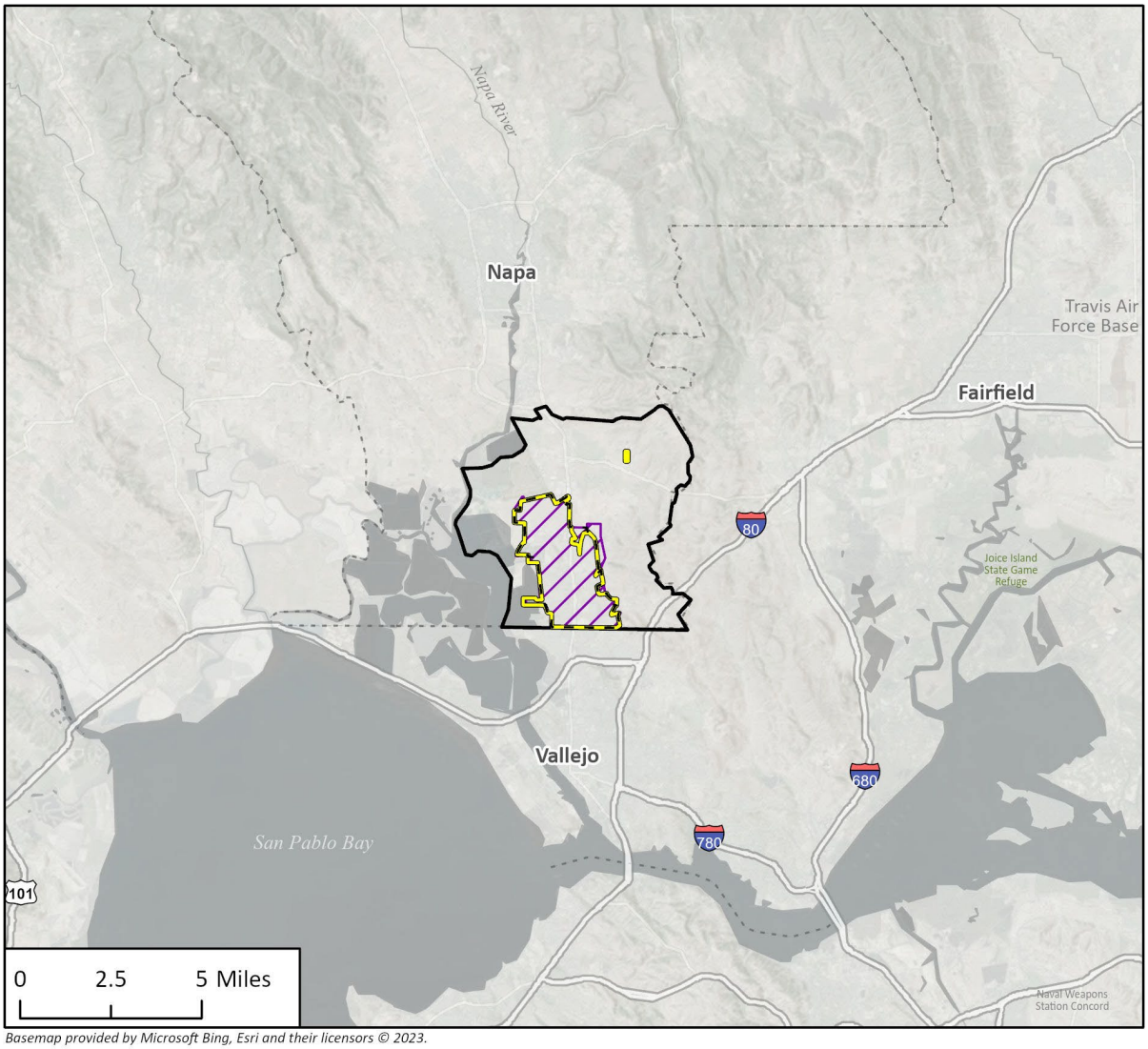
The City of American Canyon is both the project proponent and the lead agency for the project. The City's Community Development Department (located at 4381 Broadway Street, Suite 201, American Canyon, California 94503) prepared this EIR with the assistance of Rincon Consultants, Inc. and Mintier-Harnish.

2.3 Project Location

The City of American Canyonis located in southern Napa County, as shown in Figure 2-1. The City is bordered by Napa County Airport to the north, Sulphur Spring Mountains to the east, Solano County and the City of Vallejo to the south, and the Napa River to the west.

Pursuant to State law, a General Plan must address all areas that bear a physical relationship to the long-term planning of the city. Consistent with this principle, the General Plan Area includes the City of American Canyon Water and Sewer Service area, the City limits, the City's Sphere of Influence (SOI), and urban limit line. Figure 2-1 depicts the limits of the General Plan Area.

Figure 2-1 Regional Location



Basemap provided by Microsoft Bing, Esri and their licensors © 2023.
Additional data provided by the City of American Canyon, 2022.

City of American Canyon Boundary
Sphere of Influence
General Plan Area
2030 Urban Limit
Project Location

N

American Canyon GPU and EIR

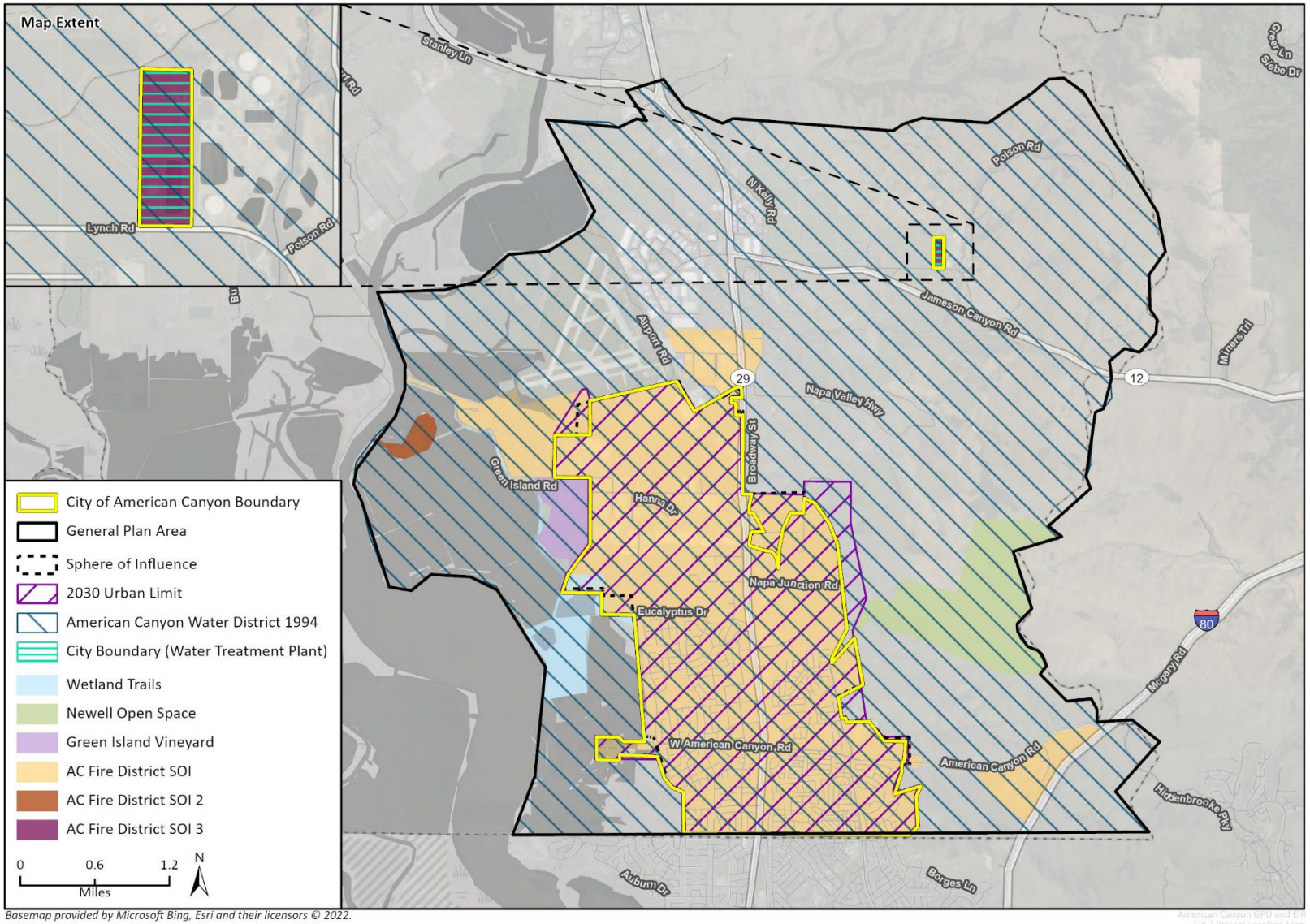
Any future development associated with the 2040 General Plan would be limited to the City limits, the SOI, and the urban limit line. As such, this EIR focuses on these three areas, which altogether are referred to as the "Planning Area." Figure 2-2 depicts the City limits, the SOI, and the urban limit line. The American Canyon city limits defines land that has been incorporated and for which the City has authority. The Napa County Local Agency Formation Commission (LAFCo) established the SOI, which defines the probable physical boundary and service area of a local agency. The SOI includes areas the City will have primary responsibility to provide public facilities and services. The City Council adopted an initiative in 2008 to adopt an urban limit line around the city. This urban limit line was negotiated with Napa County to be consistent with the County's general plan and agricultural protection ordinances. The boundary helps preserve agriculture and open spaces, prevent urban sprawl, implement the planned development of the city, foster sustainable growth, and maintain a balance between housing and jobs. Primary regional access to the City is provided by Interstate 80 (I-80), approximately five miles to the east of the City limits. State Route 29 (SR 29) provides north-south access while State Route 12 (SR 12) provides east-west access to the City. The City is served by a surface street system ranging from multi-lane arterial roadways to narrow two-lane streets.

2.4 Regulatory Setting

State law (Government Code Sections 65300 through 65303.4) sets forth the requirement for each municipality to adopt and periodically update its General Plan, and sets the requirement that a General Plan include the following mandatory subject areas, or "elements": Land Use, Circulation, Housing, Open Space, Conservation, Noise, Safety, and Environmental Justice. State law also allows for optional elements that can be organized or combined at the City's discretion. The 2040 General Plan has been organized into the following elements: Land Use; Housing; Economic Development; Mobility; Utilities; Public Services and Facilities; Environment, Parks, and Recreation; Safety; and Environmental Justice. Together, these elements cover all topics required to be included in a General Plan under State law. The Housing Element was certified by the State Department of Housing and Community Development (HCD) on June 30, 2023.

Under State law, a property's zoning is required to be consistent with its General Plan land use designation (Government Code Section 65860). Section 65860(c) of the Government Code requires that when a General Plan is amended or updated in a way that makes the Zoning Ordinance inconsistent with the General Plan, "the zoning ordinance shall be amended within a reasonable time so that it is consistent with the general plan as amended."

Figure 2-2 Project Location



Basemap provided by Microsoft Bing, Esri and their licensors © 2022.
Additional data provided by the City of American Canyon, 2022.

2.5 Project Objectives

The Technical 2040 General Plan will serve as a long-term framework for future growth and development, represents the community's view of its future, and contains the goals and policies upon with the City Council, Planning Commission, and the entire community will base land use and resource decisions. The Technical 2040 General Plan will provide a contemporary plan that will guide American Canyon though the next 20 years. The primary objective of this project is to update the existing American Canyon General Plan in order for it to be compliant with State law.

The Technical 2040 General Plan would implement the vision of the existing General Plan. The City identifies the following three fundamental roles of the City:

1. The City should be home for a residential population, internally accommodating a sufficient range of uses to support the needs of residents (including a mix of housing types, commercial services, entertainment, employment, recreation, education, health, religious, cultural facilities, transportation services, and open space). At the present time, many of these uses are located outside the City, which necessitates extensive travel by residents to access these services.
2. The City should be a center of employment and commerce for regional, as well as local residents. This will provide an opportunity to capitalize upon (1) the cluster of uses which have developed in the Green Island Industrial Park; (2) the proximity of the City to the Napa County Airport and Southern Pacific railroad, and (3) the relationship of the City to the agricultural and vineyard industries of Napa County.
3. The City can capture visitors to the Napa Valley by providing uses which capitalize on the unique environmental setting of the foothills, river valleys, and agriculture. Environmental educational facilities, such as wetlands interpretative centers, overnight camping and recreational vehicle facilities, river recreational facilities such as boating, golf courses, and hotel/motels and restaurants are representative of the range of uses which may be considered.

2.6 Project Characteristics

2.6.1 2040 General Plan Update Organization

The elements included in the 2040 General Plan are further described below.

- **Land Use Element.** This element contains the development policies and standards that directly shape land use decisions and the resulting physical form of the City of American Canyon. These include density, lot coverage, and height policies. The Land Use Element serves as the primary means for ensuring that new land uses are logically organized and developed sustainably.
- **Mobility Element.** This element provides a framework for decisions concerning the City's multimodal transportation network. This element also incorporates Vehicle Miles Travelled policies consistent with Senate Bill 743 (SB 743) and updates street standards for all modes of transportation including transit, bicycles, and pedestrian.
- **Utilities.** This element focuses on the variety of public facilities, utilities, and infrastructure that are necessary to sustain existing households and businesses and to accommodate future population and employment growth.
- **Environment, Parks, and Recreation.** This element considers the effects of existing and planned development on natural resources, including biological resources, water resources, soil

resources, cultural and historic resources, and air quality and climate change. This element also guides the long-range preservation and conservation of open space, as well as the park and recreational facilities.

- **Safety Element**. This element addresses natural and urban safety hazards in American Canyon, including existing and potential hazards. This Element establishes policies and actions to mitigate identified hazards to protect City residents and visitors. This element also focuses on noise element requirements, consistent with Government Code Section 65302(f), including new existing noise contours as well as projected noise contours based on future traffic volumes projected to arise from improvements planned for in the Mobility Element.
- **Environmental Justice.** This element establishes goals, policies, and implementation programs related to environmental justice to ensure all the members of the American Canyon community (i.e., residents, workers, business owners, local organizations, and visitors) regardless of race, ethnicity, age, gender, religion, sexual orientation, disability, and socio-economic status feel valued, safe, respected, included, and secure.

The City has also prepared an updated Housing Element, which was made available for public review on September 27, 2022. The Housing Element identifies the City's Regional Housing Needs Allocation (RHNA) goal of 622 dwelling units and provides the City's action plan for the 6th Cycle Housing Element (2023 to 2031). The Housing Element was certified by the State Department of Housing and Community Development (HCD) on June 30, 2023. The Housing Element has undergone separate CEQA review and for that reason is not analyzed in this EIR.

In addition, the 2040 General Plan would include an Economic Development and Public Services and Facilities Element. However, these elements have not been updated and the current Economic Development and Public Services and Facilities Element in the current General Plan would still apply to the project. Pertinent policies that would reduce environmental impacts are identified in this EIR.

2.6.2 Land Use Designations

The land use map for the General Plan Update is provided in Figure 2-3. These land use designations define the basic categories of land uses allowed in the city but are implemented through the City's Zoning Ordinance and Zoning Map, which are part of the City's Municipal Code and contain more specific regulations and standards governing development on individual properties. The project would change some of the land use designations; however, these changes primarily resolve inconsistences between existing uses and the General Plan land use designations. Figure 2-4 shows the changes in land use designations compared to the current General Plan.

2.6.3 Urban Limit Line Expansion

As a part of the project, the City would update the Urban Limit Line to include the Hess/Laird Property, as shown in Figure 2-5. The lands that would be added to the Urban Limit Line are within Napa County's jurisdiction and would need to be incorporated into the City with an annexation before any future development could occur in that area. Because these lands are not within the City's jurisdiction, the potential environmental impacts from future development in the Hess Laird Property will be addressed when the City pursues annexation of that area. The expansion of the Urban Limit Line is an administrative process that would not result in an environmental impacts and is not discussed further in this EIR.

Figure 2-3 2040 General Plan Land Use Designations

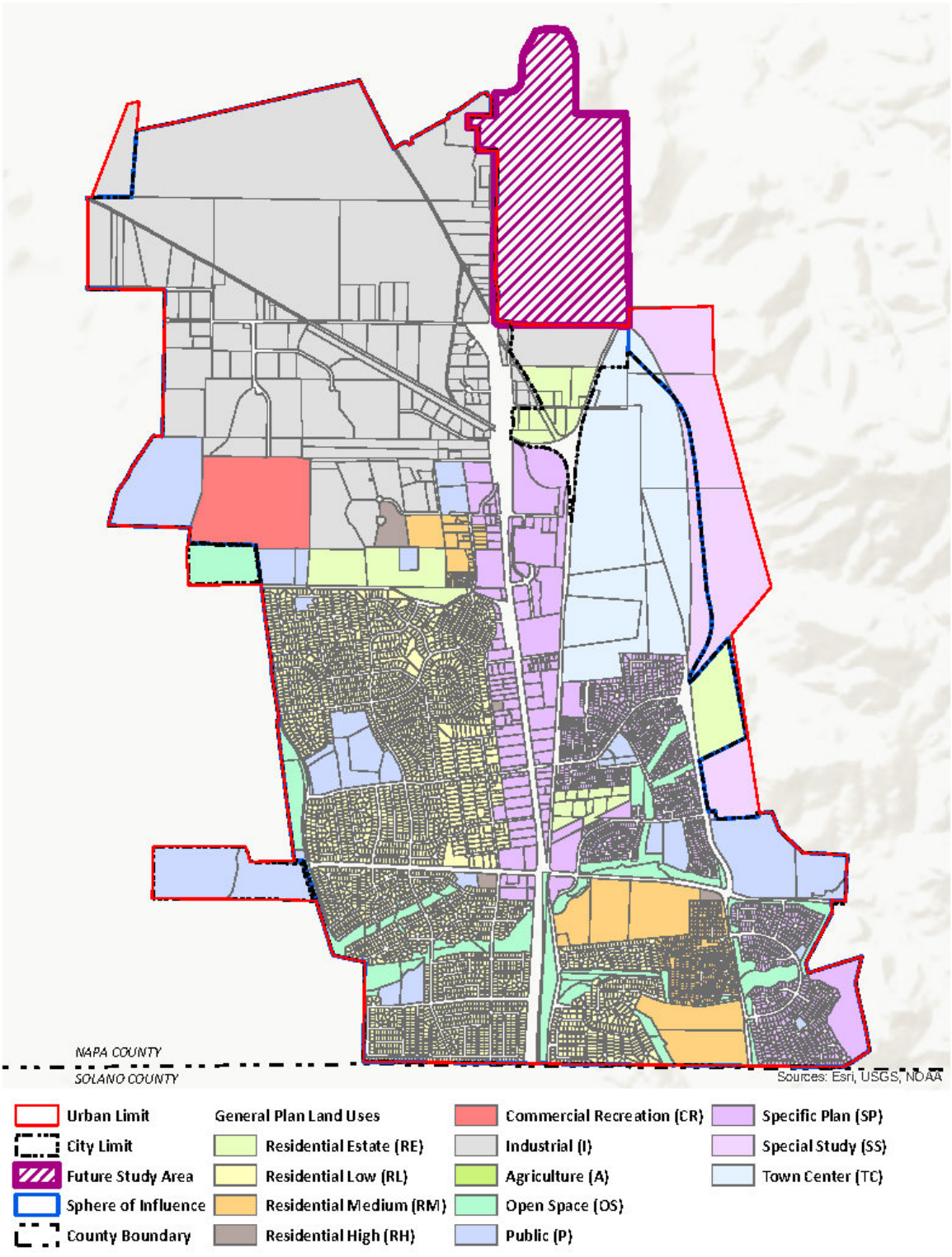
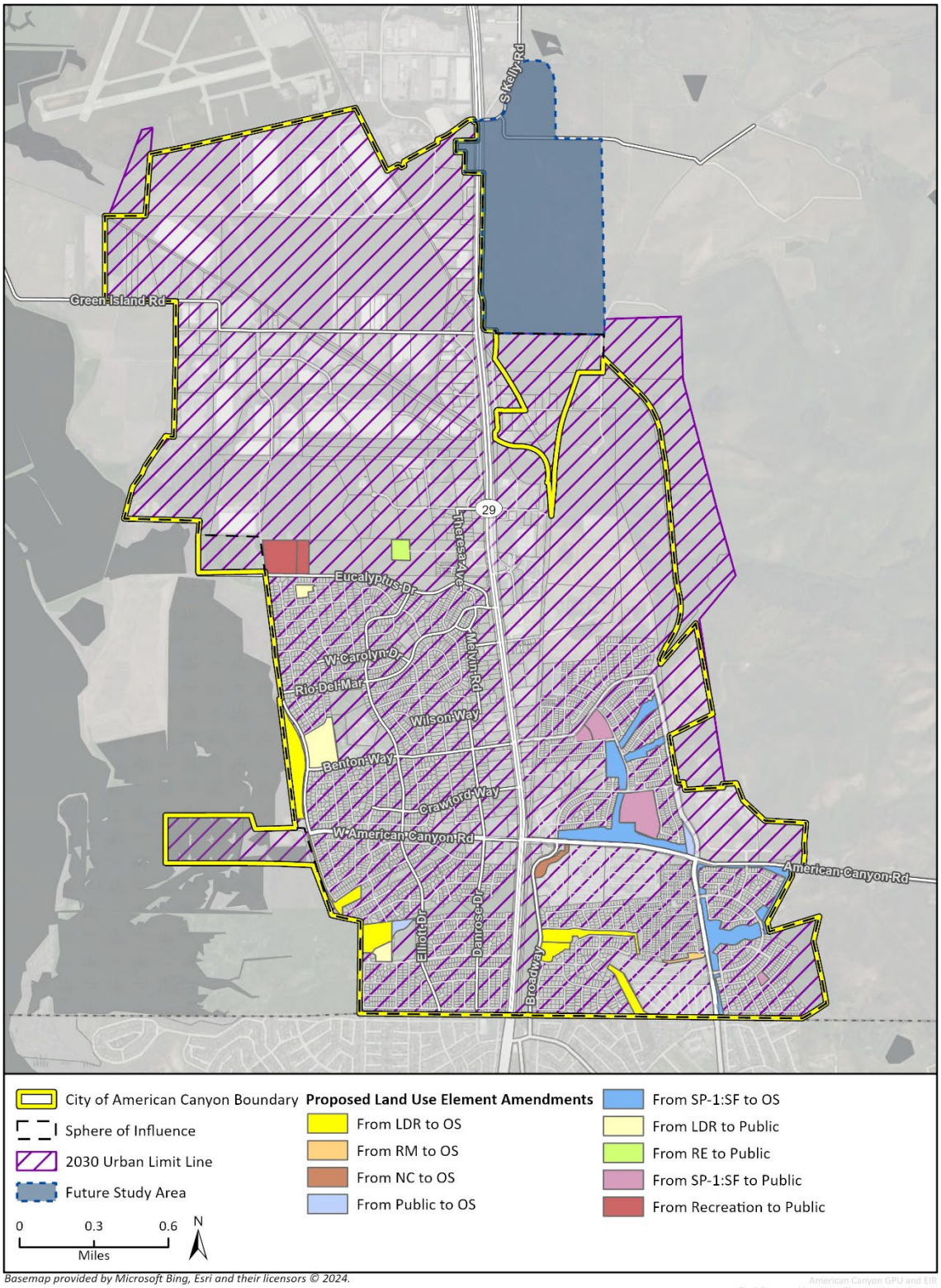


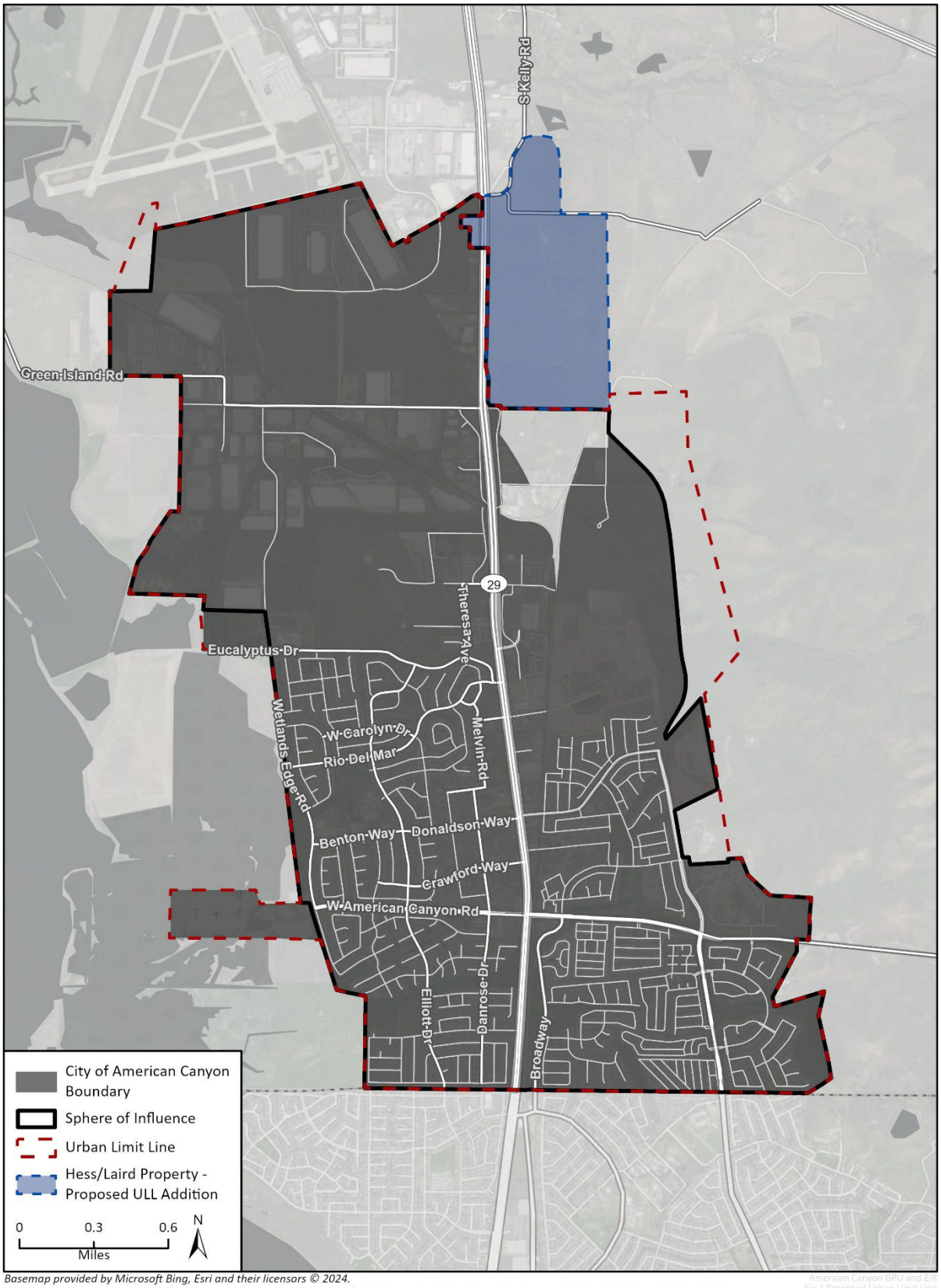
Figure 2-4 Proposed Land Use Element Amendments



Basemap provided by Microsoft Bing, Esri and their licensors © 2024.
Additional data provided by the City of American Canyon, 2022.

American Canyon GPU and EIR
Fig 3 Proposed Land Use Element Amendments

Figure 2-5 Proposed Urban Limit Line



Basemap provided by Microsoft Bing, Esri and their licensors © 2024.
Additional data provided by the City of American Canyon, 2021; Hess/Laird Property digitized from the Proposed Urban Limit Line Addition, 2022.

American Canyon GPU and EIR
Fig 4 Proposed Urban Limit Line

2.6.4 Project Buildout

Compared to existing conditions, there could be additional buildout from implementation of the 2040 General Plan. The potential buildout associated with the project was estimated based on the City's Traffic Impact Fee (TIF) Nexus Study, as well as the known buildout of specific plans and already approved General Plan Amendments. Table 2-1 and Table 2-2 identifies the additional residential and non-residential buildout that could occur relative to existing conditions, respectively.

Overall, compared to existing conditions, the project could add a total of 3,379 additional residential units and approximately 5,704,000 square feet of commercial, retail, hotel, industrial, warehouse, and research and development (R&D) uses.

2.6.5 Mobility Updates

The 2040 General Plan includes a Mobility Element, which provides a vision and guiding principles for the transportation system. The Mobility Element identifies the following proposed major circulation improvements in American Canyon:

- The City is in partnership with the Napa Valley Transportation Authority to identify improvements to SR 29, including landscaping improvements, pedestrian improvements, and multimodal features.
- Newell Drive extension from Watson Ranch to Highway 29 at Green Island Road (2-Lane Major Collector Road and 4-Lane Arterial)
- Green Island Road reconstruction from a 2-lane Arterial to a 3-Lane Arterial
- West Side Connector (2-Lane Major Collector)
- Eucalyptus Drive extension from Theresa Avenue to Broadway (2-Lane Major Collector)
- Rio Del Mar or South Napa Junction Road, including new at-grade crossing from Broadway to Newell Drive (2-Lane Major Collector)
- Napa Junction Road from Theresa Avenue to Hess Road (2-Lane Minor Collector)
- Newell Drive Railroad Overcrossing
- American Canyon Road Pedestrian Crossing
- Donaldson Way Pedestrian Crossing
- Napa Junction Road Pedestrian Crossing

The new proposed roadways are shown in Figure 2-6.

Table 2-1 Residential Buildout Compared to Existing Conditions

Residential Type	Number of Dwelling Units					
	Pipeline Projects [a]	Remaining TIF Projects [b]	Broadway District Specific Plan [c]	Watson Ranch Specific Plan [d]	Oat Hill Residential General Plan Amendment [e]	Total
Single Family	41	197	0	1,061	0	1,299
Multi-family	186	36	1,200	192	291	1,905
Total	**227**	**233**	**1,200**	**1,253**	**291**	**3,204**

Notes:

a. The City has identified the following pipeline projects that would be constructed in the future: Lemos Pointe, Canton Estates, West Carolyn Subdivision, and Rio Del Mat West Subdivisions (City of American Canyon 2022).

b. The Remaining TIF Projects were calculated by subtracting the estimated buildout in the 2015 TIF with both the pipeline projects and the projects that were constructed between 2014 and 2021 (City of American Canyon 2015 and 2022a).

c. The Broadway District Specific Plan was adopted in July 2019 and has undergone CEQA review (City of American Canyon 2020).

d. The Watson Ranch Specific Plan was adopted in 2018 and has undergone CEQA review (City of American Canyon 2018).

e. In September 2021, the Oat Hill Multi-Family Residential Project, which included a General Plan Amendment was approved. An Initial Study/Mitigated Negative Declaration was prepared for this Project (City of American Canyon 2021).

Table 2-2 Non-Residential Buildout Compared to Existing Conditions

Non-Residential Type	Area (in Million Square Feet)					
	Pipeline Projects [a]	Remaining TIF Projects [b]	Broadway District Specific Plan [c]	Watson Ranch Specific Plan [d]	Watson Lane Annexation [e]	Total
Office	0	65	100	25	0	190
Commercial/Retail/Hotel	0	0	840	175	189	1,204
Industrial/Warehouse/R&D	3,118	0	0	0	1,192	4,310
Total	**3,118**	**65**	**940**	**200**	**1,381**	**5,704**

Notes:

a. The City has identified the following pipeline projects that would be constructed in the future: Future Warehouse at 1055 Commerce Court, Napa Airport Commerce Center, Giovanni Logistics Center, SDG 217 Warehouse, and PGE Regional Center (City of American Canyon 2022).

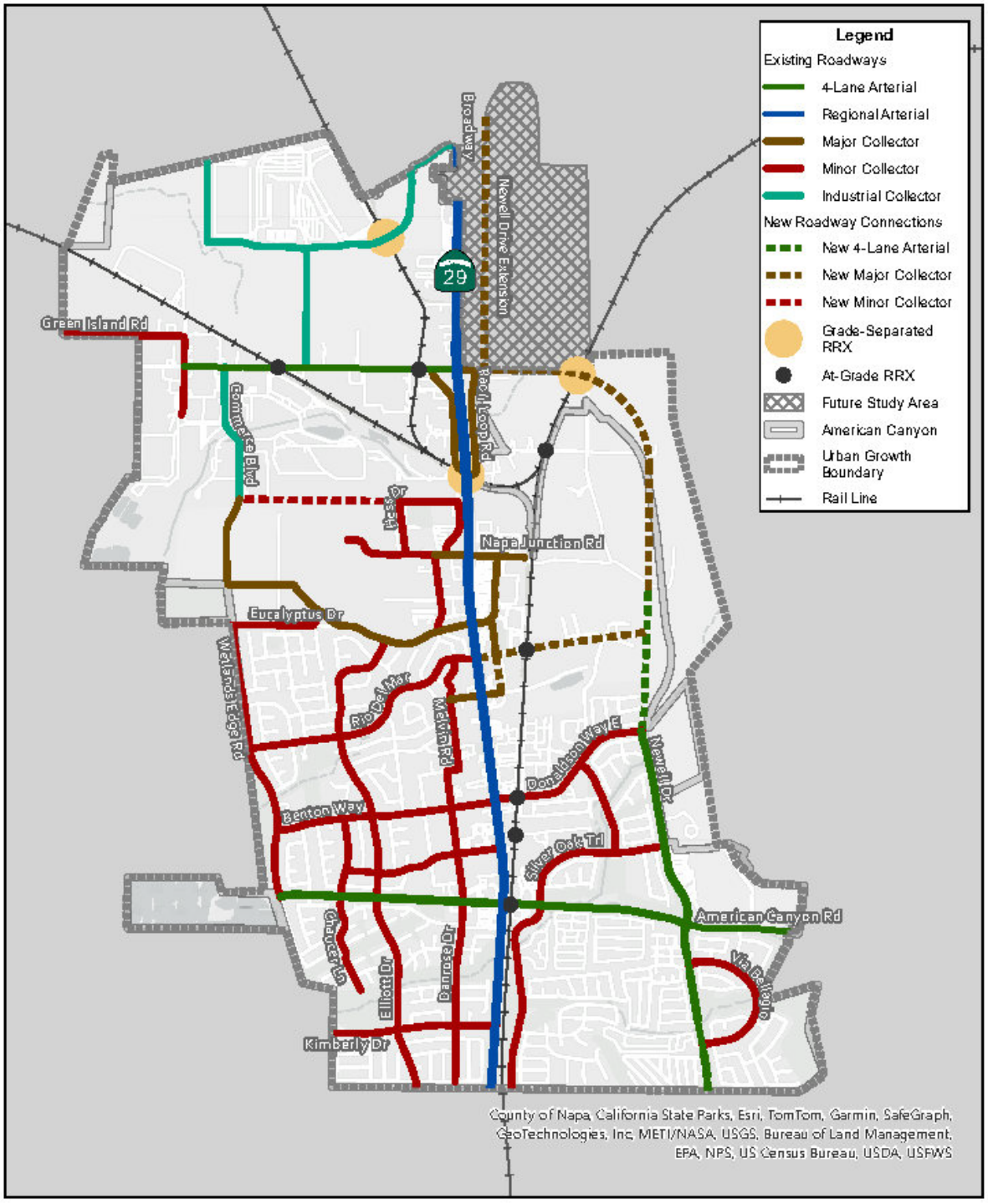
b. The Remaining TIF Projects were calculated by subtracting the estimated buildout in the 2015 TIF with both the pipeline projects and the projects that were constructed between 2014 and 2021 (City of American Canyon 2015 and 2022a).

c. The Broadway District Specific Plan was adopted in July 2019 and has undergone CEQA review (City of American Canyon 2020).

d. The Watson Ranch Specific Plan was adopted in 2018 and has undergone CEQA review (City of American Canyon 2018).

e. The Watson Lane Annexation Project would annex an area within the City's SOI and allow for industrial and commercial development. The project is currently undergoing CEQA (City of American Canyon 2022b).

Figure 2-6 Proposed Roadway Connections



2.7 Intended Use of this EIR

This EIR provides a programmatic environmental review of implementing the City's 2040 General Plan Update. Subsequent activities falling under the City's 2040 General Plan Update will utilize this EIR to focus the environmental review of these consequent activities and to determine their effects. If a new project is proposed that is not anticipated by the 2040 General Plan Update, or may result in project-level environmental effects not addressed in this program-level EIR, the future project would be evaluated as required under CEQA. This EIR is not intended to prohibit consideration of future projects or CEQA analysis of future projects.

2.8 Project Implementation

Following adoption of project by the City Council, all subsequent activities and development within the City will be guided by the goals and policies in the Technical 2040 General Plan Update. It therefore provides specific policy guidance for implementation of plan concepts. The City will also need to work with Napa County and other public agencies to implement policies that affect their respective jurisdictions or would affect the region. Implementing these policies in accordance with new development (residential, commercial, or industrial) will be subject to the City's established review and approval processes, with final review and approval by the appropriate departmental staff, as well as the appointed and elected officials. The principal responsibilities that city officials and staff have for project implementation are briefly summarized below:

- Update the City of American Canyon Zoning Ordinance to achieve consistency with the adopted General Plan Update.
- Rezone properties, as dictated by future development proposals.
- Approve tentative maps, variances, conditional use permits, and other land use permits and entitlements.
- Approve development agreements and issuance of related permits and approvals consistent with the 2040 General Plan Update.
- Analyze and plan public infrastructure such as roadway improvements, other capital improvements, and natural/capital resource preservation and/or restoration.
- Conduct or consider further focused planning studies, as appropriate to future development in the city.

2.9 Required Approvals

With recommendations from the City's Planning Commission, the American Canyon City Council will need to take the following discretionary actions in conjunction with the project:

- Certify the Final EIR and adopt required findings, including required findings under CEQA Guidelines Sections 15090, 15091, and 15093.
- Approve and adopt the Technical 2040 General Plan Update.

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3 Environmental Setting

This section provides a general overview of the environmental setting for the project. More detailed descriptions of the environmental setting for each environmental issue area can be found in Section 4, *Environmental Impact Analysis*.

3.1 Setting

The City of American Canyon is located in southern Napa County, approximately 5 miles south of the City of Napa, 25 miles northeast of the city of San Francisco, and approximately 20 miles north of the City of Oakland. The city is located north of the San Francisco Bay and San Pablo Bay, east of Napa River and west of the Newell Open Space Preserve and Lynch Canyon Open Space Park. Broadly, the City of American Canyon is bordered by unincorporated Napa County and the Napa County Airport to the north, Sulphur Spring Mountains to the east, Solano County and the City of Vallejo to the south, and a salt marsh and wetland area including the Napa River to the west.

The City encompasses an area of approximately 6.1 square miles. In addition, the City has a sphere of influence (SOI), which represents those areas that may already receive City services and are a visual and logical expansion of the city boundaries. There is currently one area in the SOI that is not within City limits. The City is currently in the process of annexing that area as part of the Paoli/Watson Lane Annexation Project and is currently preparing an Environmental Impact Report (EIR) consistent with the California Environmental Quality Act (CEQA) (City of American Canyon 2022). Primary regional access to the city is provided by Interstate 80 (I-80), approximately 5 miles to the east of the city limits. State Route (SR) 29 provides north-south access while SR 12 and SR 37 provide east-west access to the city. The city is served by a surface street system ranging from multi-lane arterial roadways to narrow two-lane streets. Primary access to the project site is provided by SR 29, known locally as “Broadway.”

Land uses in the City include single and multi-family residential, commercial, industrial, and open space. The City plays an important role in the Napa Valley wine industry with continuous growth in wine logistics, wine making, storage and distribution. The City is also home to growing major food production industries and logistics distribution, such as Coca Cola, Barry Callebaut Chocolate, Mezzetta, Amazon, and the nation’s first IKEA E-Commerce Distribution Center.

The climate of the City of American Canyon is a warm-summer Mediterranean climate, characterized by dry, hot summers and moderately moist, cool winters. The average temperature for the year in the City is 56.4°F (13.6°C). The warmest month, on average, is August with an average temperature of 65.1°F (18.4°C). The coolest month on average is December, with an average temperature of 45.4°F (7.4°C) (Weatherbase 2022). Average annual precipitation in American Canyon is 17.4 inches. Generally, in an average or typical year, most precipitation is received from October through April (Weatherbase 2022).

3.2 EIR Baseline

Section 15125 of the California Environmental Quality Act (CEQA) Guidelines states that an Environmental Impact Report (EIR) “should include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is

published." Section 15125 states that this approach "normally constitute[s] the baseline physical conditions by which a lead agency determines whether an impact is significant." This EIR evaluates impacts against existing conditions, at the time the notice of preparation (NOP) was published, which was July 5, 2022. This EIR considers the potential impacts from buildout of the General Plan in 2040, compared to exiting conditions.

3.3 Cumulative Development

CEQA defines cumulative impacts as two or more individual actions that, when considered together, are considerable or will compound other environmental impacts. Cumulative impacts are the changes in the environment that result from the incremental impact of development of the proposed project and other nearby projects. For example, traffic impacts of two nearby projects may be insignificant when analyzed separately but could have a significant impact when analyzed together. Cumulative impact analysis allows an EIR to provide a reasonable forecast of future environmental conditions and can more accurately gauge the effects of a series of projects.

Because the project is a general plan update, cumulative impacts are treated somewhat differently than would be the case for a project-specific development. CEQA Guidelines Section 15130 provides the following direction relative to cumulative impact analysis and states that the following elements are necessary for an adequate discussion of environmental impacts:

> A summary of projections contained in an adopted local, regional or statewide plan, or related planning document, that describes or evaluates conditions contributing to the cumulative effect. Such plans may include: a general plan, regional transportation plan, or plans for the reduction of greenhouse gas emissions. A summary of projections may also be contained in an adopted or certified prior environmental document for such a plan. Such projections may be supplemented with additional information such as a regional modeling program. Any such document shall be referenced and made available to the public at a location specified by the lead agency.

By its nature, a general plan considers cumulative impacts insofar as it considers cumulative development that could occur within the Planning Area. For example, the transportation analysis considers the overall change in vehicle miles travelled (VMT) due to implementing several development projects that would add to the buildout associated with implementing the project. These cumulative VMT calculations are accounted for in the air quality, energy, greenhouse gas emissions, and noise analyses; therefore, these analyses would also be considered cumulative. Other impacts, such as geology and soils and cultural resources, are site specific and would not result in an overall cumulative impact from growth outside of the city. Therefore, the analysis of project impacts in this EIR also constitutes the cumulative analysis.

4 Environmental Impact Analysis

This section discusses the possible environmental effects of the project for the specific issue areas identified through the scoping process with potential to experience significant effects. A "significant effect" as defined by the California Environmental Quality Act (CEQA) Guidelines Section 15382:

> means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant.

The assessment of each issue area begins with a discussion of the environmental setting related to the issue, followed by the impact analysis. In the impact analysis, the first subsection identifies the methodologies used and the "significance thresholds," which are those criteria adopted by the City and other agencies, universally recognized, or developed specifically for this analysis to determine whether potential effects are significant. The next subsection describes each impact of the project, mitigation measures for significant impacts, and the level of significance after mitigation. Each effect under consideration for an issue area is separately listed in bold text with the discussion of the effect and its significance. Each bolded impact statement also contains a statement of the significance determination for the environmental impact as follows:

- **Significant and Unavoidable**. An impact that cannot be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires a Statement of Overriding Considerations to be issued if the project is approved pursuant to CEQA Guidelines Section 15093.
- **Less than Significant with Mitigation Incorporated**. An impact that can be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires findings under CEQA Guidelines Section 15091.
- **Less than Significant**. An impact that may be adverse but does not exceed the threshold levels and does not require mitigation measures. However, mitigation measures that could further lessen the environmental effect may be suggested if readily available and easily achievable.
- **No Impact.** The project would have no effect on environmental conditions or would reduce existing environmental problems or hazards.

Following each environmental impact discussion is a list of mitigation measures (if required) and the residual effects or level of significance remaining after implementation of the measure(s). The Executive Summary of this EIR summarizes all impacts and mitigation measures that apply to the project.

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4.1 Aesthetics

This section summarizes the aesthetic resources in the Planning Area and analyzes the impacts on aesthetics, including impacts to scenic vistas, scenic resources, visual character, visual quality, and light and glare due to the project.

4.1.1 Setting

The Planning Area is situated in the central portion of the Coast Mountain Ranges in the southeastern portion of Napa County, between the east bank of the Napa River and the Sulfur Springs Mountains foothills. The primary arterial roadway in the City is State Route (SR) 29, which bisects the City from north to south and serves as the primary commercial corridor. Residential uses are generally located in the southern portion of the City, with commercial and industrial uses located in the northern portion near the Napa County Airport. American Canyon is characterized by its low-rise, rural suburban appearance, with most development having occurred within the last 40 years. The City is characterized by a variety of visual resources, both natural and constructed, including the rolling foothills to the east, riparian corridors, Oat Hill, Napa River, and the Basalt Plant. Visual resources in American Canyon are shown in Figure 4.1-1 through Figure 4.1-6. These figures show views of American Canyon Creek (Figure 4.1-1), the Basalt Plant site (Figure 4.1-2), the foothills to the east of American Canyon (Figure 4.1-3), an overview of American Canyon (Figure 4.1-4), a view of Oat Hill (Figure 4.1-5), and a view of the Napa River and wetlands to the west of American Canyon (Figure 4.1-6).

a. Scenic Resources

Most communities identify scenic resources that contribute to community identity. Scenic resources can be natural or constructed features such as trees, rock formations, historic buildings, and public art. The eastern foothills contribute to the City's visual image as they provide a transition between the higher mountain ranges to the east and the low land or floodplains to the west. The foothills also contribute to the rural quality of the community and serve as a backdrop to the City's existing development, which is viewed by its residents and vehicles traveling on State Route (SR) 29. Active vineyards located on portions of the foothills provide a linkage with the Napa Valley (City of American Canyon 1994a).

Oat Hill is located in the western portion of the City between developed land and the Napa River. The hill is a visual landmark that provides direction and orientation to many residents in the community, particularly those living in residential neighborhoods within proximity to the hill (City of American Canyon 1994a).

Although most of the city's visual resources are natural, the Napa Valley Ruins & Gardens is an exception. The Basalt Rock Company started a rock quarrying facility and operations near the Napa River in 1941. Following World War II, the plant built almost 30 miles of pipeline in Napa County. This facility is now the focus of the Watson Ranch Specific Plan neighborhood. Architectural features of the Napa Valley Ruins & Gardens are planned to be incorporated into the design of the Watson Ranch Specific Plan neighborhood.

Figure 4.1-1 View of American Canyon Creek, Facing East

Figure 4.1-2 View of Distant Basalt Plant Site, Facing Northeast

Figure 4.1-3 View of Foothills East of Newell Drive, Facing East

Figure 4.1-4 View of American Canyon from Napa Junction Road, Facing Southeast

Figure 4.1-5 View of Oat Hill from Napa Junction Road, Facing South

Figure 4.1-6 View of the Napa River and Wetlands from Wetlands Edge Road, Facing Northwest

Scenic Vistas and Views

A scenic vista provides views of an aesthetically valued landscape that benefits the public. The term "vista" generally implies an expansive view, usually from an elevated point or open area. This designation may be officially designated or unofficially defined by a set of criteria. American Canyon contains a number of streams and creeks, including American Canyon Creek, that provide the area with riparian habitats and vegetation and are considered scenic views. American Canyon Creek runs through the central portion of the City from the higher elevations of the Sulphur Spring Mountains to the Napa River. Development has altered the creek's natural stream course and ability to be viewed in some locations in American Canyon (City of American Canyon 1994a).

Although the Napa River flows outside City limits, the river serves as the primary western edge for American Canyon. In addition to the river's role as a key boundary, the river itself is another visual resource that enhances the overall beauty of the area. Napa River is clearly visible from the City's higher elevations, including atop Oat Hill, the eastern foothills, and neighborhoods immediately east of the Napa River (City of American Canyon 1994a).

Scenic Roadways

California's Scenic Highway Program designates scenic highways with the intention of protecting these corridors from change that would diminish the aesthetic value of adjacent lands. A highway is designated as an eligible scenic highway when the California Department of Transportation (Caltrans) determines that the roadway corridor qualifies for official status. The status of an officially designated scenic highway changes when the local governing body applies to Caltrans for scenic highway approval, adopts a Corridor Protection Program, and receives notification that the highway has been officially designated (Caltrans 2022). Scenic highways must have an approved Corridor Protection Program and remain in compliance to maintain scenic highway status. According to the Caltrans State Scenic Highway Map and list of eligible and officially designated State Scenic Highways, SR 29 is eligible for designation as a State Scenic Highway but is not officially designated as such (Caltrans 2018).

b. Visual Character

The City is in a transitional area between the Sulphur Springs Mountains and the Napa River. A high-quality visual image and environmental character distinguish the area from other cities in the northern San Francisco Bay region. These visual and physical qualities provide a contrast from the urbanized areas to the south (City of American Canyon 1994b). Residential uses are generally located in the southern portion of American Canyon, with commercial and industrial uses located in the northern portion near the Napa County Airport.

c. Light and Glare Conditions

Light and glare from indoor or outdoor uses can reduce visibility of the night sky, create potential hazards to drivers, and be a nuisance to residential areas. The City has typical light conditions found in suburban areas (e.g., roadway lighting, commercial parking lot and building lighting, residential buildings, headlights from motor vehicles). Sources of daytime glare include direct beam sunlight and reflections from windows, architectural coatings, glass, and other shiny reflective surfaces. Nighttime lighting and glare are produced by both stationary and mobile sources. Stationary sources of nighttime light include structure illumination, decorative landscape lighting, lighted signs, and streetlights. The primary source of mobile nighttime light is motor vehicle headlights. Sources of

light and glare in the residential areas include street lighting along roadways, lit building exteriors and signage, and parking lot lighting.

4.1.2 Regulatory Setting

a. Federal Regulations

No existing federal regulations pertain to the aesthetic resources in the City.

b. State Regulations

California Scenic Highways Program

The California Scenic Highway Program, established in 1963, identifies and designates certain highways throughout the State which require special conservation treatment in relation to surrounding land use development. Caltrans manages the State Scenic Highway Program and defines a scenic highway as any freeway, highway, road, or other public right-of-way, that traverses an area of exceptional scenic quality. Suitability for designations as a State scenic highway is based on the vividness, intactness, and unity of their view corridors, as described in Caltrans' Scenic Highway Guidelines (Caltrans 2008):

- *Vividness* is the extent to which the landscape is memorable. This is associated with the distinctiveness, diversity, and contrast of visual elements. A vivid landscape makes an immediate and lasting impression on the viewer.
- *Intactness* is the integrity of visual order in the landscape and the extent to which the natural landscape is free from visual intrusions (e.g., buildings, structures, equipment, grading).
- *Unity* is the extent to which development is sensitive to and visually harmonious with the natural landscape.

California Code of Regulations, Title 24

Title 24 of the California Code of Regulations (CCR), also known as the California Building Standards Code, consists of regulations to control building standards throughout the State. The California Electrical Code (Title 24, Part 3) and Green Building Standards Code (also referred to as the CALGreen Code; Title 24, Part 11) stipulate minimum light intensities for safety and security at pedestrian pathways, circulation ways, and paths of egress.

- The CALGreen Code (24 CCR, Part 11, Paragraph 5.106.8, *Light Pollution Reduction*) provides that all nonresidential outdoor lighting must comply with the following:
  - The minimum requirements in the California Energy Code (CEC) for Lighting Zones 0 to 4 as defined in Chapter 10 of the California Administrative Code;
  - Backlight ratings as defined in the Illuminating Engineering Society's Technical Memorandum on Luminaire Classification Systems for Outdoor Luminaires (IES TM-15-11);
  - Uplight and Glare ratings as defined in the CEC; and
  - Allowable backlight, uplight, and glare ratings not exceeding those shown in Table 5.106.8 in Section 5.106.8 of the CALGreen Code, or a local ordinance lawfully enacted pursuant to Section 101.7 of the CALGreen Code, whichever is more stringent.

The 2022 updates to the CALGreen Code went into effect on January 1, 2023. They require nonresidential buildings to maximize light emitting diode (LED) technology in indoor and outdoor lighting plans.

c. Local Regulations

American Canyon Municipal Code – Title 19 (Zoning)

The Zoning Code (Title 19) of the American Canyon Municipal Code implements the General Plan, particularly the Land Use Element. While General Plan designations are more generalized in nature, the Zoning Code and zoning districts provide specific controls on land use, density or intensity of development, and development standards to implement the City's General Plan goals and policies. The Zoning Code provides standards for protection of visual resources, compatible design, and illumination for new development in the City that is associated with zoning. Zoning Code Title 19 establishes standards for development within the City. Zoning Code Chapter 19.23 provides a list of prohibited signage in the City. The California Building Code, which includes lighting requirements, has been adopted in Chapter 16.02 of the Municipal Code (City of American Canyon 2022).

4.1.3 Impact Analysis

a. Significance Thresholds and Methodology

CEQA Significance Criteria

Based on Appendix G of the CEQA Guidelines a project may be deemed to have a significant impact on aesthetics if it would:

1. Have a substantial adverse effect on a scenic vista;
2. Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway;
3. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality; or
4. Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area.

Methodology

Aesthetics impact assessments involve qualitative analysis that is subjective but informed by the City policies detailed above. Reactions to the same aesthetic conditions vary according to viewer taste and interests but are basically governed by the visual compatibility with the surroundings and existing development, coherence with design guidelines established by the jurisdiction, and use of high-quality materials that blend into the landscape. Ultimately, development decisions that prescribe aesthetic or design treatments for specific projects fall under the purview of the American Canyon Planning Commission and appointed or elected bodies charged with overseeing development permits. As a programmatic document, this EIR presents a City-wide assessment of the project. Because the EIR is a long-term document intended to guide actions for many years into the future, this analysis relies on program-level and qualitative evaluation.

Threshold 1: Would the project have a substantial adverse effect on a scenic vista?

Impact AES-1 THE PROJECT WOULD NOT HAVE A SUBSTANTIAL ADVERSE EFFECT ON A SCENIC VISTA, INCLUDING VIEWS OF HILLS, AND IMPACTS WOULD BE LESS THAN SIGNIFICANT.

The City has no designated scenic vistas or scenic viewpoints; however, views of the hills and ridgelines surrounding the City, including the Sulphur Springs foothills to the east and Oat Hill to the west, are generally considered important visual resources. Views from SR 29 provide motorists with expansive, although fleeting, views of these hills. In addition, expansive scenic views of the City and surrounding natural areas are provided from the Newell Open Space Preserve. Views from the Newell Open Space Preserve include the City, the Napa Wetlands, the Napa River, and Oat Hill. Wetlands Edge Road provides unobstructed views of the wetlands and Napa River to the west.

Future mobility improvements facilitated by the project, including improvements to roadways, and bicycle and pedestrian facilities, would not substantially obstruct views of a scenic vista. Mobility improvements such as installation of a roundabout, repaving of roads, or other improvements to bicycle lanes or pedestrian intersections are not large-scale developments which have the potential to substantially obstruct views of important visual resources in the City. In addition, mobility improvements could offer new opportunities for the public to view scenic areas. Accordingly, mobility improvements facilitated by the project would not have a substantial adverse effect on a scenic vista.

In addition, the 2040 General Plan Update would implement the following proposed policies to minimize impacts to scenic vistas:

- **Policy ENV-9.3: Identify Scenic Vistas.** Identify notable viewsheds and public views from which scenic vistas can be observed.
- **Policy ENV-9.4: Visual Design**. Require massing, height, and orientation of new development where allowable by the zoning standards adjacent to viewsheds and public views be evaluated and be sited and designed to minimize additional obstructions of public views to and along scenic areas.

Implementation of the proposed policies ENV-9.3 and ENV-9.4 would require the City's Community Development Department to create and periodically update an inventory of scenic resources important to the City; identify and map valuable scenic views; and update the City's development and design standards to protect scenic resources and viewsheds by requiring massing, height, and orientation of new development adjacent to viewsheds and public views be designed to minimize additional obstructions of public views and along scenic areas. Future development would be required to comply with the City's updated development and design standards created in accordance with proposed policies ENV-9.3 and ENV-9.4. As a result, project-specific development would be designed to minimize obstruction to scenic vistas. Therefore, the project would not have a substantial adverse effect on a scenic vista. This impact would be less than significant.

Mitigation Measures

No mitigation measures would be required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

Threshold 2:	Would the project substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Impact AES-2 THE CITY OF AMERICAN CANYON DOES NOT HAVE A DESIGNATED STATE SCENIC HIGHWAY AND THE PROJECT WOULD NOT DAMAGE SCENIC RESOURCES WITHIN A STATE SCENIC HIGHWAY. NO IMPACT WOULD OCCUR.

There are no designated state scenic highways within or directly adjacent to the Planning Area (Caltrans 2018). Because there are no state scenic highways in the Planning Area, there would be no impacts related to scenic resources within a state scenic highway.

Mitigation Measures

No mitigation measures would be required.

Significance After Mitigation

There would be no impact.

Threshold 3:	Would the project, in non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Impact AES-3 THE PROJECT WOULD IMPLEMENT POLICIES THAT WOULD REQUIRE DEVELOPMENT OF OBJECTIVE DESIGN STANDARDS FOR FUTURE DEVELOPMENT. THE PROJECT WOULD NOT CONFLICT WITH APPLICABLE ZONING AND OTHER REGULATIONS GOVERNING SCENIC QUALITY AND THIS IMPACT WOULD BE LESS THAN SIGNIFICANT.

CEQA Guidelines Section 21071 defines an urbanized area as an incorporated city that meets either of the following criteria:

- Has a population of at least 100,000 persons; or
- Has a population of less than 100,000 persons if the population of that city and not more than two contiguous incorporated cities combined equals at least 100,000 persons.

The City does not meet the first criteria but does meet the second criteria (California Department of Finance 2022)[1]. Therefore, this analysis considers whether the project conflicts with applicable zoning and other regulations governing scenic quality. The 2040 General Plan Update would implement the following proposed policies, which would minimize impacts on scenic quality from future development:

- **Policy LU-2.3: Objective Design Standards.** Establish objective design standards that convey a high level of quality and character in new residential development.

[1] The City of American Canyon has a population of approximately 21,758 persons. The City of Vallejo is an incorporated city which is contiguous to the City of American Canyon and has a population of approximately 121,558 persons. The combined population of both cities exceeds 100,000 persons.

- **Policy LU-2.4: Nonresidential Structures in Residential Neighborhoods**. Require nonresidential structures in new development (e.g., recreation facilities, community meeting rooms and auditoriums, neighborhood commercial, services, and religious facilities) be designed to be compatible with and convey the visual and physical scale and character of residential structures.
- **Policy LU-3.2: Unique Viewsheds.** Accommodate commercial uses on Oat Hill that capitalize on the unique views of the Napa River, San Francisco Bay, and Napa Valley, site topography, and other natural characteristics.
- **Policy LU-5.2: Industrial Development Unified Character.** Require new industrial development be designed to convey a unified character by inclusion of pedestrian walkways, arcades, an/or other visual elements to interconnect individual buildings; differentiation of building facades by materials, color, architectural details, and modulation of building volumes; use of consistent and well-designed public and informational signage; and installation of elements that define the key entries to the industrial district.
- **Policy LU-8.2: Objective Design and Development Standards.** Require new development to comply with the City's objective design and development standards to maintain long- term, high-quality development.
- **Policy ENV-9.4: Visual Design**. Require massing, height, and orientation of new development where allowable by the zoning standards adjacent to viewsheds and public views be evaluated and be sited and designed to minimize additional obstructions of public views to and along scenic areas.

Proposed policy LU-2.3 and policy LU-8.2 would require all new development to comply with objective design standards prepared by the City's Community Development Department. Proposed policy LU-2.4 would require nonresidential structures be designed to be visually compatible with the surrounding character of residential structures. Proposed policy LU-3.2 would require commercial development to be sited and designed to emphasize the visual characteristics of its setting. Proposed policy LU-5.2 would require industrial development to be designed to convey a unified character with surrounding development through implementation of visual elements to interconnect individual buildings. Furthermore, proposed policy ENV-9.4 would require massing, height, and orientation of new development adjacent to viewsheds and public views be evaluated and be sited and designed to minimize additional obstructions of public views to and along scenic areas.

All future development facilitated by the project would be required to adhere to the proposed policies within the 2040 General Plan Update and the City's objective design standards, which would be developed as required by the 2040 General Plan Update. As such, future development facilitated by the project would not conflict with applicable zoning or other regulations governing scenic quality. Therefore, this impact would be less than significant.

Mitigation Measures

No mitigation measures would be required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

Threshold 4:	Would the project create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?

Impact AES-4 CONSTRUCTION AND OPERATION OF FUTURE DEVELOPMENT FACILITATED BY THE PROJECT COULD CREATE NEW SOURCES OF LIGHT OR GLARE THAT COULD ADVERSELY AFFECT THE VISUAL ENVIRONMENT. IMPACTS WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION.

The City of American Canyon is a built out city with existing sources of light and glare. Future development facilitated by the project would introduce new sources of light or glare to American Canyon. New sources of light (security lighting, parking lot lighting, ornamental lighting, pedestrian scale lights, lighting from ground floor storefronts, and signs) would increase overall lighting levels in areas where increased development would occur.

Construction of future development would largely be limited to between 7:00a.m. and 7:00p.m., consistent with the City's Noise Ordinance, codified as Chapter 8.12 in the American Canyon Municipal Code. However, temporary construction lighting may be necessary for specific developments during the early morning or evening hours for safety and security reasons, and could be approved by the City upon applicant request. The introduction of temporary construction lighting could potentially result in new sources of substantial light or glare that could adversely affect nighttime views. This lighting could be bright, which would be a potentially significant impact. Implementation of Mitigation Measure AES-1 would require construction lighting to be minimized and downward-facing.

The City is characterized by existing residential, commercial, and other land uses that already generate high ambient levels of lighting. Nonetheless, a potentially significant lighting impact could occur if lighting on future development is not properly installed to minimize light spillage. Future development facilitated by the project would adhere to the CALGreen Code Section 5.106.8 which stipulates new lighting must conform to standards that keep light generated on-site from leaving the site through the use of reflectors, shields, screen walls, and any other method which complies with the CALGreen Code's intent to limit light pollution. Furthermore, future development facilitated by the project would adhere to existing American Canyon Municipal Code standards. Section 19.14.040 prohibits bright or flashing lights to be visible off-site in industrial zones. Section 19.11.060 requires parking illumination in commercial districts, including security lighting, to be arranged to reflect from adjoining properties and rights-of-way. Furthermore, the 2040 General Plan includes the following policies that would minimize lighting impacts:

- **Policy LU-3.3: Unwanted Glare.** Prevent glare with commercial lighting designed to illuminate within the property line in accordance with safety standards.
- **Policy LU-5.4: Industrial Operations.** Require, where industrial uses are located adjacent to residential neighborhoods, that their operations be controlled to prevent adverse impacts on adjacent property (e.g., noise, light and glare, and odors) and appropriate measures implemented to buffer these uses (e.g., setbacks, landscaping, and earthen berms).

Furthermore, implementation of Mitigation Measure AES-2 would require the submittal of a photometric plan for future development to ensure that all exterior light fixtures are directed downward or employ full cut-off fixtures to minimize light spillage. Implementation of this mitigation, as well as the requirements in the Municipal Code and policies in the 2040 General Plan would minimize potentially significant light and glare impacts.

Mitigation Measures

AES-1 Construction Lighting Plan

Prior to nighttime construction, if needed for a particular project, project applicants shall submit a construction lighting plan to the City for review and approval. The construction lighting plan shall ensure that the minimum amount of lighting is used to meet safety requirements and ensure no spillover occurs to nearby sensitive uses. All lighting shall be directed downward and away from surrounding land uses.

AES-2 Operational Lighting Plan

Prior to discretionary project approval, the project applicant shall prepare and submit a photometric plan to the City for review and approval which demonstrates that all exterior light fixtures will be directed downward or employ full cut-off fixtures to prevent light spillage. The approved plan shall be incorporated into project design plans.

Significance After Mitigation

Implementation of Mitigation Measure AES-1 would require a construction lighting plan for projects that would require nighttime construction and Mitigation Measure AES-2 would require the preparation of a photometric plan. Implementation of Mitigation Measures AES-1 and AES-2 would ensure that lighting and glare is minimized during construction and operation of future development. With implementation of Mitigation Measures AES-1 and AES-2, impacts would be less than significant.

4.2 Air Quality

This section analyzes the potential effects on air quality related to implementation of the project, including impacts due to construction, operations, and impacts to nearby sensitive receptors.

4.2.1 Setting

a. Climate and Topography

Air quality is affected by the rate and location of pollutant emissions and by climatic conditions that influence the movement and dispersion of pollutants. Atmospheric conditions, such as wind speed, wind direction, and air temperature gradients, along with local and regional topography, influence the relationship between air pollutant emissions and air quality.

The Planning Area is in the San Francisco Bay Area Air Basin (SFBAAB), which is comprised of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, southwestern Solano, and southern Sonoma Counties. SFBAAB covers approximately 5,540 square miles of complex terrain, consisting of coastal mountain ranges, inland valleys, and the San Francisco Bay. The SFBAAB is generally bounded on the west by the Pacific Ocean, on the north by the Coast Ranges, and on the east and south by the Diablo Range.

The climate within the SFBAAB is dominated by a strong, semi-permanent, subtropical high-pressure cell over the northeastern Pacific Ocean. Climate is also affected by the adjacent oceanic heat reservoir's moderating effects. Mild summers and winters, moderate rainfall and humidity, and daytime onshore breezes characterize regional climatic conditions in the San Francisco Bay Area (Bay Area). In summer, when the high-pressure cell is strongest and farthest north, fog forms in the morning and temperatures are mild. In winter, when the high-pressure cell is weakest and farthest south, occasional rainstorms occur.

Winter daytime temperatures in the SFBAAB typically average in the mid-50s, with nighttime temperatures averaging in the low 40s. Summer daytime temperatures typically average in the 70s, with nighttime temperatures averaging in the 50s. Precipitation varies in the region, but in general, annual rainfall is lowest in the coastal plain and inland valley, higher in the foothills, and highest in the mountains.

b. Air Pollutants of Primary Concern

Criteria air pollutants are defined as those pollutants for which the federal and state governments have established air quality standards for outdoor or ambient concentrations to protect public health with a determined margin of safety. Ozone (O_3) is generally considered to be regional pollutants because they or their precursors affect air quality on a regional scale. Pollutants such as carbon monoxide (CO), nitrogen dioxide (NO_2), and sulfur dioxide (SO_2) are considered local pollutants because they tend to accumulate in the air locally. Coarse particulate matter (PM_{10}) and fine particulate matter ($PM_{2.5}$) are considered both regional and local pollutants.

Ozone

O_3 is a highly oxidative unstable gas, produced by a photochemical reaction (triggered by sunlight) between NO_X and reactive organic gas (ROG)/volatile organic compounds (VOC).[1] ROG are composed of non-methane hydrocarbons (with some specific exclusions), and NO_X is composed of different chemical combinations of nitrogen and oxygen, mainly nitric oxide and NO_2. NO_X is formed during the combustion of fuels, while ROG are formed during combustion and evaporation of organic solvents. As a highly reactive molecule, O_3 readily combines with many different components of the atmosphere. Consequently, high levels of O_3 tend to exist only while high ROG and NO_X levels are present to sustain the O_3 formation process. Once the precursors have been depleted, O_3 levels rapidly decline. Because these reactions occur on a regional rather than local scale, O_3 is considered a regional pollutant. Groups most sensitive to O_3 include children, the elderly, people with respiratory disorders, and people who exercise strenuously outdoors (United States Environmental Protection Agency [USEPA] 2022a). Depending on the level of exposure, O_3 can result in the following:

- Cause coughing and sore or scratchy throat;
- Make it more difficult to breathe deeply and vigorously and cause pain when taking a deep breath;
- Inflame and damage the airways;
- Make the lungs more susceptible to infection;
- Aggravate lung diseases such as asthma, emphysema, and chronic bronchitis; and/or
- Increase the frequency of asthma attacks.

Carbon Monoxide

CO is a localized pollutant that is found in high concentrations only near its source. The major source of CO, a colorless, odorless, poisonous gas, is the incomplete combustion of petroleum fuels by automobile traffic. Therefore, elevated concentrations are usually only found near areas of high traffic volumes. Other sources of CO include the incomplete combustion of petroleum fuels at power plants and fuel combustion from wood stoves and fireplaces during the winter. When CO levels are elevated outdoors, they can be of particular concern for people with some types of heart disease. People with heart disease have restricted blood flow which results in a lack of oxygen to the heart muscle. These people are especially vulnerable to the effects of CO when exercising or under increased stress, when the heart needs more oxygen than usual. In these situations, short-term exposure to elevated CO may result in reduced oxygen to the heart accompanied by chest pain also known as angina (USEPA 2022b).

Nitrogen Dioxide

NO_2 is a by-product of fuel combustion; the primary sources are motor vehicles and industrial boilers and furnaces. The principal form of NO_x produced by combustion is nitric oxide, but nitric oxide reacts rapidly to form NO_2, creating the mixture of nitric oxide and NO_2, commonly called NO_x. NO_2 is a reactive, oxidizing gas and an acute irritant capable of damaging cell linings in the respiratory tract. Such exposures over short periods can aggravate respiratory diseases, particularly

[1] The California Air Resources Board defines VOC and ROG similarly as, "any compound of carbon excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate," with the exception that VOC are compounds that participate in atmospheric photochemical reactions. For the purposes of this analysis, ROG and VOC are considered comparable in terms of mass emissions, and the term ROG is used in this environmental impact report.

asthma, leading to respiratory symptoms (such as coughing, wheezing, or difficulty breathing), and increase hospital admissions and visits to emergency rooms. Longer exposures to elevated concentrations of NO_2 may contribute to the development of asthma and potentially increase susceptibility to respiratory infections. People with asthma, as well as children and the elderly are generally at greater risk for the health effects of NO_2 (USEPA 2022c). NO_2 absorbs blue light and causes a reddish-brown cast to the atmosphere and reduced visibility. It can also contribute to the formation of O_3/smog and acid rain.

Sulfur Dioxide

SO_2 is included in a group of highly reactive gases known as "oxides of sulfur." The largest sources of SO_2 emissions are from fossil fuel combustion at power plants (73 percent) and other industrial facilities (20 percent). Smaller sources of SO_2 emissions include industrial processes such as extracting metal from ore and burning fuels with a high sulfur content by locomotives, large ships, and off-road equipment. Short-term exposures to SO_2 can harm the human respiratory system and make breathing difficult. People with asthma, particularly children, are sensitive to these effects of SO_2 (USEPA 2022d).

Particulate Matter

Suspended atmospheric PM_{10} and $PM_{2.5}$ is comprised of finely divided solids and liquids such as dust, soot, aerosols, fumes, and mists. Both PM_{10} and $PM_{2.5}$ are directly emitted into the atmosphere as by-products of fuel combustion and wind erosion of soil and unpaved roads. Particulate matter is also created in the atmosphere through chemical reactions. The characteristics, sources, and potential health effects associated with PM_{10} and $PM_{2.5}$ can be very different. PM_{10} is generally associated with dust mobilized by wind and vehicles while $PM_{2.5}$ is generally associated with combustion processes as well as formation in the atmosphere as a secondary pollutant through chemical reactions. PM_{10} can cause increased respiratory disease, lung damage, cancer, premature death, reduced visibility, surface soiling. For $PM_{2.5}$, short-term exposures (up to 24-hours duration) have been associated with respiratory issues such as acute bronchitis and asthma attacks. In addition, $PM_{2.5}$ can cause premature mortality, increased hospital admissions for heart or lung issues, and restricted activity days. These adverse health effects have been reported primarily in infants, children, and older adults with preexisting heart or lung diseases (California Air Resources Board [CARB] 2022a).

Toxic Air Contaminants

Toxic air contaminants (TACs) are a diverse group of air pollutants that may cause or contribute to an increase in deaths or serious illness, or that may pose a present or potential hazard to human health. TACs include both organic and inorganic chemical substances that may be emitted from a variety of common sources, including gasoline stations, motor vehicles, dry cleaners, industrial operations, painting operations, and research and teaching facilities. One of the main sources of TACs in California is diesel engine exhaust that contains solid material known as diesel particulate matter (DPM). More than 90 percent of DPM is less than one micron in diameter (about $1/70^{th}$ the diameter of a human hair) and thus is a subset of $PM_{2.5}$. Because of their extremely small size, these particles can be inhaled and eventually trapped in the bronchial and alveolar regions of the lungs (CARB 2022b).

TACs are different than criteria pollutants because ambient air quality standards have not been established for TACs. TACs occurring at extremely low levels may still cause health effects and it is

typically difficult to identify levels of exposure that do not produce adverse health effects. TAC impacts are described by carcinogenic risk and by chronic (i.e., long duration) and acute (i.e., severe but of short duration) adverse effects on human health.

TACs include both organic and inorganic chemical substances. While DPM is a main source, TACs may be emitted from a variety of common sources, including gasoline stations, motor vehicles, dry cleaners, industrial operations, painting operations, and research and teaching facilities. People exposed to toxic air pollutants at sufficient concentrations and durations may have an increased chance of developing cancer or experiencing other serious health effects. These health effects can include damage to the immune system, as well as neurological, reproductive (e.g., reduced fertility), developmental, respiratory, and other health problems (USEPA 2020).

c. Air Quality Standards and Attainment

The federal and state governments have authority under the federal and state Clean Air Acts (CAA) to regulate emissions of airborne pollutants and have established ambient air quality standards (AAQS) for the protection of public health. An air quality standard is defined as "the maximum amount of a pollutant averaged over a specified period of time that can be present in outdoor air without harming public health" (CARB 2019a). The USEPA is the federal agency designated to administer air quality regulation, while CARB is the state equivalent in California. Federal and state AAQS have been established for six criteria pollutants: O_3, CO, NO_2, SO_2, $PM_{10,}$ $PM_{2.5}$, and lead. AAQS are designed to protect those segments of the public most susceptible to respiratory distress, such as children under the age of 14, the elderly (over the age of 65), persons engaged in strenuous work or exercise, and people with cardiovascular and chronic respiratory diseases (USEPA 2016). In addition to the federal criteria pollutants, the California Ambient Air Quality Standards (CAAQS) also specify standards for visibility-reducing particles, sulfates, hydrogen sulfide, and vinyl chloride (CARB 2019b). Table 4.2-1 lists the current National Ambient Air Quality Standards (NAAQS) as well as the CAAQS for regulated pollutants.

USEPA and CARB designate air basins or portions of air basins and counties as being in "attainment" or "nonattainment" for each of the criteria pollutants. Areas that do not meet the AAQS standards are classified as nonattainment areas. The NAAQS (other than O_3, PM_{10}, $PM_{2.5}$, and those based on annual averages or arithmetic mean) are not to be exceeded more than once per year. The NAAQS for O_3, PM_{10}, and $PM_{2.5}$ are based on statistical calculations over one- to three-year periods, depending on the pollutant. The CAAQS are not to be exceeded during a three-year period. The attainment status for Napa County is included in Table 4.2-2.

Pursuant to the CAA, USEPA designates areas as attainment, nonattainment, or maintenance for each criteria pollutant based on whether the NAAQS have been achieved. Whether an area meets the state and federal standards is based on air quality monitoring data. Areas that are unclassified have insufficient monitoring data for a specific pollutant to determine attainment or nonattainment status, although unclassified areas are typically treated as attainment for a specific pollutant. Since attainment and nonattainment designation is pollutant-specific, an area may be classified as nonattainment for one pollutant and attainment for another. Similarly, because the state and federal standards differ, an area could be classified as attainment for the federal standards of a pollutant and as nonattainment for the state standards of the same pollutant. The region is designated as a nonattainment area for the federal and state Ozone standards and the State PM_{10} and $PM_{2.5}$ standards. The region is designated unclassified or attainment for all other ambient air quality standards (BAAQMD 2017a).

Table 4.2-1 Federal and State Ambient Air Quality Standards

Pollutant	Averaging Time	NAAQS	CAAQS
Ozone	1-Hour	–	0.09 ppm
	8-Hour	0.070 ppm	0.070 ppm
Carbon Monoxide	8-Hour	9.0 ppm	9.0 ppm
	1-Hour	35.0 ppm	20.0 ppm
Nitrogen Dioxide	Annual	0.053 ppm	0.030 ppm
	1-Hour	0.100 ppm	0.18 ppm
Sulfur Dioxide	Annual	–	–
	24-Hour	–	0.04 ppm
	1-Hour	0.075 ppm	0.25 ppm
PM_{10}	Annual	–	20 µg/m^3
	24-Hour	150 µg/m^3	50 µg/m^3
PM_{25}	Annual	12 µg/m^3	12 µg/m^3
	24-Hour	35 µg/m^3	–
Lead	30-Day Average	–	1.5 µg/m^3
	3-Month Average	0.15 µg/m^3	–

NAAQS = National Ambient Air Quality Standards; CAAQS = California Ambient Air Quality Standards; ppm = parts per million; µg/m^3 = micrograms per cubic meter

Source: CARB 2016; USEPA 2016

Table 4.2-2 Attainment Status of Criteria Pollutants in Napa County

Pollutant	State Designation	Federal Designation
O_3	Nonattainment	Nonattainment
PM_{10}	Nonattainment	Unclassified
$PM_{2.5}$	Nonattainment	Unclassified/Attainment
CO	Attainment	Attainment
NO_2	Attainment	Unclassified/Attainment
SO_2	Attainment	Attainment

Sources: BAAQMD 2017a

d. Current Ambient Air Quality

The Planning Area is located in Napa County, which is under the jurisdiction of the Bay Area Air Quality Management District (BAAQMD). BAAQMD is responsible for achieving and maintaining the state and federal AAQS within its jurisdiction. BAAQMD operates a network of air quality monitoring stations throughout the SFBAAB. The monitoring stations aim to measure ambient concentrations of pollutants and determine whether ambient air quality meets the state and federal standards. The monitoring station closest to the Planning Area is the Vallejo – 304 Tuolomne Street Station, approximately 4 miles south of the Planning Area. This station measures 8-hour O_3, hourly O_3, $PM_{2.5}$, and NO_X. The Napa – Valley College air monitoring station (located at Magnolia Drive and Route 221) in Napa is the closest air monitoring station to the Planning Area that measures PM_{10}. This station is approximately 6.5 miles north of the Planning Area. Table 4.2-3 indicates the number of

days each federal and state standard was exceeded at the Vallejo – 304 Tuolomne Street and Napa – Valley College air monitoring stations. As shown in Table 4.2-3, O_3 measurements exceeded federal or state O_3 standards in all three observation years. PM_{10} measurements exceeded the State standard in 2020. $PM_{2.5}$ measurements exceeded federal $PM_{2.5}$ standards in 2020. No other state or federal standards were exceeded at these air monitoring stations.

Table 4.2-3 Ambient Air Quality Data

Pollutant	2019	2020	2021
8 Hour Ozone (ppm), 8-Hour Average[1]	**0.076**	**0.077**	**0.072**
Number of Days of state exceedances (>0.070 ppm)	1	1	1
Number of days of federal exceedances (>0.070 ppm)	1	1	1
Ozone (ppm), Worst Hour[1]	0.092	**0.096**	**0.099**
Number of days of state exceedances (>0.09 ppm)	0	1	1
Carbon Monoxide (ppm), Worst-Hour	*	*	*
Number of days of state exceedances (>20.0 ppm)	*	*	*
Nitrogen Dioxide (ppm) - Worst Hour[1]	0.053	0.048	0.041
Number of days of state exceedances (>0.18 ppm)	0	0	0
Number of days of federal exceedances (>0.10 ppm)	0	0	0
Particulate Matter 10 microns, μg/m^3, Worst 24 Hours[2]	37.5	**122.9**	22.9
Number of days of state exceedances (>50 μg/m^3)	0	12	0
Number of days above federal standard (>150 μg/m^3)	0	0	0
Particulate Matter <2.5 microns, μg/m^3, Worst 24 Hours[1]	30.5	**152.7**	32.0
Number of days above federal standard (>35 μg/m^3)	0	12	0

[1] Measurements were taken from the Vallejo – 304 Tuolomne Street Station

[2] Measurements taken from the Napa – Valley College Station.

*Insufficient data available to determine the value.

Bold lettering indicates an exceedance of applicable AAQS.

Source: CARB 2022c

e. Sensitive Receptors

Sensitive receptors are facilities or land uses that include members of the population who are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. According to BAAQMD, sensitive receptors are defined as facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. Examples include schools, hospitals and residential areas (BAAQMD 2017b). The Planning Area contains residential sensitive receptors throughout the Planning Area. Schools within the city include American Canyon High School, Canyon Oaks Elementary School, Donaldson Way Elementary School, and American Canyon Middle School.

4.2.2 Regulatory Setting

a. Federal

Federal Clean Air Act

The Federal Clean Air Act (CAA) governs air quality in the United States. The CAA is administered by United States Environmental Protection Agency (USEPA) at the federal level, California Air Resources Board (CARB) at the State level, and by the Air Quality Management Districts at the regional and local levels. The CAA of 1970 and the CAA Amendments of 1971 required the USEPA to establish the National Ambient Air Quality Standards (NAAQS), with states retaining the option to adopt more stringent standards or to include other specific pollutants. On April 2, 2007, the Supreme Court found that CO_2 is an air pollutant covered by the CAA; however, no NAAQS have been established for CO_2.

The USEPA is responsible for enforcing the federal CAA. The USEPA is also responsible for establishing NAAQS. NAAQS are required under the 1977 CAA and subsequent amendments. The USEPA regulates emission sources that are under the exclusive authority of the federal government, such as aircraft, ships, and certain types of locomotives. The agency has jurisdiction over emission sources outside State waters (e.g., beyond the outer continental shelf) and establishes various emission standards, including those for vehicles sold in states other than California. Automobiles sold in California must meet the stricter emission standards established by CARB.

USEPA Emission Standards for New Off-road Equipment

Before 1994, there were no standards to limit the amount of emissions from off-road equipment. In 1994, USEPA established emission standards for hydrocarbons, NOx, CO, and PM to regulate new pieces of off-road equipment. These emission standards came to be known as Tier 1. Since that time, increasingly more stringent Tier 2, Tier 3, and Tier 4 (interim and final) standards were adopted by USEPA, as well as by CARB. Each adopted emission standard was phased in over time. New engines built in and after 2015 across all horsepower sizes must meet Tier 4 final emission standards. In other words, new manufactured engines cannot exceed the emissions established for Tier 4 final emissions standards.

b. State

California Clean Air Act

The California CAA allows the state to adopt ambient air quality standards and other regulations provided that they are at least as stringent as federal standards. CARB, a part of the California Environmental Protection Agency (CalEPA), is responsible for the coordination and administration of both federal and state air pollution control programs within California, including setting the CAAQS. CARB also conducts research, compiles emission inventories, develops suggested control measures, and provides oversight of local programs. CARB establishes emissions standards for motor vehicles sold in California, consumer products (such as hairspray, aerosol paints, and barbecue lighter fluid), and various types of commercial equipment. It also sets fuel specifications to further reduce vehicular emissions. CARB also has primary responsibility for the development of California's State Implementation Plan (SIP), for which it works closely with the federal government and the local air districts.

California State Implementation Plan

The SIP is a living document that is periodically modified to reflect the latest emissions inventories, plans, and rules and regulations of air basins, as reported by the agencies with jurisdiction over them. The CAA Amendments dictate that states containing areas violating the NAAQS revise their SIPs to include extra control measures to reduce air pollution. The SIP includes strategies and control measures to attain the NAAQS. The USEPA has the responsibility to review all SIPs to determine if they conform to the requirements of the CAA.

State law makes CARB the lead agency for all purposes related to the SIP. Local air districts and other agencies prepare SIP elements and submit them to CARB for review and approval. CARB then forwards SIP revisions to the USEPA for approval and publication in the Federal Register. The BAAQMD 2017 Clean Air Plan is the SIP for the SFBAAB. The 2017 Clean Air Plan accommodates growth by projecting the growth in emissions based on different indicators. For example, population forecasts adopted by the Association of Bay Area Governments (ABAG) are used to forecast population-related emissions. Through the planning process, emissions growth is offset by basin-wide controls on stationary, area, and transportation sources of air pollution.

California Low-Emission Vehicle Program

CARB first adopted Low-Emission Vehicle (LEV) program standards in 1990. These first LEV standards ran from 1994 through 2003. LEV II regulations, running from 2004 through 2010, represent continuing progress in emission reductions. As the State's passenger vehicle fleet continues to grow and more sport utility vehicles and pickup trucks are used as passenger cars rather than work vehicles, the more stringent LEV II standards were adopted to provide reductions necessary for California to meet federally mandated clean air goals outlined in the 1994 SIP. In 2012, CARB adopted the LEV III amendments to California's LEV regulations. These amendments, also known as the Advanced Clean Car Program, include more stringent emission standards for model years 2017 through 2025 for both criteria pollutants and greenhouse gas (GHG) emissions for new passenger vehicles.

California On-Road Heavy-Duty Vehicle Program

CARB has adopted standards for emissions from various types of new on-road heavy-duty vehicles. Section 1956.8, Title 13, California Code of Regulations contains California's emission standards for on-road heavy-duty engines and vehicles, and test procedures. CARB has also adopted programs to reduce emissions from in-use heavy-duty vehicles including the Heavy-Duty Diesel Vehicle Idling Reduction Program, the Heavy-Duty Diesel In-Use Compliance Program, the Public Bus Fleet Rule and Engine Standards, and the School Bus Program and others.

California Airborne Toxics Control Measure for Asbestos

CARB has adopted Airborne Toxics Control Measures for sources that emit a particular TAC. If there is a safe threshold for a substance at which there is no toxic effect, the control measure must reduce exposure below that threshold. If there is no safe threshold, the measure must incorporate Best Available Control Technology to minimize emissions. In July 2001, CARB approved an Air Toxic Control Measure for construction, grading, quarrying and surface mining operations to minimize emissions of naturally occurring asbestos. The regulation requires application of best management practices (BMPs) to control fugitive dust in areas known to have naturally occurring asbestos and requires notification to the local air district prior to commencement of ground-disturbing activities.

The measure establishes specific testing, notification and engineering controls prior to grading, quarrying, or surface mining in construction zones where naturally occurring asbestos is located on projects of any size. There are additional notification and engineering controls at work sites larger than one acre in size. These projects require the submittal of a "Dust Mitigation Plan" and approval by the air district prior to the start of a project.

Construction sometimes requires the demolition of existing buildings where construction occurs. Buildings often include materials containing asbestos. Asbestos is also found in a natural state, known as naturally occurring asbestos. Exposure and disturbance of rock and soil that naturally contain asbestos can result in the release of fibers into the air and consequent exposure to the public. Asbestos most commonly occurs in ultramafic rock that has undergone partial or complete alteration to serpentine rock (serpentinite) and often contains chrysotile asbestos. In addition, another form of asbestos, tremolite, can be found associated with ultramafic rock, particularly near faults. Sources of asbestos emissions include unpaved roads or driveways surfaced with ultramafic rock, construction activities in ultramafic rock deposits, or rock quarrying activities where ultramafic rock is present. The Planning Area is not located in an area likely to contain naturally occurring asbestos (California Department of Conservation 2000).

Verified Diesel Emission Control Strategies

USEPA and CARB tiered off-road emission standards only apply to new engines and off-road equipment can last several years. CARB has developed Verified Diesel Emission Control Strategies (VDECS), which are devices, systems, or strategies used to achieve the highest level of pollution control from existing off-road vehicles, to help reduce emissions from existing engines. VDECS are designed primarily for the reduction of diesel PM emissions and have been verified by CARB. There are three levels of VDECS, the most effective of which is the Level 3 VDECS. Tier 4 engines are not required to install VDECS because they already meet the emissions standards for lower tiered equipment with installed controls.

California Diesel Risk Reduction Plan

CARB Diesel Risk Reduction Plan has led to the adoption of new state regulatory standards for all new on-road, off-road, and stationary diesel-fueled engines and vehicles to reduce DPM emissions by about 90 percent overall from year 2000 levels. The projected emission benefits associated with the full implementation of this plan, including federal measures, are reductions in DPM emissions and associated cancer risks of 75 percent by 2010, and 85 percent by 2020.

Tanner Air Toxics Act and Air Toxics Hot Spots Information and Assessment Act

TACs in California are primarily regulated through the Tanner Air Toxics Act (AB 1807) and the Air Toxics Hot Spots Information and Assessment Act of 1987 (AB 2588), also known as the Hot Spots Act. To date, CARB has identified more than 21 TACs and has adopted the USEPA list of Hazardous Air Pollutants (HAPs) as TACs.

Carl Moyer Memorial Air Quality Standards Attainment Program

The Carl Moyer Memorial Air Quality Standards Attainment Program (Carl Moyer Program), a partnership between CARB and local air districts, issues grants to replace or retrofit older engines and equipment with engines and equipment that exceed current regulatory requirements to reduce

air pollution. Money collected through the Carl Moyer Program complements California's regulatory program by providing incentives to effect early or extra emission reductions, especially from emission sources in environmental justice communities and areas disproportionately affected by air pollution.

The program has established guidelines and criteria for the funding of emissions reduction projects. Within the SFBAAB, the BAAQMD administers the Carl Moyer Program. The program has established guidelines and criteria for the funding of emissions reduction projects. Within SFBAAB, the BAAQMD administers the Carl Moyer Program. The program establishes cost-effectiveness criteria for funding emission reductions projects, which under the final 2017 Carl Moyer Program Guidelines are $30,000 per weighted ton of NOX, ROG, and PM.

c. Regional and Local Regulations

Bay Area Clean Air Plan

The BAAQMD is responsible for assuring that the federal and state ambient air quality standards are attained and maintained in the Bay Area. BAAQMD is also responsible for adopting and enforcing rules and regulations concerning air pollutant sources, issuing permits for stationary sources of air pollutants, inspecting stationary sources of air pollutants, responding to citizen complaints, monitoring ambient air quality and meteorological conditions, awarding grants to reduce motor vehicle emissions, conducting public education campaigns, as well as many other activities.

BAAQMD adopted the *Bay Area Clean Air Plan: Spare the Air, Cool the Climate (Bay Area Clean Air Plan)* on April 19, 2017 as an update to the 2010 Clean Air Plan. The BAAQMD prepared the 2017 Clean Air Plan in cooperation with the Metropolitan Transportation Commission (MTC) and the ABAG. The goals of the 2017 Clean Air Plan are to reduce regional air pollutants and climate pollutants to improve the health of Bay Area residents for the next decades. The 2017 Clean Air Plan aims to lead the region into a post-carbon economy, continue progress toward attaining all State and federal air quality standards, and eliminate health risk disparities from air pollution exposure in Bay Area communities. The 2017 Clean Air Plan defines an integrated, multi-pollutant control strategy that includes 85 distinct feasible control measures to reduce emissions for four categories: ground-level ozone and its precursors, ROG and NO_X; PM (primarily $PM_{2.5}$, and precursors to secondary $PM_{2.5}$); TACs, and greenhouse gas emissions. The control measures are categorized based on the economic sector framework and include stationary sources, transportation, energy, buildings, agriculture, natural and working lands, waste management, and water. To protect public health, the control strategy will decrease population exposure to PM and TACs in communities that are most impacted by air pollution with the goal of eliminating disparities in exposure to air pollution between communities. The control strategy will also protect the climate by reducing greenhouse gas emissions and developing a long-range vision of how the Bay Area could look and function in a year 2050 post-carbon economy.

The focus of control measures includes aggressively targeting the largest source of GHG, ozone pollutants, and PM emissions: transportation. This includes more incentives for electric vehicle infrastructure, off-road electrification projects such as Caltrain and shore power at ports, and reducing emissions from trucks, school buses, marine vessels, locomotives, and off-road equipment. Additionally, the BAAQMD will continue to work with regional and local governments to reduce Vehicle Miles Traveled (VMT) through the further funding of rideshare, bike and shuttle programs.

BAAQMD Particulate Matter Plan

To fulfill federal air quality planning requirements, BAAQMD adopted a 2010 $PM_{2.5}$ emissions inventory in 2012. The Bay Area Clean Air Plan also included several measures for reducing PM emissions from stationary sources and wood burning. In 2013, USEPA issued a final rule determining that the Bay Area has attained the 24-hour $PM_{2.5}$ NAAQS, suspending federal SIP planning requirements for the SFBAAB. Despite this USEPA action, the SFBAAB will continue to be designated as nonattainment for the national 24-hour $PM_{2.5}$ standard until BAAQMD submits a redesignation request and a maintenance plan to USEPA, and USEPA approves the proposed redesignation.

The SFBAAB is in nonattainment for the federal PM_{10} and federal $PM_{2.5}$ standards. USEPA lowered the 24-hour $PM_{2.5}$ standard from 65 micrograms per cubic meter ($\mu g/m^3$) to 35 $\mu g/m^3$ in 2006, and designated the Air Basin as nonattainment for the new $PM_{2.5}$ standard effective December 14, 2009.

BAAQMD believes that it would be premature to submit a redesignation request and $PM_{2.5}$ maintenance plan at this time. Therefore, BAAQMD will prepare a "clean data" SIP to address the required elements, including:

- An emission inventory for primary $PM_{2.5}$, as well as precursors to secondary PM formation; and
- Amendments to the BAAQMD's New Source Review regulation to address $PM_{2.5}$.

The SFBAAB will continue to be designated as nonattainment for the 24-hour $PM_{2.5}$ NAAQS until the Air District elects to submit, and the EPA approves, a redesignation request and maintenance plan. At this time, BAAQMD does not have an applicable SIP with which the project would be required to comply. However, development facilitated by the project would be subject to the Bay Area Clean Air Plan, in addition to regulations set forth by BAAQMD as discussed in the following section.

BAAQMD Regulations

Regulation 2, Rule 1 (Permits–General Requirements)

The BAAQMD regulates new sources of air pollution and the modification and operation of existing sources through the issuances of authorities to construct and permits to operate. Regulation 2, Rule 1 provides an orderly procedure which the project would be required to comply with to receive authorities to construct or permits to operate from the BAAQMD for new sources of air pollutants, as applicable.

Regulation 2, Rule 5 (New Source Review Permitting)

The BAAQMD regulates backup emergency generators, fire pumps, and other sources of TACs through its New Source Review (Regulation 2, Rule 5) permitting process. Although emergency generators are intended to be used only during periods of power outages, monthly testing of each generator is required. BAAQMD limits testing to no more than 50 hours per year. Each emergency generator installed is assumed to meet a minimum of Tier 2 emission standards (before control measures). As part of the permitting process, the BAAQMD limits the excess cancer risk from any facility to no more than 10 per 1-million-population for any permits that are applied for within a 2-year period, and would require any source that would result in an excess cancer risk greater than 1 per 1 million to install Best Available Control Technology for Toxics.

Regulation 6, Rule 1 (Particulate Matter–General Requirements)

The BAAQMD regulates PM emissions through Regulation 6 by means of establishing limitations on emission rates, emissions concentrations, and emission visibility and opacity. Regulation 6, Rule 1 provides existing standards for PM emissions that could result during project construction or operation that the project would be required to comply with, as applicable, such as the prohibition of emissions from any source for a period or aggregate periods of more than 3 minutes in any hour which are equal to or greater than 20 percent opacity.

Regulation 6, Rule 6, (Particulate Matter–Prohibition of Trackout)

One rule by which the BAAQMD regulates PM includes Regulation 6, Rule 6, which prohibits PM trackout during project construction and operation. Regulation 6, Rule 6 requires the prevention or timely cleanup of trackout of solid materials onto paved public roads outside the boundaries of large bulk material sites, large construction sites, and large disturbed surface sides such as landfills.

Regulation 8, Rule 3 (Architectural Coatings)

This rule governs the manufacture, distribution, and sale of architectural coatings and limits the reactive organic gases content in paints and paint solvents. Although this rule does not directly apply to the project, it does dictate the ROG content of paint available for use during the construction.

Regulation 8, Rule 15 (Emulsified and Liquid Asphalts)

Although this rule does not directly apply to the project, it does dictate the reactive organic gases content of asphalt available for use during construction by regulating the sale and use of asphalt and limiting the ROG content in asphalt.

Regulation 1, Rule 301 (Odorous Emissions)

BAAQMD enforces odor control by helping the public to document a public nuisance. Upon receipt of a complaint, BAAQMD sends an investigator to interview the complainant and to locate the odor source if possible. BAAQMD typically brings a public nuisance court action when there are a substantial number of confirmed odor events within a 24-hour period. An odor source with five or more confirmed complaints per year averaged over 3 years is considered to have a substantial effect on receptors. Several BAAQMD regulations and rules apply to odorous emissions. Regulation 1, Rule 301 is the nuisance provision that states that sources cannot emit air contaminants that cause nuisance to a number of persons. Regulation 7 specifies limits for the discharge of odorous substances where BAAQMD receives complaints from 10 or more complainants within a 90-day period. Regulation 7 also precludes discharge of an odorous substance that causes the ambient air at or beyond the property line to be odorous after dilution with 4 parts of odor-free air, and specifies maximum limits on the emission of certain odorous compounds.

Regulation 9, Rule 8 (Inorganic Gaseous Pollutants–Nitrogen Oxides and Carbon Monoxide from Stationary Internal Combustion Engines)

Under Regulation 9, Rule 8, the BAAQMD regulates the emissions of nitrogen oxides and carbon monoxide from stationary internal combustion engines with an output rated by the manufacturer at more than 50 brake horsepower. As such, any proposed stationary source equipment (e.g., backup generators, fire pumps) which would be greater than 50 horsepower would require a BAAQMD permit under Regulation 9, Rule 8 to operate.

Regulation 11, Rule 2 (Hazardous Pollutants–Asbestos Demolition, Renovation, and Manufacturing)

Under Regulation 11, Rule 2, the BAAQMD regulates emissions of asbestos to the atmosphere during demolition, renovation, milling, and manufacturing and establishes appropriate waste disposal procedures. Any of these activities which pose the potential to generate emissions of airborne asbestos are required to comply with the appropriate provisions of this regulation.

Plan Bay Area

On October 2021, the Metropolitan Transportation Commission (MTC) approved Plan Bay Area 2050. Plan Bay Area includes integrated land use and transportation strategies for the region and was developed through OneBayArea, a joint initiative between ABAG, BAAQMD, MTC, and the San Francisco Bay Conservation and Development Commission. Plan Bay Area is also considered the ABAG/MTC Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). In accordance with SB 743, Plan Bay Area included elements designed to encourage the type of land-use development to meet three primary objectives. First, Roadway Level of Service (LOS) could not be considered an environmental impact under the California Environmental Quality Act (CEQA). Second, it introduced changes to VMT per capita as a determinant of environmental impact. Third, the use of VMT as an environmental impact in CEQA is considered a mechanism for achieving State and regional GHG reduction goals. As a regional land use plan, Plan Bay Area aims to reduce per-capita GHG emissions through the promotion of more compact, mixed-use residential and commercial neighborhoods located near transit (ABAG; MTC 2021).

Industrial Commerce Centers Sustainability Standards Ordinance 2024-03

The American Canyon Industrial Greenhouse Gas (GHG) Standards Ordinance applies to warehousing, logistics and distribution facilities in the City for which a Notice of Preparation is issued after March 1, 2024 under CEQA. The Ordinance requires zero or low emissions standards to various aspects of industrial commerce center(s), including zero-emission equipment, rooftop solar panels, and environmental compliance measures aimed at mitigating air quality degradation.

The Ordinance establishes the following standards to all warehousing, logistics, and distribution facilities in the City where a Notice of Preparation is issued after March 1, 2024, under the California Environmental Quality Act (CEQA). It defines such facilities as those used for storing and consolidating manufactured goods, typically larger than 200,000 square feet with specific characteristics such as dock high loading doors and truck activities.

The following standards are applicable under the proposed Ordinance:

1. Zero Emission Operational Equipment: All on-site motorized operational equipment (forklifts, yard trucks, pallet jacks, etc.) must be zero-emission. This includes using electrical hookups instead of diesel-fueled generators for construction tools.
2. Zero Emission Cargo Handling Equipment: All outdoor cargo handling equipment must be zero-emission vehicles. Necessary charging stations or infrastructure for these vehicles must be included in each building.
3. Rooftop Solar Panels: Before issuing a business license, the City will ensure that rooftop solar panels are installed to supply 100% of the power needed for non-refrigerated parts of the facility, including parking areas.

4. Refrigerated Space Requirements: Facilities not committing to non-refrigerated use must install conduits during construction for potential refrigerated spaces. Electric plug-in units for refrigeration units must be installed at relevant dock doors.
5. Zero Emission Construction Equipment: All generators and diesel-fueled off-road construction equipment over 75 horsepower must be zero-emissions or have CARB Tier IV-compliant engines. Exemptions are possible if such equipment is not reasonably available.
6. Electric Vehicle Charging Stations: Install infrastructure for Level 2 (or faster) EV charging stations for a percentage of employee parking spaces, increasing to 25% by 2030.
7. Air Filtration Systems: Install HVAC and/or HEPA air filtration systems in all warehouse facilities.

4.2.3 Impact Analysis

a. Significance Thresholds and Methodology

Significance Thresholds

Based on Appendix G of the CEQA Guidelines a project may be deemed to have a significant impact on air quality if it would:

1. Conflict with or obstruct implementation of the applicable air quality plan;
2. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard;
3. Expose sensitive receptors to substantial pollutant concentrations; or
4. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

This analysis uses the BAAQMD 2017 CEQA Air Quality Guidelines to evaluate air quality.

Construction Criteria Pollutant and TAC Emissions

Construction-related emissions are limited in duration but may still cause adverse air quality impacts. Construction would generate emissions from three primary sources: the operation of construction vehicles (e.g., scrapers, loaders, dump trucks, etc.); ground disturbance during site preparation and grading, which creates fugitive dust; and the application of asphalt, paint, or other oil-based substances.

At this time, the pace, location, and duration associated with construction are not sufficiently detailed to quantify a specific emission impact, and thus it would be speculative to do so. Rather, construction criteria pollutant and TAC emissions impacts for the project are discussed qualitatively, pursuant to the BAAQMD 2017 CEQA Air Quality Guidelines.

Operation Criteria Pollutant and TAC Emissions

Based on plan-level guidance from the BAAQMD 2017 CEQA Air Quality Guidelines, long-term operational criteria pollutant and TAC emissions associated with implementation of the project are discussed qualitatively by comparing the project to the 2017 Clean Air Plan goals, policies, and control measures. In addition, comparing the rate of increase of plan VMT and population is recommended by BAAQMD for determining significance of criteria pollutants. If the project does not meet either criterion, then impacts would be potentially significant.

Odors

The impact analysis qualitatively evaluates the types of land uses facilitated by the project to evaluate whether major sources of anticipated odors would be present and, if so, whether those sources would likely generate objectionable odors. According to the BAAQMD 2017 CEQA Air Quality Guidelines, the project-level threshold for odor sources is if they result in five confirmed complaints per year averaged over three years within the screening distance for land uses shown in Table 3-3 of the guidelines (BAAQMD 2017b). The plan-level threshold states to identify the location and include policies to reduce the impacts of existing or planned sources of odors. None of the land uses identified as odor sources in the 2017 guidelines are planned as part of the project. The significance thresholds for odor impacts are qualitative in nature. Specifically, an odor-generating source with five or more confirmed complaints in the new source area per year averaged over three years is considered to have a significant impact on receptors within the screening distances provided in the guidelines.

Methodology

Consistency with Air Quality Plan

The applicable air quality plan is the BAAQMD 2017 Bay Area Clean Air Plan, which identifies measures to:

- Reduce emissions and reduce ambient concentrations of air pollutants; and
- Safeguard public health by reducing exposure to the air pollutants that pose the greatest health risk, with an emphasis on protecting the communities most heavily affected by air pollution.

The project would be consistent with the Bay Area Clean Air Plan if it would support the Clean Air Plan goals, include applicable control measures, and not disrupt or hinder implementation of Clean Air Plan. Consistency with the Clean Air Plan is the basis for determining whether the project would conflict with or obstruct implementation of an applicable air quality plan.

Construction Criteria Pollutant and TAC Emissions Thresholds

BAAQMD's 2017 CEQA Air Quality Guidelines have no plan-level significance thresholds for construction air pollutants emissions. However, they do include the individual project-level thresholds for construction-related and long-term operational emissions of air pollutants. These thresholds represent the levels at which a project's individual emissions of criteria air pollutants or precursors would result in a cumulatively considerable contribution to the SFBAAB's existing air quality conditions. Construction emissions associated with implementation of the project are discussed qualitatively to evaluate potential air quality impacts.

For health risks associated with TAC and $PM_{2.5}$ emissions, the BAAQMD 2017 CEQA Air Quality Guidelines state a project would result in a significant impact if the any of the following thresholds are exceeded:

- Non-compliance with Qualified Community Risk Reduction Plan;
- Increased cancer risk of > 10.0 in a million;
- Increased non-cancer risk of > 1.0 Hazard Index (Chronic or Acute); or
- Ambient $PM_{2.5}$ increase of > 0.3 $\mu g/m^3$ annual average

In addition, a project would have a cumulatively considerably impact associated with health risks from TAC and $PM_{2.5}$ emissions if the aggregate total emissions of all past, present, and foreseeable future sources within a 1,000-foot radius of the fenceline of the source plus the project's contribution exceed any of the following thresholds:

- Non-compliance with Qualified Community Risk Reduction Plan;
- Increased cancer risk of > 100.0 in a million;
- Increased non-cancer risk of > 10.0 Hazard Index (Chronic or Acute); or
- Ambient $PM_{2.5}$ increase of > 0.8 $\mu g/m^3$ annual average

Operational Criteria Pollutant and TAC Emissions Thresholds

BAAQMD's *2017 CEQA Air Quality Guidelines* contain specific operational plan-level significance thresholds for criteria air pollutants. Plans must show the following over the planning period:

- Consistency with current air quality plan control measures
- VMT or vehicle trips increase is less than or equal to the plan's projected population increase

If a plan can demonstrate consistency with both of these criteria, then impacts are considered less than significant. The same thresholds listed above for construction health risks from TAC and $PM_{2.5}$ would apply to operation.

b. Project Impacts and Mitigation Measures

Threshold 1:	Would the project conflict with or obstruct implementation of the applicable air quality plan?

Impact AQ-1 THE PROJECT WOULD BE CONSISTENT WITH THE BAAQMD'S 2017 CLEAN AIR PLAN. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

Under BAAQMD's methodology, a determination of consistency with CEQA Guidelines thresholds should demonstrate that a project:

- Supports the primary goals of the 2017 Clean Air Plan;
- Includes applicable control measures from the 2017 Clean Air Plan; and
- Does not disrupt or hinder implementation of any 2017 Clean Air Plan control measures.

The following includes a discussion of consistency with these criteria for the project. The 2017 Clean Air Plan contains 85 control measures aimed at reducing air pollution and protecting the climate in the Bay Area. For consistency with climate planning efforts at the State level, the control strategies in the 2017 Clean Air Plan are based on the same economic sector framework used by CARB, which encompass stationary sources, transportation, energy, buildings, agriculture, natural and working lands, waste management, water, and super-GHG pollutants (such as methane and hydrofluorocarbons). Table 4.2-4 identifies applicable control measures and discusses project consistency with the 2017 Clean Air Plan.

Table 4.2-4 Clean Air Plan Control Measures Consistency Analysis

Control Measures	Consistency
Stationary Sources	
SS18: Basin-Wide Combustion Strategy. Stabilize and then reduce emissions of GHGs, criteria air pollutant and toxic emissions from stationary combustion sources throughout the Air District by first establishing carbon intensity caps on major GHG sources, and then adopting new rules to (1) reduce fuel use on a source-type by source-type basis, and (2) evaluate alternatives to decarbonize abatement devices.	**Consistent.** Stationary sources are regulated directly by BAAQMD, which routinely adopts/revises rules or regulations to implement the Stationary Source control measures to reduce stationary source emissions. Therefore, any new stationary sources associated with development facilitated by the project would be required to comply with BAAQMD's regulations.
SS21: New Source Review for Air Toxics. Propose revisions to Air District Rule 2-5, New Source Review of Toxic Air Contaminants, based on OEHHA's 2015 Health Risk Assessment Guidelines and CARB/ CAPCOA's 2015 Risk Management Guidance. Revise the Air District's health risk assessment trigger levels for each toxic air contaminant using the 2015 Guidelines and most recent health effects values.	
Transportation	
TR2: Trip Reduction Programs. Implement the regional Commuter Benefits Program (Rule 14-1) that requires employers with 50 or more Bay Area employees to provide commuter benefits. Encourage trip reduction policies and programs in local plans, e.g., general and specific plans, while providing grants to support trip reduction efforts. Encourage local governments to require mitigation of vehicle travel as part of new development approval, to adopt transit benefits ordinances in order to reduce transit costs to employees, and to develop innovative ways to encourage rideshare, transit, cycling, and walking for work trips. Fund various employer-based trip reduction programs.	**Consistent**: The Mobility Element includes proposed policies that encourage trip reduction programs. The following proposed goals and policies aim to reduce VMT through implementation of policies such as: ▪ **Policy MOB-1.5: Sidewalks.** Require sidewalks on all arterial and collector streets. Where feasible, separate sidewalks from streets on arterials and collectors with landscaping including a tree canopy to create shade. ▪ **Policy MOB-1.7: Promote Walking and Bicycling.** Promote walking and bicycling for transportation, recreation, and improvement of public health. ▪ **Policy MOB-1.11: Reduce the Need to Drive.** Implement land use policies designed to create a pattern of activity that makes it easy to shop, play, visit friends, and conduct personal business without driving. ▪ **Policy MOB-1.17: Reduce Vehicle Miles Traveled.** Through layout of land uses, improved alternate travel modes, and provision of more direct routes, strive to reduce the total vehicle miles traveled by city and non-residents traveling to American Canyon to work or shop. ▪ **Policy MOB-1.22: Non-motorized Circulation System.** Provide safe and direct pedestrian routes and bikeways between places. ▪ **Policy MOB-6.1: VMT Thresholds.** Maintain and periodically reevaluate established vehicle miles traveled (VMT) thresholds and Transportation Demand Management (TDM) mitigation requirements for the purposes of environmental review under the California Environmental Quality Act (CEQA). Continue to maintain LOS standards for the purposes of planning and designing street

Control Measures	Consistency
	improvements on Green Island Road, Devlin Road, and American Canyon Road. ▪ **Policy MOB 5.10 : Transit Supportive Development.** Ensure that new development is designed to make transit a viable transportation choice for residents, including neighborhood centers or focal points with sheltered bus stops; locating medium and high-density development on or near streets served by transit wherever feasible; and link neighborhoods to bus stops by continuous sidewalks or pedestrian paths. *(Source: Existing Policy 3.11)* ▪ **Policy MOB 5.12 : SB 375 Implementation.** Coordinate with other agencies to implement regional transit solutions as part of the SB 375 Sustainable Communities Strategy. *Source: Existing Policy 3.12)*
TR13: Parking Policies. Encourage parking policies and programs in local plans, e.g., reduce minimum parking requirements; limit the supply of off-street parking in transit-oriented areas; unbundle the price of parking spaces; support implementation of demand-based pricing (such as "SF Park") in high-traffic areas.	**Consistent**: Development facilitated by the project would be required to comply with existing City parking standards and standards regarding EV parking in compliance with the latest CALGreen standards.
Energy	
EN1: Decarbonize Electricity Production. Engage with PG&E, municipal electric utilities and CCEs to maximize the amount of renewable energy contributing to the production of electricity within the Bay Area as well as electricity imported into the region. Work with local governments to implement local renewable energy programs. Engage with stakeholders including dairy farms, forest managers, water treatment facilities, food processors, public works agencies and waste management to increase use of biomass in electricity production. **EN2: Decrease Electricity Demand**. Work with local governments to adopt additional energy-efficiency policies and programs. Support local government energy efficiency program via best practices, model ordinances, and technical support. Work with partners to develop messaging to decrease electricity demand during peak times.	**Consistent.** Measures EN1 and EN2 are intended to decrease energy use as a means of reducing adverse air quality emissions. Development facilitated by the project would comply with 2022 Building Energy Efficiency Standards (or most recent version of the California Building Code) requirements that commercial buildings be electric-ready and standards for expanded solar and battery storage and residential development under three stories include rooftop photovoltaic panels. The Building Energy Efficiency Standards are updated every three years and the project would be subject to the 2022 California Building Standards when they go into effect on January 1, 2023. In addition, 2040 General Plan proposed policies listed in Section 4.15, *Effects Found to be Less than Significant*, under Section 4.15.2, *Energy,* would encourage energy efficiency and reduction.
Buildings	
BL1: Green Buildings. Collaborate with partners such as KyotoUSA to identify energy-related improvements and opportunities for on-site renewable energy systems in school districts; investigate funding strategies to implement upgrades. Identify barriers to effective local implementation of the CALGreen (Title 24) statewide building energy code; develop solutions to improve implementation/enforcement. Work with ABAG's BayREN program to make additional funding available for energy-related projects in the buildings sector. Engage with additional partners to target reducing emissions from specific types of buildings.	**Consistent**: Measures BL1 and BL2 focus on working with local governments to adopt the best GHG emissions control practices and policies. As discussed above for the Energy and Climate control measures, development facilitated by the project would comply with 2022 Building Energy Efficiency Standards' (or most recent version of the California Building Code) requirements that commercial buildings be electric-ready and standards for expanded solar and battery storage and residential development under three stories include rooftop photovoltaic panels. The Building Energy Efficiency Standards are updated every three years and the project would be subject to the 2022 California Building Standards when they go into

Control Measures	Consistency
BL2: Decarbonize Buildings. Explore potential Air District rulemaking options regarding the sale of fossil fuel-based space and water heating systems for both residential and commercial use. Explore incentives for property owners to replace their furnace, water heater or natural-gas powered appliances with zero-carbon alternatives. Update Air District guidance documents to recommend that commercial and multi-family developments install ground source heat pumps and solar hot water heaters.	effect on January 1, 2023. In addition, 2040 General Plan proposed policies listed in Section 4.15, *Effects Found to be Less than Significant*, under Section 4.15.2, *Energy,* would encourage energy efficiency and reduction.
Waste Management Control Measures	
WA4: Recycling and Waste Reduction. Develop or identify and promote model ordinances on community-wide zero waste goals and recycling of construction and demolition materials in commercial and public construction projects	**Consistent.** Measure WA4 include strategies to increase waste diversion rates through efforts to reduce, reuse, and recycle. Development facilitated by the project would comply with Assembly Bill (AB) 341, which requires mandatory commercial recycling for businesses that generate four cubic yards or more of commercial solid waste per week. For further discussion of waste diversion, please refer to Section 4.13, *Utilities and Service Systems.*

BAAQMD has identified examples of how a project or plan may disrupt or delay local government implementation of these control measures, such as a project that may preclude an extension of a transit line or bike path, or that propose excessive parking beyond parking requirements. Development within the project area would not disrupt or delay local government implementation of control measures. Overall, the project would be consistent with the three criteria for evaluating consistency with the 2017 Clean Air Plan. As such, the project would not conflict with or obstruct implementation of the applicable air quality plan, and this impact would be less than significant.

Mitigation Measures

No mitigation measures would be required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

Threshold 2: Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

Impact AQ-2 THE PROJECT WOULD NOT RESULT IN A CUMULATIVELY CONSIDERABLE NET INCREASE OF CRITERIA POLLUTANTS DURING CONSTRUCTION OR OPERATIONS. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

Construction

Future development and mobility improvements associated with the project would involve constructions activities that result in air pollutant emissions. Specifically, construction activities such as demolition, grading, construction worker travel, delivery and hauling of construction supplies and debris, and fuel combustion by on-site construction equipment would generate pollutant emissions. These construction activities would create emissions of dust, fumes, equipment exhaust, and other air contaminants, particularly during site preparation and grading. The extent of daily emissions, particularly ROGs and NO_X emissions, generated by construction equipment, would depend on the

quantity of equipment used and the hours of operation for each project. The extent of $PM_{2.5}$ and PM_{10} emissions would depend upon the following factors: 1) the amount of disturbed soils; 2) the length of disturbance time; 3) whether existing structures are demolished; 4) whether excavation is involved; and 5) whether transporting excavated materials offsite is necessary. Dust emissions can lead to both nuisance and health impacts. According to the 2017 BAAQMD *CEQA Air Quality Guidelines,* $PM_{2.5}$ is the greatest pollutant of concern during construction.

The BAAQMD 2017 CEQA Air Quality Guidelines have no plan-level significance thresholds for construction air pollutant emissions that would apply to the project. However, the guidelines include project-level thresholds for construction emissions. If an individual project's construction emissions fall below the project-level thresholds, the project's impacts on regional air quality would be individually and cumulatively less than significant. The BAAQMD has also identified feasible fugitive dust control measures for construction activities. These Basic Construction Mitigation Measures are recommended for all projects. In addition, the BAAQMD and CARB have regulations that address the handling of hazardous air pollutants such as lead and asbestos, which could be aerially disbursed during demolition activities. BAAQMD rules and regulations address both the handling and transport of these contaminants. Construction of development facilitated by the project would temporarily increase air pollutant emissions, possibly creating localized areas of unhealthy air pollution concentrations or air quality nuisances, resulting in a potentially significant impact.

However, the following 2040 General Plan proposed policy would reduce fugitive dust emissions from construction activities by requiring future development to implement construction management plans in accordance with BAAQMD standards:

- **Policy ENV-11.2: Construction Management Plans.** Require new development and redevelopment projects to prepare and implement a construction management plan that incorporates Best Available Control Measures and all best management practices in accordance with the Air District standards to reduce criteria pollutants.

Best available control measures and best management practices in accordance with BAAQMD would include the following:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times a day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California Airborne Toxics Control Measure Title 13, Section 2485 of California Code of Regulations). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacture's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper conditions prior to operation.

- Post a publicly visible sign with the applicant's site superintendent telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's number shall also be visible to ensure compliance with applicable regulations.

With adherence to 2040 General Plan proposed Policy ENV-11.2, cumulative construction impacts associated with violating an air quality standard or contributing substantially to an existing or projected air quality violation in terms of criteria air pollutant emissions would be less than significant.

Operation

The greatest source of criteria pollutants in American Canyon is and would continue to be from transportation sources, specifically mobile emissions from roadway traffic. The project emphasizes reducing VMT on area roadways through emphasizing greater mixed use in the area and proximity of residents to jobs. The following 2040 General Plan proposed goals and policies would encourage active transportation modes, such as walking and bicycling, as well as the use of public transit, thereby reducing vehicle trips and associated criteria air pollutants in the Planning Area:

Goal LU-1: Establish American Canyon as a "complete city" with a diversity of distinct land uses that serve the needs of residents, businesses, and visitors.

- **Policy LU-1.4: Compact Development Pattern**. Maintain a compact development pattern that fosters a walkable and bikeable urban form.

Goal MOB-1: Provide safe and convenient access throughout the community with a citywide network of complete streets that meet the needs of all users and reduce vehicle miles traveled (VMT).

- **Policy MOB-1.7: Promote Walking and Bicycling.** Promote walking and bicycling for transportation, recreation, and improvement of public health.
- **Policy MOB-1.11: Reduce the Need to Drive.** Implement land use policies designed to create a pattern of activity that makes it easy to shop, play, visit friends, and conduct personal business without driving.
- **Policy MOB-1.12: Neighborhood Context.** Support safe, complete, and well-connected neighborhood street, bicycle, and pedestrian access and connections that balance circulation needs with the neighborhood context.
- **Policy MOB-1.17: Reduce Vehicle Miles Traveled.** Through layout of land uses, improved alternate travel modes, and provision of more direct routes, strive to reduce the total vehicle miles traveled by city and non-residents traveling to American Canyon to work or shop.
- **Policy MOB-1.20: Bicycle Plan Funding.** Include funding for the City's Bicycle Plan updates and bikeway improvements consistent with the Bicycle Plan in the City's transportation financing program and TIF, recognizing the multi-modal travel needs of the City.
- **Policy MOB-1.22: Non-motorized Circulation System.** Provide safe and direct pedestrian routes and bikeways between places.
- **Policy MOB-1.23: Pedestrian Connections to Employment Destinations**. Encourage the development of a network of continuous walkways within new commercial, town center, public, and industrial uses to improve workers' ability to walk safely around, to, and from their

workplaces. Where possible, route pedestrians to grade separated crossings over State Route 29.

- **Policy MOB-1.24: Bicycle Facilities.** Bicycle facilities shall be provided to complete a continuous bikeway system, consistent with state standards, as shown on the Bikeway Plan Map. In cases where existing right of way constraints limit development of Class II or Class IV facilities, Class Ill signage and demarcation may be permitted at the discretion of the City Engineer. Deviations from these standards and from the routing shown on the diagram shall be permitted with the approval of the City Engineer.
- **Policy MOB-1.27: Sustainable Roadway Expansion.** Monitor the effects of roadway expansion on air, noise, seismic and archeological resources, and nesting habitat.

Goal MOB-5: Support increased public transit to improve mobility, improve air quality, and support efforts to reduce vehicle miles traveled (VMT).

- **Policy MOB-6.1: VMT Thresholds**. Maintain and periodically reevaluate established vehicle miles traveled (VMT) thresholds and Transportation Demand Management (TDM) mitigation requirements for the purposes of environmental review under the California Environmental Quality Act (CEQA). Continue to maintain LOS standards for the purposes of planning and designing street improvements on Green Island Road, Devlin Road, and American Canyon Road.
- **Policy MOB-5.2: Existing Transportation Demand Management Efforts**. Continue to support the implementation of existing local and regional efforts to manage traffic demand, such as the Napa Logistics Park trip monitoring program, and employer TDM provisions of the Bay Area Air Quality Management District (BAAAQMD).
- **Policy MOB-5.3: Support Transit Operation Improvements.** Work with NVTA to expand both ACT and VINE fixed route services, improve operations, and support dedicated bus lanes and/or queue-jump lanes on SR 29 to enhance bus operations by reducing travel time for transit vehicles.
- **Policy MOB-5.7: Future Transit Links.** Consider orienting transit system expansion to link with other potential future commuter bus and/or rail services.

According to the BAAQMD 2017 CEQA Air Quality Guidelines, the threshold for criteria air pollutants and precursors requires a comparison of the percent increase in VMT and population. Table 4.2-5 summarizes the net increase in population versus VMT for cumulative plus project buildout conditions based on data provided by GHD (2022).

Table 4.2-5 Comparison of VMT and Population Increase due to the Project

Scenario	Existing (2024)	Cumulative Plus Project Buildout [a]	Net Increase
Population (number of residents)	21,758	33,248	11,490
Percentage change			53%
Total Citywide VMT	562,492	568,813	6,321
Percentage change			1%

Note:

[a.] Cumulative conditions with the project is based on Year 2040 citywide residential and commercial growth, as well as projected regional land use growth

Source: GHD 2022

The project emphasizes changing land uses to concentrate growth and jobs and services near residences to reduce singular vehicle trips. As shown in Table 4.2-5, the City's population increase would be proportionately greater than the VMT increase. If a plan's VMT increase, under the cumulative condition, is less than or equal to the plan's projected population increase, impacts to operational criteria pollutant emissions would be less than significant. As such, impacts from project operation would be less than significant.

Mitigation Measures

No mitigation measures would be required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

Threshold 3:	Would the project expose sensitive receptors to substantial pollutant concentrations?

Impact AQ-3 CONSTRUCTION ACTIVITIES FOR PROJECTS LASTING LONGER THAN TWO MONTHS OR LOCATED WITHIN 1,000 FEET OF SENSITIVE RECEPTORS COULD EXPOSE SENSITIVE RECEPTORS TO SUBSTANTIAL POLLUTANT CONCENTRATIONS. IMPLEMENTATION OF THE PROJECT MAY ALSO EXPOSE SENSITIVE RECEPTORS TO OPERATIONAL SOURCES OF TOXIC AIR CONTAMINANTS. IMPACTS WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION.

Construction

The project would result in Diesel particulate matter (DPM) exhaust emissions from off-road, heavy-duty diesel equipment associated with site preparation (e.g., excavation, grading, clearing), building construction, and other construction activities. The potential cancer risk from inhaling DPM, as discussed below, outweighs the potential non-cancer[2] health impacts (CARB 2022b).

Generation of DPM from construction typically occurs in a single area for a short period. Future construction would occur over approximately seventeen years (assuming a buildout year of 2040), but use of diesel-powered construction equipment in any one area would likely occur for no more than a few years for an individual project and would cease when construction is completed in that area. It is impossible to quantify risk without identified specific project details and locations.

The dose to which the receptors are exposed is the primary factor used to determine health risk. Dose is a function of the concentration of a substance or substances in the environment and the extent of exposure that person has with the substance. Dose is positively correlated with time, meaning that a longer exposure period would result in a higher exposure level for the Maximally Exposed Individual. The risks estimated for a Maximally Exposed Individual are higher if a fixed exposure occurs over a longer period. According to the California Office of Environmental Health Hazard Assessment (OEHHA), health risk assessments, which determine the exposure of sensitive receptors to toxic emissions, should be based on a 70-year exposure period; however, such assessments should be limited to the period/duration of activities associated with the development (OEHHA 2015). BAAQMD uses an exposure period of 30 years (BAAQMD 2016).

[2] Non-cancer risks include premature death, hospitalizations and emergency department visits for exacerbated chronic heart and lung disease, including asthma, increased respiratory symptoms, and decreased lung function (CARB 2021a).

The maximum PM_{10} and $PM_{2.5}$ emissions would occur during demolition, site preparation and grading activities, which would only occur for a portion of the overall estimated timeframe of seventeen years for individual project construction. These activities would typically last for approximately two weeks to two years, depending on the extent of grading and excavation required (e.g., projects with subterranean parking structures or geological constraints require additional grading as compared to those without). PM_{10} and $PM_{2.5}$ emissions would decrease for the remaining construction period because construction activities such as building construction and architectural coating would require less intensive construction equipment. While the maximum DPM emissions associated with demolition, site preparation, and grading activities would only occur for a portion of the overall construction period, these activities represent the worst-case condition for the total construction period. This would represent between 0.1 to 7 percent of the total 30-year exposure period for health risk calculation.

Development facilitated by the project would also be required to be consistent with the applicable 2017 Clean Air Plan, BAAQMD regulatory requirements and control strategies, and the CARB In-Use Off-Road Diesel Vehicle Regulation, which are intended to reduce emissions from construction equipment and activities. Additionally, development facilitated by the project would be required to adhere to General Plan proposed Policy ENV-11.2, which requires implementation of BAAQMD best available control measures and best management practices that would reduce construction-related TACs. According to the OEHHA, construction of individual projects lasting longer than two months or placed within 1,000 feet of sensitive receptors could potentially expose nearby sensitive receptors to substantial pollutant concentrations, which could result in potentially significant risk impacts. There is the potential that development associated with the project could last more than two months or be within 1,000 feet of sensitive receptors. As such, these projects could exceed BAAQMD's thresholds of an increased cancer risk of greater than 10.0 in a million and an increased non-cancer risk of greater than 1.0 Hazard Index (Chronic or Acute). Therefore, construction impacts from TAC emissions would be potentially significant. However, implementation of Mitigation Measure AQ-1 would require the preparation of a Construction Health Risk Assessment for future projects and would mitigate potential construction-related TACs exposure impacts to a less than significant level.

Operation

The BAAQMD CEQA Guidelines include methodology for jurisdictions to evaluate the potential impacts from placing sensitive receptors in proximity to major air pollutant sources. For assessing community risk and hazards for siting a new receptor, sources within a 1,000-foot radius of a project site are typically considered. Sources are defined as freeways or high-volume roadways with 10,000 vehicles or more per day and permitted sources (BAAQMD 2017b).

Development facilitated by the project could accommodate a net increase of approximately 3,379 additional residential units and approximately 5.7 million square feet of commercial, retail, hotel, industrial, warehouse, and research and development uses. Development facilitated by the 2040 General Plan in accordance with land use and zoning regulations would not site land uses that typically generate TAC, such as industrial land uses near residential land uses. Additionally, if the proposed commercial, retail, warehouse, research and development, and industrial uses site a new stationary TAC source, like an emergency generator, then said stationary source would be required to receive a permit from BAAQMD. The permitting process would ensure that the stationary source does not present a health risk to existing nearby sensitive receptors.

Furthermore, there are several high-volume roadways in American Canyon, including SR 29, American Canyon Road, Flosden Road, and Newell Drive. The 2040 General Plan may facilitate locating sensitive receptors in proximity to high-volume roadways and freeways. To minimize health risks to sensitive receptors located near stationary sources and/or high-volume roadways, the 2040 General Plan includes the following proposed goal and policies that aim to improve air quality and minimize exposure to TAC:

Goal ENV-11: Improve air quality and minimize human exposure to toxic air pollutants.

- **Policy ENV-11.1: Regional Air Quality Efforts.** Support and coordinate with BAAQMD and State and Federal planning efforts aimed at reducing air pollution and management of major pollutants affecting American Canyon and the region, including the Clean Air Plan.
- **Policy ENV-11.3: Separate Sensitive Land Uses.** Separate sources of air pollution from sensitive land uses, such as residences, schools, day care centers, hospitals, and nursing homes.

In addition, the following proposed policy would ensure that industrial uses would not generate unacceptable levels of air emissions, including TAC.

- **Policy LU-5.5: Prevent Adverse Impacts.** Control, through the permit process, the development of industrial uses that use, store, produce, or transport hazardous materials in threshold planning quantities, generate unacceptable levels of noise or air emissions, or result in other impacts that adversely impact American Canyon.

The primary mobile source of TACs within the plan area is truck idling and use of off-road equipment. New warehousing operations could generate substantial DPM emissions from off-road equipment use and truck idling. In addition, some warehousing and industrial facilities may include use of transport refrigeration units for cold storage. Such potential future uses could generate an increase in DPM that would contribute to cancer and noncancer health risk at nearby sensitive receptors. Without project-specific analysis, health risk impacts from nonpermitted sources associated with development of industrial and commercial land uses under the proposed plan would be potentially significant. Mitigation Measure AQ-2 would require project applicants to prepare an operational health risk assessment for the siting of new sensitive receptors within 500 feet of major sources of TAC (high-volume roadways with 10,000 vehicles or more per day). Mitigation Measure AQ-3 would require applicants for land uses that would generate substantial diesel truck travel to determine the appropriate level of operational health risk assessment require. With the implementation of Mitigation Measures AQ-2 and AQ-3, the project's impacts related to TAC emissions would be less than significant.

Mitigation Measures

AQ-1 Conduct Construction Health Risk Assessment

Prior to issuance of a grading or building permit, whichever occurs first, the applicant shall submit to the City a construction health risk assessment (HRA) in accordance with BAAQMD recommendations for any development project that has at least one the following characteristics:

- The project is located within 1,000 feet of sensitive receptors.
- Project construction would last longer than two months.

- Project construction would not utilize equipment rated USEPA Tier 4 (for equipment of 50 horsepower or more); construction equipment fitted with Level 3 Diesel Particulate Filters (for all equipment of 50 horsepower or more); or alternative fuel construction equipment.

If the HRA determines that construction will exceed BAAQMD significance thresholds, the HRA shall provide mitigation measures to reduce the impact to less than significant, including but not limited to requiring the use of Tier 4 engines, Level 3 Diesel Particulate Filters, and/or alternative fuel construction equipment.

AQ-2 Reduce Operational Toxic Air Contaminants Near Sensitive Receptors

For new sensitive receptors proposed within 500 feet of a major sources of TAC (high-volume roadways with 10,000 vehicles or more per day), the project applicant shall prepare an operational health risk assessment for the City's review and approval. If TAC exposure at new sensitive receptor sites would exceed BAAQMD health risk thresholds, require the project applicant include mechanical air filtration or other measures to reduce health risk exposure to acceptable levels.

AQ-3 Conduct Operational Health Risk Assessment

Prior to permit approval for industrial, warehousing, or commercial land uses that would generate at least 100 diesel trucks per day or 40 or more trucks with diesel-powered transport refrigeration units per day, the applicant shall submit an operational health risk assessment (HRA) or submit proof that an HRA is not required in accordance with BAAQMD thresholds to the City for review and approval. If required by the City, the operational HRA shall be prepared in accordance with the Office of Environmental Health Hazard Assessment and BAAQMD requirements, and mitigated to an acceptable level. Typical measures to reduce risk impacts may include, but are not limited to:

- Restricting idling on-site beyond Air Toxic Control Measures idling restrictions, as feasible.
- Electrifying warehousing docks.
- Truck Electric Vehicle (EV) Capable trailer spaces.
- Requiring use of newer equipment and/or vehicles.
- Restricting off-site truck travel through the creation of truck routes.

The operational HRA shall be provided to the City for review and concurrence prior to project approval.

Significance After Mitigation

Construction and operational related TACs exposure impacts would be less than significant with implementation of Mitigation Measures AQ-1 through AQ-3.

Threshold 4:	Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Impact AQ-4 THE PROJECT WOULD NOT CREATE OBJECTIONABLE ODORS THAT COULD ADVERSELY AFFECT A SUBSTANTIAL NUMBER OF PEOPLE. IMPACTS RELATED TO ODORS WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION.

Construction of development and mobility improvements would require the operation of construction equipment and asphalt paving, which could generate oil, diesel fuel, and asphalt odors.

The odors would be limited to the construction period and would be temporary. Therefore, odors emitted from the construction of individual future projects under the project would be less than significant.

As stated in the BAAQMD CEQA Guidelines, land uses typically producing objectionable odors include agricultural uses, wastewater treatment plants, food manufacturing plants, chemical plants, composting, refineries, landfills, and confined animal facilities. Development facilitated by the 2040 General Plan would include commercial, retail, hotel, industrial, warehouse, and research and development uses. Most of these land uses typically do not produce objectionable odors; however, certain commercial and industrial uses would have the potential to generate nuisance odors. Therefore, individual projects under the 2040 General Plan could generate potentially significant objectionable odors unless analyzed and mitigated. Mitigation Measure AQ-4 would require project applicants to evaluate potential odor impacts and implement odor control measures to the extent feasible. Therefore, 2040 General Plan impacts related to operational odor impacts would be less than significant with mitigation. In addition, other odors from development of the 2040 General Plan include odors associated with vehicle and engine exhaust and idling; however, odors from vehicles are not stationary and are dispersed throughout the roadway network and would result in less than significant impacts.

Mitigation Measures

AQ-4 Reduce Operational Odor Impacts

Prior to discretionary approval by the City, if it is determined by the City that a development project has the potential to emit nuisance odors beyond the property line, the project applicant shall prepare an odor management plan and submit it to the City for review and approval. Facilities that have the potential to generate nuisance odors include, but are not limited to:

- Wastewater treatment plants
- Composting, green waste, or recycling facilities
- Fiberglass manufacturing facilities
- Painting/coating operations
- Large-capacity coffee roasters
- Food-processing facilities

The odor management plan shall demonstrate compliance with the latest BAAQMD screening distances and guidelines. The odor management plan shall identify the best available control technologies for toxics (T-BACTs) that will be utilized to reduce potential odors to acceptable levels, including appropriate enforcement mechanisms. T-BACTs may include but are not limited to scrubbers (i.e., air pollution control devices) at the industrial facility. T-BACTs identified in the odor management plan shall be identified as mitigation measures in the documents prepared for the development project and/or incorporated into the project's site plan.

Significance After Mitigation

Odor impacts would be less than significant with implementation of Mitigation Measure AQ-4 to reduce operational odor impacts.

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4.3 Biological Resources

This section summarizes the biological resources in the Planning Area and analyzes the potential effects on biological resources related to implementation of the project.

4.3.1 Setting

This following information was obtained through a desktop literature review of the United States Fish and Wildlife Service's (USFWS) National Wetlands Inventory (NWI) and Information for Planning and Consultation (IPaC); the California Department of Fish and Wildlife's (CDFW) California Natural Diversity Database (CNDDB); the National Oceanic and Atmospheric Administration's (NOAA) Protected Resources Application; the Napa County General Plan Environmental Impact Report; and Napa County vegetation mapping.

a. Land Cover

The Planning Area contains substantial urban development. There are, however, areas of relatively undisturbed natural habitats in the Planning Area. Descriptions of the vegetation communities in the Planning Area are listed below, based on vegetation mapping in Napa County (Napa County 2019). Figure 4.3-1 shows the vegetation communities and land covers within the Planning Area.

Grassland

Grassland is a relatively common biotic community within the Planning Area. Three common grassland assemblages exist within Napa County: annual grassland, native grassland, and serpentine (bunchgrass) grassland. Of these assemblages, annual grassland is found within the Planning Area. Vernal pools are found in some grassland areas (County of Napa 2007).

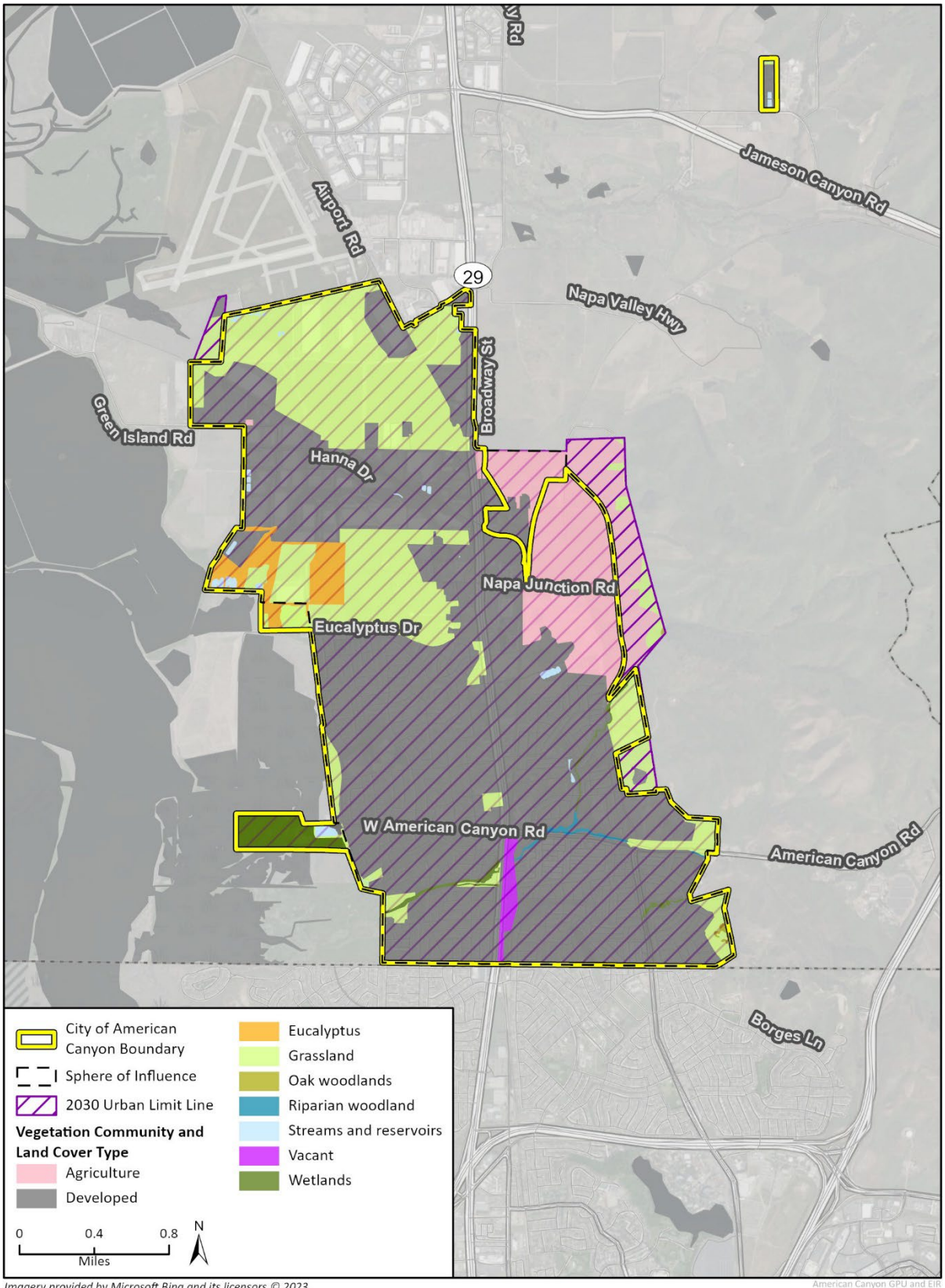
Oak Woodland

Oak woodland occurs across a broad range of elevations, on gentle and steep slopes. There are 13 vegetation types (alliances or associations) within the oak woodland group. Six of these are dominated by evergreen oak species, six are dominated by deciduous oak species, and one is a mixture of deciduous and evergreen oaks (County of Napa 2007). Within the Planning Area, oak savannahs are protected via the American Canyon Municipal Code, Chapter 19.24.

Riparian Woodland

Within the Planning Area, riparian areas are associated with the American Canyon Creek, Rio Del Mar Creek, North Slough, and No Name Creek. Riparian woodland habitat can provide shade, habitat, and nesting sites for resident birds, migratory birds, and other wildlife such as reptiles. In addition, riparian habitat can serve as rearing habitat for anadromous fish.

Figure 4.3-1 Vegetation Communities in American Canyon



Imagery provided by Microsoft Bing and its licensors © 2023.
Additional data provided by Napa County, 2019.

American Canyon GPU and EIR
Fig X Vegetation Communities in American Canyon

Wetlands, Streams, and Reservoirs

Wetlands are highly productive habitats for plants and wildlife. Coastal wetlands and riparian wetlands (linear areas adjacent to streams, creeks and drainages) are especially productive for plants, because recurrent flooding in these areas delivers influxes of soil and nutrients. This highly productive biotic community provides shelter and food sources for resident and migratory wildlife. The structural complexity and existence of native vegetation in these areas enhance the productivity of wetlands for wildlife species, by providing diverse sites for foraging and breeding (Napa County 2007). According to the USFWS NWI, wetlands in and surrounding the Planning Area consist of estuarine and marine habitats, freshwater ponds, freshwater emergent wetlands, and riverine habitats (USFWS 2022a).

Open water habitats, such as streams and reservoirs, are highly diverse in size, type, water chemistry, and hydrologic functions. The Napa River is a prominent aquatic feature in the Planning Area (County of Napa 2007).

Eucalyptus

American Canyon contains eucalyptus groves near the northwestern border of its city limits. The eucalyptus groves are surrounded by industrial development, a school, and public facilities. Eucalyptus are non-native and invasive in California.

b. Special Status Species

For the purposes of this analysis, special-status species include the following:

- Species listed as threatened or endangered under the Federal Endangered Species Act (FESA), including proposed and candidate species.
- Species listed as candidate, threatened, or endangered under the California Endangered Species Act (CESA).
- Species designated as Fully Protected by the California Fish and Game Code (CFGC), and Species of Special Concern or Watch List by CDFW.
- Plant species protected by the Native Plant Protection Act (NPPA) (State Rare).
- Plant species with California Native Plant Society (CNPS) California Rare Plant Ranks (CRPR) 1A, 1B, 2A and 2B.
- Species designated as locally important by the Local Agency and/or otherwise protected through ordinance, local policy, or HCPs/NCCPs.

Queries of the USFWS's IPaC, CNDDB, and CNPS's online Inventory of Rare and Endangered Plants of California were conducted to obtain comprehensive information regarding special-status species and sensitive vegetation communities known or with potential to occur in the Planning Area. Queries of the CNPS inventory and CNDDB database included the Cuttings Wharf U. S. Geological Service (USGS) 7.5-minute topographic quadrangle and surrounding 11 quadrangles (Cordelia, Sonoma, Napa, Mt. George, Fairfield North, Fairfield South, Vine Hill, Benicia, Mare Island, Petaluma Point, and Sears Point). The results of these scientific database queries are provided as Appendix B of this EIR. There are 51 plant species and 44 animal species with potential to occur within the Planning Area which meet at least one of the criteria for a special status species, described above (Appendix B). These include the federally endangered Suisun thistle (*Cicuta maculate* var. *bolanderi*), the federally threatened and State species of special concern California red-legged frog

(*rana draytonii*), the federally threatened green sturgeon – southern DPS (*Acipenser medirostris pop. 1*), and the federally threatened vernal pool fairy shrimp (*Branchinecta lynchi*) (Appendix B).

c. Nesting Birds

Suitable nesting sites for avian species protected by the federal Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (CFGC), including shrubs, trees, man-made structures, and the ground surface occur throughout the Planning Area. Some species prefer vegetation for nesting, including ornamental vegetation and some species can be found nesting in man-made structures, such as power poles or the eaves of buildings. Nesting birds may occur during the breeding season (generally February 1 through August 31 but beginning January 1 for some raptor species).

d. Sensitive Vegetation Communities and Critical Habitat

Various habitats support special status species. The City identifies the following habitats as sensitive, and the American Canyon Municipal Code provides enhanced protection for these habitats and subsequently, species within these habitats:

- Riparian corridors
- Coastal saltmarsh
- Mixed hardwood forest
- Oak savannah
- Vernal pool
- Wetland habitats

The following five sensitive natural communities occur within the 12 quadrangles search range (Appendix B):

- Coastal Brackish Marsh
- Northern Claypan Vernal Pool
- Northern Coastal Salt Marsh
- Northern Vernal Pool
- Serpentine Bunchgrass

In addition, NOAA identifies critical habitat for green sturgeon – southern DPS (*Acipenser medirostris pop. 1*) in the waters adjacent to the western border of the Planning Area (NOAA 2022). UWFWS identifies critical habitat for the California red-legged frog (*rana draytonii*) and the vernal pool fairy shrimp within the City limits (*Branchinecta lynchi*) (USFWS 2022a).

e. Wildlife Movement Corridors

Wildlife movement corridors, or habitat linkages, are generally defined as connections between habitat patches that allow for physical and genetic exchange between otherwise isolated animal populations. Such linkages may serve a local purpose, such as providing a linkage between foraging and denning areas, or they may be regional in nature. Some habitat linkages may serve as migration corridors, wherein animals periodically move away from an area and then subsequently return. Others may be important as dispersal corridors for young animals. A group of habitat linkages in an area can form a wildlife corridor network.

The habitats within the linkages do not necessarily need to be the same or of the same quality as the habitats that are being linked. Rather, the linkage merely needs to contain sufficient cover and forage to allow temporary inhabitation by ground-dwelling species. Typically, habitat linkages are contiguous strips of natural areas, though dense plantings of landscape vegetation can be used by certain disturbance-tolerant species. Depending upon the species using a corridor, specific physical resources (such as rock outcroppings, vernal pools, or oak trees) may need to be located within the habitat link at certain intervals to allow slower-moving species to traverse the link. For highly mobile or aerial species, habitat linkages may be discontinuous patches of suitable resources spaced sufficiently close together to permit travel along a route in a short period of time.

Migration corridors can be bordered on either site by urban land uses, and within the City limits these corridors often include barriers to movement such as developed areas and roads. Substantial habitat connectivity occurs generally to the east and north of the City's sphere-of-influence (SOI), as well as within the City's riparian corridors. As defined by CDFW, the eastern portion of American Canyon, including the City's SOI and urban limit line are within essential habitat connectivity areas. However, due to the existing level of development, the area is considered less permeable, meaning it is more difficult for animals to migrate in these areas (CDFW 2022).

4.3.2 Regulatory Setting

a. Federal Regulations

Federal Endangered Species Act

The Federal Endangered Species Act of 1973 and subsequent amendments provide for the conservation of endangered and threatened species, and the ecosystems upon which they depend. FESA is intended to prevent the unlawful "take" of listed fish, wildlife, and plant species. Section 9(a)(1)(B) specifically states take of species listed as threatened or endangered is unlawful. Take is defined as any action that would harass, harm, pursue, hunt, wound, shoot, kill, trap, capture, or collect any threatened or endangered species. Section 10 of the FESA allows the USFWS to issue incidental take permits if take of a listed species may occur during otherwise lawful activities. Section 10(a)(1)(B) requires a Habitat Conservation Plan for an incidental take permit on non-federal lands. Section 7 of the FESA requires federal agencies to aid in the conservation of listed species, and to ensure that the activities of federal agencies will not jeopardize the continued existence of listed species or adversely modify designated critical habitat. The USFWS and NOAA are responsible for administration of the FESA and have regulatory authority over federally listed species.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) makes it unlawful at any time, by any means or in any manner, to pursue, hunt, take, capture, or kill migratory birds, and prohibits the removal of nests occupied by migratory birds. The USFWS has regulatory authority for the MBTA.

Clean Water Act

The United States Army Corps of Engineers (USACE), under provisions of Section 404 of the Clean Water Act (CWA) and USACE implementing regulations, has jurisdiction over the placement of dredged or fill material into "waters of the United States." Congress enacted the CWA "to restore and maintain the chemical, physical, and biological integrity of the Nation's waters." In practice, the boundaries of certain waters subject to USACE jurisdiction under Section 404 have not been fully

defined. Previous regulations codified in 1986 defined "waters of the United States" as traditional navigable waters, interstate waters, all other waters that could affect interstate or foreign commerce, impoundments of waters of the United States, tributaries, the territorial seas, and adjacent wetlands.

USACE jurisdictional limits are typically identified by the Ordinary High Water Mark (OHWM) or the landward edge of adjacent wetlands, where present. The OHWM is the "line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding area" (33 Code of Federal Regulations 328.3).

The USACE defines wetlands as "those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions" (33 CFR 328.3). The USACE's delineation procedures identify wetlands in the field based on indicators of three wetland parameters: hydrophytic vegetation, hydric soils, and wetland hydrology.

Fish and Wildlife Coordination Act

The USFWS also has responsibility for project review under the Fish and Wildlife Coordination Act. This statute requires that all federal agencies consult with USFWS, NOAA Fisheries, and the State's wildlife agency (CDFW) for activities that affect, control, or modify streams and other water bodies. Under the authority of the Fish and Wildlife Coordination Act, USFWS, NOAA Fisheries, and the CDFW review applications for permits issued under Section 404 and provide comments to the SACE about potential environmental impacts.

b. State Regulations

California Endangered Species Act

The CDFW is responsible for administration of the California Endangered Species Act. For projects that may affect both a State and federal listed species, compliance with the FESA will satisfy the CESA, provided the CDFW determines that the federal incidental take authorization is consistent with the CESA.

Take is defined in the California Fish and Game Code (CFGC) Section 86 as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." The CESA allows for take incidental to otherwise lawful activities under CFGC Section 2081. Project proponents wishing to obtain incidental take permits can do so through a permitting process outlined in California Code of Regulations (CCR) Section 783. Additionally, some sensitive mammals and birds are protected by the state as Fully Protected Mammals or Fully Protected Birds, as described in the CFGC, Sections 4700 and 3511, respectively.

Projects that may result in a take of a California listed species require a take permit under the CESA. The federal and State acts lend protection to species considered rare enough by the scientific community and trustee agencies to warrant special consideration, particularly with regard to protection of isolated populations, nesting or den locations, communal roosts, and other essential habitat. Unlike the FESA, the CESA prohibits the take of not just listed endangered or threatened species, but also candidate species (species petitioned for listing).

The CESA defines an endangered species as:

> …a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant which is in serious danger of becoming extinct throughout all, or a significant portion, of its range due to one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, or disease.

A threatened species is defined as:

> …a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant that, although not presently threatened with extinction, is likely to become an endangered species in the foreseeable future in the absence of the special protection and management efforts required by this chapter. Any animal determined by the commission as rare on or before January 1, 1985 is a threatened species.

Candidate species are defined as:

> …a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant that the commission has formally noticed as being under review by the department for addition to either the list of endangered species or the list of threatened species, or a species for which the commission has published a notice of proposed regulation to add the species to either list.

Candidate species may be afforded temporary protection as though they were already listed as threatened or endangered at the discretion of the Fish and Game Commission. Unlike the FESA, CESA does not include listing provisions for invertebrate species. Article 3, Sections 2080 through 2085, of the CESA addresses the taking of threatened or endangered species by stating:

> …no person shall import into this State, export out of this State, or take, possess, purchase, or sell within this State, any species, or any part or product thereof, that the commission determines to be an endangered species or a threatened species, or attempt any of those acts, except as otherwise provided.

California Fish and Game Code - Nesting Bird Protection

According to CFGC Section 3503, it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird [except English sparrows (*Passer domesticus*) and European starlings (*Sturnus vulgaris*)]. Sections 3503 and 3513 prohibit the taking of specific birds, their nests, eggs, or any portion thereof during the nesting season. Section 3503.5 specifically protects birds in the orders Falconiformes and Strigiformes (birds-of-prey). Section 3513 overlaps with the federal MBTA, prohibiting the take or possession of any migratory nongame bird.

California Native Plant Protection Act

The California Native Plant Protection Act (NPPA) was enacted in 1977 and allows the California Fish and Wildlife Commission to designate plants as rare or endangered. Currently, 64 species, subspecies, and varieties of plants are protected as rare under the NPPA. The NPPA prohibits take of endangered or rare native plants but includes some exceptions for agricultural and nursery operations; emergencies; and after properly notifying CDFW for vegetation removal from canals, roads, and other sites; changes in land use; and in certain other situations. Effective in 2015, CDFW promulgated regulations (14 CCR 786.9) under the authority of the NPPA, establishing that the CESA permitting procedures (CFG Code Section 2081) would be applied to plants listed under the NPPA as

"Rare." With this change, there is little practical difference between regulations and protocols for plants listed under CESA and those listed under the NPPA.

Clean Water Act Section 401, Porter-Cologne Water Quality Control Act

The State Water Resources Control Board (SWRCB) and nine Regional Water Quality Control Boards (RWQCBs) have jurisdiction over "waters of the State," which are defined as any surface water or groundwater, including saline waters, within the boundaries of the state (California Water Code sec. 13050(e)). These agencies also have responsibilities for administering Section 401 of the CWA. In addition, where Federal jurisdiction is not asserted (for example, due to a lack of connectivity to a Relatively Permanent Waters [RPW] and Traditional Navigable Waters [TNW]), RWQCB assert jurisdiction over "waters of the State" pursuant to Section 13263 of the Porter-Cologne Water Quality Control Act, which are defined as any surface water or groundwater, including saline waters, within the boundaries of the State. In this event, the SWRCB may issue general Waste Discharge Requirements (WDRs) regarding discharges to "isolated" waters of the State if limiting criteria are not exceeded (Water Quality Order No. 2004-0004-DWQ, Statewide General Waste Discharge Requirements for Dredged or Fill Discharges to Waters Deemed by the USACE to be Outside of Federal Jurisdiction) or project-specific WDRs.

The SWRCB and RWQCBs have not established regulations for field determinations of waters of the state except for wetlands. In many cases the RWQCBs interpret the limits of waters of the State to be bounded by the OHWM unless isolated conditions or ephemeral waters are present. However, in the absence of statewide guidance, each RWQCB may interpret jurisdictional boundaries within their region and the SWRCB has encouraged applicants to confirm jurisdictional limits with their RWQCB before submitting applications. As determined by the RWQCB, waters of the State may include riparian areas or other locations outside the OHWM, leading to a larger jurisdictional area over a given water body compared to the USACE.

Procedures for defining wetland waters of the State pursuant to the SWRCB's State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State went into effect May 28, 2020. The SWRCB defines an area as wetland if, under normal circumstances:

> the area has continuous or recurrent saturation of the upper substrate caused by groundwater, or shallow surface water, or both; the duration of such saturation is sufficient to cause anaerobic conditions in the upper substrate; and the area's vegetation is dominated by hydrophytes or the area lacks vegetation.

The SWRCB's Implementation Guidance for the Wetland Definition and Procedures for Discharges of Dredge and Fill Material to Waters of the State (2020), states that waters of the U.S. and waters of the State should be delineated using the standard USACE delineation procedures, taking into consideration that the methods shall be modified only to allow for the fact that a lack of vegetation does not preclude an area from meeting the definition of a wetland.

California Fish and Game Code Section 1600 et seq.

Pursuant to CFGC Section 1600, CDFW has authority over all perennial, intermittent, and ephemeral rivers, streams, and lakes in the state, and requires any person, state or local governmental agency, or public utility to notify the CDFW before beginning any activity that would "substantially divert or obstruct the natural flow of, or substantially change or use any material from the bed, channel, or bank of, any river, stream, or lake, or deposit or dispose of debris, waste, or other material

containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake" that supports fish or wildlife resources.

A stream is defined as a "body of water that flows at least periodically or intermittently through a bed or channel having banks and supports fish or other aquatic life. This includes watercourses having a surface or subsurface flow that supports or has supported riparian vegetation" (CCR, Title 14 Section 1.72). A Lake or Streambed Alteration Agreement may be required for any project that would result in an adverse impact to a river, stream, or lake. CDFW jurisdiction typically extends to the top of the bank and out to the outer edge of adjacent riparian vegetation if present. However, CDFW can take jurisdiction over a body of flowing water and the landform that conveys it, including water sources and adjoining landscape elements that are byproducts of and affected by interactions with flowing water without regard to size, duration, or the timing of flow.

CDFW Special Animals List

Special-status wildlife species are those species included on the CDFW "Special Animals" list (CDFW 2020). "Special Animal" is a general term that refers to all the taxa the CNDDB is interested in tracking, regardless of their legal or protection status. The CDFW considers the taxa on this list to be those of greatest conservation need. The species on this list generally fall into one or more of the following categories:

- Officially listed or proposed for listing under the CESA and/or FESA
- State or Federal candidate for possible listing
- Taxa that meet the criteria for listing, even if not currently included on any list, as described in CEQA Guidelines Section 15380
- Taxa considered by the Department to be a Species of Special Concern
- Taxa that are biologically rare, very restricted in distribution, declining throughout their range, or have a critical vulnerable stage in their life cycle that warrants monitoring
- Populations in California that may be on the periphery of a taxon's range but are threatened with extirpation in California

c. Local Regulations

American Canyon Municipal Code

The American Canyon Municipal Code Title 14, Title 18, and Title 19 implement measures designed to protect biological resources. Chapter 14.28 implements requirements designed to reduce substantial adverse effects to water quality in the City. These include the following:

- Implementation of erosion control measures.
- Implementation construction and operational Best Management Practices (BMPs) to reduce protect water quality.
- Prohibition of discharge, modification, deposition, construction, or placement of material into a water course.

Chapter 18.40 sets design standards for development. Specifically, Section 18.40.110 sets the following requirements to protect trees:

- Requires existing trees to be preserved unless otherwise approved by City Council as part of site development plans.

- Mandates removed trees shall be replaced on-site unless an exception is approved by City Council.

Chapter 19.24 requires protection, preservation, and enhancement of biological habitats, plants, and wildlife within the City. Specifically, Chapter 19.24 requires the following:

- Requires the preparation of a biological assessment report for developments which have the potential to substantially adversely affect biological resources.
- Limits permitted uses in riparian corridors to development including underground utilities, flood control, fish and wildlife management, water supply projects, education and research, nonmotorized recreation, trails, bridges, and resource consumptive uses as provided in the California Fish and Game Code and Title 14 of the California Administrative Code.
- Prohibits development and grading that alters the biological integrity of a riparian corridor unless no feasible alternative exists, and damaged habitat is replaced with habitat of equal value.
- Requires development permitted in riparian corridors to minimize the removal of vegetation, erosion, sedimentation, and runoff; provide for sufficient passage of native and anadromous fish; minimize wastewater discharges and entrapment; prevent groundwater depletion or substantial interference with surface and subsurface flows; minimize the channelization of streams or other water courses, provide wildlife corridors to adjacent open space; buffer habitat areas, and use open space or conservation easements to protect sensitive species and their habitats.
- Requires development in wetlands areas and areas of existing or potential vernal pools be designed and sited to preserve these areas in their natural conditions. Requires habitat replacement for any wetland or vernal pool habitat removed.
- Requires development of areas designated as oak savannah, mixed hardwood forest, and coastal saltmarsh maintain a buffer from the edge of the designated habitat, maintain connectivity to surrounding habitats, and limit public access in areas where damage to habitats may occur.

4.3.3 Impact Analysis

a. Significance Thresholds and Methodology

Significance Thresholds

Based on Appendix G of the CEQA Guidelines a project may be deemed to have a significant impact on biological resources if it would:

1. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service;
2. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service;

3. Have a substantial adverse effect on state or federally protected wetlands (including but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means;
4. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites;
5. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
6. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan

Methodology

The assessment of potential impacts to biological resources were informed based on a review of readily available information from the USFWS, CDFW, and the NOAA. As a programmatic document, this EIR presents an assessment of the potential for adoption of the 2040 General Plan to result in significant impacts to biological resources. Because the EIR is a long-term document intended to guide actions for many years into the future, this analysis relies on program-level and quantitative evaluation.

Threshold 1:	Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Impact BIO-1 THE PROJECT COULD HAVE THE POTENTIAL TO HAVE AN ADVERSE IMPACT ON SPECIAL STATUS SPECIES. IMPLEMENTATION OF FEDERAL, STATE, AND LOCAL REGULATIONS AND POLICIES, AS WELL AS MITIGATION MEASURES BIO-1 AND BIO-2, WOULD ENSURE DEVELOPMENT FACILITATED BY THE PROJECT WOULD NOT HAVE A SUBSTANTIAL ADVERSE EFFECT ON CANDIDATE, SENSITIVE, OR SPECIAL STATUS SPECIES. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION.

As discussed in Section 4.3.1, *Setting*, there are 51 plant species and 44 animal species with potential to occur within the Planning Area. In addition, the Planning Area contains riparian corridors, coastal saltmarsh, mixed hardwood forest, and oak savannah which could serve as habitat for special status species. Critical habitat is also present within the Planning Area. Potentially significant effects on candidate, sensitive, or special status species would occur if temporary disturbance during construction or permanent development facilitated by the project would result in incremental direct loss of habitat, fragmentation of larger open areas and wildlife corridors, or disturbance of special status wildlife or vegetation species.

As shown in Figure 4.3-1, the City is primarily developed and vegetation communities primarily exist outside of the City's SOI. The American Canyon Municipal Code requires project-specific development to minimize the potential for impacts to biological resources. Section 19.24.030 of the American Canyon Municipal Code requires a biological assessment report to be prepared by a qualified professional chosen by the City for project-specific development which has the potential to adversely affect biological resources. Section 19.24.040 of the American Canyon Municipal Code prohibits residential, commercial, and industrial use in riparian corridors. Section 19.24.060 of the American Canyon Municipal Code requires development in areas that encompass oak savannah, mixed hardwood forest, and coastal saltmarsh to maintain buffers from these habitats as

recommended by the biological assessment report, maintain connectivity to surrounding habitats, and limit public access in areas where habitat damage may occur. In addition, the 2040 General Plan would include the following proposed policies that would help protect habitats:

- **Policy ENV-1.2: Sensitive Habitat Assessment and Impact Mitigation.** Require new development and redevelopment located within sensitive habitats, including coastal saltmarsh, mixed hardwood forest, oak savannah, vernal pools, and riparian habitats to provide a detailed assessment of the potential for impacts on these resources, and include measures to reduce any identifiable impacts.
- **Policy ENV-1.3: Habitat Conservation.** Support habitat conservation efforts to set aside and preserve suitable habitats, with priority given to habitats for rare and endangered species in American Canyon in accordance with state and federal resource agency requirements.

Compliance with the American Canyon Municipal Code and implementation of proposed policies in the 2040 General Plan would help ensure habitats are identified prior to project-specific siting and habitat areas are protected where applicable. However, the Municipal Code is only applicable to "significant biological habitats" defined as riparian corridors, coastal saltmarsh, mixed hardwood forest, oak savannah, vernal pools and wetlands (as defined by USFWS), and special-status species may occur in other habitats such as grasslands and eucalyptus stands, or less suitable habitats within the planning area. The Municipal Code also does not specify what level of mitigation would be required if impacts are unavoidable within significant biological habitats. Regionally occurring special-status species such as Crotch's bumblebee (*Bombus crotchii*, state candidate endangered), monarch butterfly (*Danaus Plexippus*, federal candidate), burrowing owl (*Athene cunicularia*, California species of special concern), and western pond turtle (*Actinemys marmorata*, federally proposed threatened) may occur outside these significant biological habitats and development facilitated by the project could result in indirect impacts. Given the City does not have substantial contiguous, high-quality habitat to support special status species in previously developed and disturbed areas of the City and existing American Canyon Municipal Code requirements designed to limit the disturbance of habitat, including critical habitat, development facilitated by the project would not result in significant direct impacts to special status species due to habitat loss, but may impact special status-species if individuals are present during vegetation removal or construction. Therefore, impacts to special-status species would be potentially significant.

Construction activities associated with development and mobility improvements facilitated by the project could potentially result in impacts to birds and raptors. Nesting birds and raptors have the potential to nest on buildings, in shrubs and trees, in rocky outcrops, and on bare ground throughout the City. Vegetation, including street trees, in the City can provide refuge cover from predators, perching sites, and favorable nesting habitat. Future development and mobility improvements facilitated by the project must comply with the requirements of the MBTA and Sections 3503, 3503.5, and 3513 of the California Fish and Game Code, which include obtaining prior authorization by the USFWS before the take of a protected migratory bird species occurs, subject to USFWS requirements, and prohibiting the take, possession, or destruction of nests or eggs. However, existing City regulations do not mandate procedures to ensure compliance with the requirements of the MBTA and Sections 3503, 3503.5, and 3513 of the California Fish and Game Code. Therefore, it is possible development facilitated by the project could result in disturbance to birds or raptors and potentially violate the MBTA and Sections 3503, 3503.5, and/or 3513 of the California Fish and Game Code. Impacts to nesting birds would be potentially significant.

In addition, construction activities associated with development facilitated by the project could result in indirect impacts to bats, such as the pallid bat (*Antrozous pallidus*), Townsend's big-eared bat (*Corynorhinus townsendii*), and big free-tailed bat (*Nyctinomops macrotis*). Bats have the potential to roost in buildings and trees, including street trees. If construction or demolition activities associated with development facilitated by the project would alter, demolish, or remove buildings or trees it could result in the disturbance of bat roosts. Therefore, impacts to special-status bats would be potentially significant.

Indirect impacts to special status species which utilize riparian corridors and other aquatic habitat could occur because of future development and mobility improvements facilitated by the project. The federal Clean Water Act requires compliance with the requirements of the National Pollutant Discharge Elimination System (NPDES) Construction General Permit for projects disturbing more than one acre during construction. Compliance with the Construction General Permit requires the development of a Stormwater Pollution Prevention Plan (SWPPP) developed by a certified Qualified SWPPP Developer. The SWPPP includes project-specific BMPs to control erosion, sediment release, and otherwise reduce the potential for discharge of pollutants from construction into stormwater. Typical BMPs include, but are not limited to, installation of silt fences, erosion control blankets, and anti-tracking pads at site exits to prevent off-site transport of soil materials. Chapter 14.28 of the American Canyon Municipal Code requires any construction activities to implement appropriate BMPs to prevent the discharge of sediment. If a project would not be required to submit a SWPPP pursuant to the NPDES Construction General Permit, the City requires implementation of an Erosion and Sediment Control Plan for any project subject to a grading permit. In addition, American Canyon Municipal Code Section 14.28.082 requires implementation of a Stormwater Control Plan (SCP) for all new development and redevelopment projects subject to post-construction stormwater control measure requirements. In addition, the 2040 General Plan would include the following proposed policies that would minimize water quality impacts:

- **Policy U-4.1: Storm Drainage Maintenance.** Maintain existing public storm drains and flood control facilities and construct upgraded and expanded storm drain and flood control facilities, where necessary, to protect existing and accommodate new permitted development.
- **Policy U-4.8: Low Impact Development.** Require new developments to install green infrastructure consistent with the best management practices of the State and the San Francisco Bay Regional Water Quality Control Board, including but not limited to pervious pavement, infiltration basins, raingardens, green roofs, rainwater harvesting systems, and other types of low impact development (LID).

Compliance with these regulatory requirements would minimize indirect impacts to special status species that utilize aquatic and riparian habitat. Therefore, the project would result in less than significant indirect impacts to special status species within aquatic or riparian habitat.

Mitigation Measures

BIO-1 Biological Resources Screening and Assessment

For projects proposed within undeveloped parcels, the City shall require project applicants to engage a qualified biologist (having the appropriate education and experience level) to perform a baseline Biological Resources Screening and Assessment to determine whether projects proposed within undeveloped parcels have any potential to impact special-status biological resources, inclusive of special-status plants and animals, sensitive vegetation communities (including vernal

pools and other wetlands), and critical habitat. If it is determined that the project has no potential to impact biological resources, no further action is required. If the project would have the potential to impact biological resources, prior to construction, a qualified biologist shall conduct a project-specific biological analysis to document the existing biological resources within a project footprint plus a minimum buffer of 500 feet around the project footprint, as is feasible, and to determine the potential impacts to those resources. The project-specific biological analysis shall evaluate the potential for impacts to all biological resources including, but not limited to special-status species, nesting birds, wildlife movement, sensitive plant communities, critical habitats, and other resources judged to be sensitive by local, state, and/or federal agencies. If the project would have the potential to impact these resources, the following mitigation measures (mitigation measures BIO-2 through BIO-8) shall be incorporated, as applicable, to reduce impacts to a less than significant level. Pending the results of the project-specific biological analysis, design alterations, further technical studies (e.g., protocol surveys) and consultations with the USFWS, CDFW, and/or other local, state, and federal agencies may be required. Note that specific surveys described in the mitigation measures below may be completed as part of the project-specific biological analysis where suitable habitat is present.

BIO-2 Special-status Plant Species Surveys

If the project-specific Biological Resources Screening and Assessment (Mitigation Measure BIO-1) determines that there is potential for significant impacts to federally or state-listed plants or regional population level impacts to species with a CRPR of 1B or 2B from project development, a qualified biologist shall complete surveys for special-status plants prior to any vegetation removal, grubbing, or other construction activity (including staging and mobilization). The surveys shall be floristic in nature and shall be seasonally timed to coincide with the target species. All plant surveys shall be conducted by a qualified biologist during the blooming season prior to development permit approval. All special-status plant species identified on site shall be mapped onto a site-specific aerial photograph or topographic map with the use of Global Positioning System unit. Surveys shall be conducted in accordance with the most current protocols established by the CDFW, USFWS, and the local jurisdictions if said protocols exist. A report of the survey results shall be submitted to the City, and the CDFW and/or USFWS, as appropriate, for review and/or approval.

BIO-3 Special-status Plant Species Avoidance, Minimization, and Mitigation

If federally and/or state-listed or CRPR 1B or 2 species are found during special-status plant surveys (pursuant to Mitigation Measure BIO-2), and would be directly impacted, or there would be a population-level impact to non-listed sensitive species, then the project shall be re-designed to avoid impacting those plant species, where feasible. Rare and listed plant occurrences that are not within the immediate disturbance footprint but are located within 50 feet of disturbance limits shall have bright orange protective fencing installed at least 30 feet beyond their extent, or other distance as approved by a qualified biologist, to protect them from harm.

BIO-4 Habitat Restoration Plan

If federally or state-listed plants or non-listed special-status CRPR 1B and 2 plant populations identified during special status plant surveys (pursuant to Mitigation Measure BIO-2), cannot be avoided, and will be impacted by development, all impacts shall be mitigated by the applicant at a ratio not lower than 1:1 per acre of impact (and 1:1 per tree), and to be determined by the City (in coordination with CDFW and USFWS as and if applicable) for each species as a component of habitat restoration. A qualified biologist shall prepare and submit a restoration plan to the City for review

and approval prior to City approval of project plans. (Note: if a federally and/or state-listed plant species will be impacted, the restoration plan shall be submitted to the USFWS and/or CDFW for review, and federal and/or state take authorization may be required by these agencies.) The restoration plan shall include, at a minimum, the following components:

1. Description of the project/impact site (i.e., location, responsible parties, areas to be impacted by habitat type).
2. Goal(s) of the compensatory mitigation project (type[s] and area[s]) of habitat to be established, restored, enhanced, and/or preserved; specific functions and values of habitat type[s] to be established, restored, enhanced, and/or preserved).
3. Description of the proposed compensatory mitigation site (location and size, ownership status, existing functions, and values).
4. Implementation plan for the compensatory mitigation site (rationale for expecting implementation success, responsible parties, schedule, site preparation, planting plan).
5. Maintenance activities during the monitoring period, including weed removal as appropriate (activities, responsible parties, schedule).
6. Monitoring plan for the compensatory mitigation site, including no less than quarterly monitoring for the first year (performance standards, target functions and values, target acreages to be established, restored, enhanced, and/or preserved, annual monitoring reports).
7. Success criteria based on the goals and measurable objectives; said criteria to be, at a minimum, at least 80 percent survival of container plants and 30 percent relative cover by vegetation type or other industry standards as determined by a qualified restoration specialist.
8. An adaptive management program and remedial measures to address any shortcomings in meeting success criteria.
9. Notification of completion of compensatory mitigation and agency confirmation.
10. Contingency measures (initiating procedures, alternative locations for contingency compensatory mitigation, funding mechanism).
11. All nursery plants used in restoration shall be inspected for sudden oak death.

BIO-5 Endangered/Threatened Special-status Species Habitat Assessments and Protocol Surveys

If the results of the project-specific biological analysis (Mitigation Measure BIO-1) determine that suitable habitat may be present for federal or state listed, candidate, or proposed species, protocol habitat assessments/surveys shall be completed in accordance with current CDFW and/or USFWS protocols prior to issuance of any construction permits. If, through consultation with the CDFW and/or USFWS, it is determined that protocol habitat assessments/surveys are not required, the applicant shall complete and document this consultation and submit it to the City prior to issuance of any construction permits. Each protocol has different survey and timing requirements. The applicant shall be responsible for ensuring they understand the protocol requirements and shall hire a qualified biologist to conduct protocol surveys. (Note: if a federally and/or state-listed wildlife species will be impacted, federal and/or state take authorization may be required by USFWS and CDFW.)

BIO-6 Endangered/Threatened Animal Species Avoidance and Minimization

The following measures shall be applied to impacted aquatic and/or terrestrial animal species identified by the project-specific Biological Resources Screening and Assessment required under Mitigation Measure BIO-1.

1. Ground disturbance shall be limited to the minimum necessary to complete the project. A qualified biologist shall flag the project limits of disturbance. Areas of special biological concern within or adjacent to the limits of disturbance shall have highly visible orange construction fencing installed between said area and the limits of disturbance.
2. All projects occurring within/adjacent to aquatic habitats (including riparian habitats and wetlands) shall be completed between April 1 and October 31, if feasible, to avoid impacts to sensitive aquatic species. Any work outside these dates would require project-specific approval from the City and may be subject to regulatory agency approval.
3. All projects occurring within or adjacent to sensitive habitats that may support federally and/or state-listed endangered/threatened species shall have a CDFW- and/or USFWS-approved biologist present during all initial ground disturbing/vegetation clearing activities. Once initial ground disturbing/vegetation clearing activities have been completed, said biologist shall conduct daily pre-activity clearance surveys for endangered/threatened species. Alternatively, and upon approval of the CDFW and/or USFWS, said biologist may conduct site inspections at a minimum of once per week to ensure all prescribed avoidance and minimization measures are fully implemented.
4. No endangered/threatened species shall be captured and relocated without express permission from the CDFW and/or USFWS.
5. If at any time during project construction an endangered/threatened species enters the construction site or otherwise may be impacted by the project, all project activities shall cease. A CDFW/USFWS-approved biologist shall document the occurrence and consult with the CDFW and USFWS, as appropriate, to determine whether it was safe for project activities to resume.
6. For all work occurring in areas where endangered/threatened species may be present and are at risk of entering the project site during construction, the applicant shall install exclusion fencing along the project boundaries prior to start of construction (including staging and mobilization). The placement of the fence shall be at the discretion of the CDFW/USFWS-approved biologist. This fence shall consist of solid silt fencing placed at a minimum of three feet above grade and two feet below grade and shall be attached to wooden stakes placed at intervals of not more than five feet. The applicant shall inspect the fence weekly and following rain events and high wind events and shall be maintained in good working condition until all construction activities are complete.
7. All vehicle maintenance/fueling/staging shall occur not less than 100 feet from any riparian habitat or water body, including seasonal wetland features. Suitable containment procedures shall be implemented to prevent spills. A minimum of one spill kit shall be available at each work location near riparian habitat or water bodies.
8. No equipment shall be permitted to enter wetted portions of any affected drainage channel or wetland.
9. At the end of each workday, excavations shall be secured with a cover or a ramp provided to prevent wildlife entrapment.

10. All trenches, pipes, culverts, or similar structures shall be inspected for animals prior to burying, capping, moving, or filling.
11. Considering the potential for the project to impact federally and state-listed species and their habitat, the City shall contact CDFW and USFWS to identify mitigation banks within Napa County during project development. If the results of the project-specific biological analysis (Mitigation Measure BIO-1) determine that impacts to federally and state threatened or endangered species habitat are expected, City and/or applicant shall explore species-appropriate mitigation bank(s) servicing the region for purchase of mitigation credits.
12. Prior to grading and construction in natural areas of containing suitable upland habitat, a qualified biologist shall conduct a preconstruction survey as determined necessary during the biological analysis (Mitigation Measure BIO-1) . The survey should include a transect survey over the entire project disturbance footprint (including access and staging areas), and mapping of suitable habitat features, such as burrows, that are potentially suitable for listed species. If any listed species are detected, no work shall be conducted until the individual(s) leaves the site of their own accord, unless federal and/or state "take" authorization has been issued for relocation. Typical preconstruction survey procedures, such as burrow scoping and burrow collapse, cannot be conducted without federal and state permits. If any life stage of listed species are found within the survey area, the City and/or applicant shall consult with the USFWS and CDFW to determine the appropriate course of action to comply with the FESA and CESA, if permits are not already in place at the time of construction.

BIO-7 Pre-Construction Bird Surveys, Avoidance, and Notification

For all future development under the 2040 General Plan, construction activities initiated during the bird nesting season (February 1 – September 15), involving removal of vegetation (e.g. trees and shrubs), abandoned structures, or other nesting bird habitat, a pre-construction nesting bird survey shall be conducted no more than 5 days prior to initiation of ground disturbance and vegetation removal. The nesting bird pre-construction survey shall be conducted on foot and shall include a buffer around the construction site at a distance determined by a qualified biologist, including staging and storage areas. The minimum survey radii surrounding the work area shall be the following: 250 feet for non-raptors and 1,000 feet for raptors. The survey shall be conducted by a qualified biologist familiar with the identification of avian species known to occur in the American Canyon region. If construction lapses for seven days or longer, the qualified biologist shall conduct another focused survey before project activities are reinitiated. If nests are found, an avoidance buffer shall be determined by the biologist dependent upon the species, the proposed work activity, and existing disturbances associated with land uses outside of the site. The qualified biologist shall observe the active nest to establish a behavioral baseline of the adults and nestlings, if present. The qualified biologist shall continuously monitor the active nests to detect signs of disturbance and behavioral change as a result of construction impacts, such as noise, vibration, odors, or worker/equipment motion. If signs of disturbance and behavioral changes are observed, the qualified biologist shall cease work causing those changes and may contact CDFW or USFWS for guidance. The buffer shall be demarcated by the biologist with bright orange construction fencing, flagging, construction lathe, or other means to demarcate the boundary. All construction personnel shall be notified of the buffer zone as an "Ecologically Sensitive Area" and to avoid entering the buffer zone during the nesting season. No ground disturbing activities shall occur within the buffer until the biologist has confirmed that breeding/nesting is completed and the young have fledged the nest. Encroachment into the buffer shall occur only at the discretion of the qualified biologist on the basis that the encroachment will not be detrimental to an active nest. A report summarizing the

pre-construction survey(s) shall be prepared by a qualified biologist and shall be submitted to the City prior to the commencement of construction activities.

Project site plans shall include a statement acknowledging compliance with the federal MBTA and California Fish and Game Code that includes avoidance of active bird nests and identification of Best Management Practices to avoid impacts to active nests, including checking for nests prior to construction activities during February 1 to September 15, and what to do if an active nest is found so that the nest is not inadvertently impacted during grading or construction activities.

BIO-8 Roosting Bat Surveys and Avoidance Prior to Removal

For all future development under the 2040 General Plan that will require the removal of large trees (greater than 20 inches in diameter at five feet from the ground), abandoned buildings, bridges, or other suitable roosting structure identified during the Biological Resources Screening and Assessment (Mitigation Measure BIO-1), prior to tree and/or structure removal, a qualified biologist shall conduct a focused survey of all trees and structures to be removed or impacted by construction activities to determine whether active roosts of special-status bats are present on site. Tree or structure removal shall be planned for either the spring or the fall, and timed to ensure both suitable conditions for the detection of bats and adequate time for tree and/or structure removal to occur during seasonal periods of bat activity exclusive of the breeding season, as described below. Trees and/or structures containing suitable potential bat roost habitat features shall be clearly marked or identified. If no bat roosts are found, the results of the survey will be documented and submitted to the City within 30 days of the survey, after which no further action will be required.

If roosts are present, the biologist shall prepare a site-specific roosting bat protection plan to be implemented by the contractor following the City's approval. Additionally, the qualified biologist shall determine compensatory mitigation for temporary or permanent habitat loss due to tree removal, in conjunction with CDFW. The plan shall incorporate the following guidance as appropriate:

- When possible, removal of trees/structures identified as suitable roosting habitat shall be conducted during seasonal periods of bat activity, including the following:
  - Between September 1 and about October 15, or before evening temperatures fall below 45 degrees Fahrenheit and/or more than 0.5 inch of rainfall within 24 hours occurs.
  - Between March 1 and April 15, or after evening temperatures rise above 45 degrees Fahrenheit and/or no more than 0.5 inch of rainfall within 24 hours occurs.
- If a tree/structure must be removed during the breeding season and is identified as potentially containing a colonial maternity roost, then a qualified biologist shall conduct acoustic emergence surveys or implement other appropriate methods to further evaluate if the roost is an active maternity roost. Under the biologist's guidance, the contractor shall implement measures similar to or exceeding the following:
  - If it is determined that the roost is not an active maternity roost, then the roost may be removed in accordance with the other requirements of this measure.
  - If it is found that an active maternity roost of a colonial roosting species is present, the roost shall not be disturbed during the breeding season (April 15 to August 31).
- Tree removal procedures shall be implemented using a two-step tree removal process. This method is conducted over two consecutive days and works by creating noise and vibration by cutting non-habitat branches and limbs from habitat trees using chainsaws only (no excavators

or other heavy machinery) on day one. The noise and vibration disturbance, together with the visible alteration of the tree, is very effective in causing bats that emerge nightly to feed to not return to the roost that night. The remainder of the tree is removed on day two.

- Prior to the demolition of vacant structures within the project site, a qualified biologist shall conduct a focused habitat assessment of all structures to be demolished. The habitat assessment shall be conducted enough in advance to ensure the commencement of building demolition can be scheduled during seasonal periods of bat activity (see above), if required. If no signs of day roosting activity are observed, no further actions will be required. If bats or signs of day roosting by bats are observed, a qualified biologist will prepare specific recommendations such as partial dismantling to cause bats to abandon the roost, or humane eviction, both to be conducted during seasonal periods of bat activity, if required.
- If the qualified biologist determines a roost is used by a large number of bats (large hibernaculum), bat boxes shall be installed near the project site. The number of bat boxes installed will depend on the size of the hibernaculum and shall be determined through consultation with CDFW. If a maternity colony has become established, all construction activities shall be postponed within a 500-foot buffer around the maternity colony until it is determined by a qualified biologist that the young have dispersed. Once it has been determined that the roost is clear of bats, the roost shall be removed immediately.

BIO-9 Conduct Pre-construction Crotch's Bumblebee Surveys and Implement Avoidance Measures

If the results of the project-specific biological analysis (Mitigation Measure BIO-1) determine that suitable habitat may be present for Crotch's bumble bee, a habitat assessment shall be performed by a qualified biologist knowledgeable and experienced with Crotch's bumblebee and the habitat in which they occur. If the biologist determines that suitable habitat for Crotch's bumblebee is present, a focused survey shall be performed during the species' active flight period for Crotch's bumblebee and peak blooming period of nectar and pollen sources (May 1 through July 31). The Crotch's bumblebee survey shall be conducted on foot and shall encompass the entirety of a project site and focus on areas that allow for the highest probability of detection, such as high abundance nectar or pollen sources and rodent burrows that may be used for breeding and nesting. If Crotch's bumblebee is determined to be present, the project proponent shall map the locations of the observed bumblebee, areas of abundant nectar or pollen sources, and any active nesting sites. A report summarizing the results of the habitat assessment and focused survey (if required) shall be prepared by the qualified biologist and shall be submitted to the City prior to the commencement of construction activities. Further, consultation with the CDFW will be necessary in the event Crotch's bumblebee was observed within a project site and an Incidental Take Permit, in accordance with the California Endangered Species Act, may be required prior to initiating any ground disturbance on the site. If Crotch's bumble are not listed and no longer candidates for listing at the time of project implementation, this mitigation measure would not be required.

Significance After Mitigation

Implementation of Mitigation Measure BIO-1 through BIO-9 would reduce potential impacts to special-status species, nesting birds, and roosting bats to a less than significant level by requiring Biological Resources Screening and Assessments, avoidance and minimization, habitat restoration, and preconstruction surveys.

Threshold 2:	Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?
Threshold 3:	Would the project have a substantial adverse effect on state or federally protected wetlands (including but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Impact BIO-2 DEVELOPMENT AND MOBILITY IMPROVEMENTS FACILITATED BY THE PROJECT WOULD BE SUBJECT TO ADOPTED CITY REGULATIONS TO MINIMIZE IMPACTS TO RIPARIAN HABITAT, SENSITIVE NATURAL COMMUNITIES, AND WETLANDS. COMPLIANCE WITH THE NPDES CONSTRUCTION GENERAL PERMIT, MS4 STORM WATER PERMIT, AMERICAN CANYON MUNICIPAL CODE, AND PROPOSED POLICIES IN THE 2040 GENERAL PLAN WOULD ENSURE POTENTIAL IMPACTS TO RIPARIAN HABITAT, SENSITIVE NATURAL COMMUNITIES, AND WETLANDS WOULD BE LESS THAN SIGNIFICANT.

The City identifies riparian corridors, coastal saltmarsh, mixed hardwood forest, and oak savannah as sensitive areas. These areas support a range of wildlife species. Riparian areas in particular shade aquatic habitats and maintain cooler water temperatures for wildlife within riparian areas. In addition, the CNDDB identifies coastal brackish marsh, northern claypan vernal pools, northern costal salt marsh, northern vernal pool, and serpentine bunchgrass as sensitive natural communities, which could occur in the Planning Area (Appendix B). According to the USFWS NWI, wetlands in and surrounding the City consist of estuarine and marine habitats, freshwater ponds, freshwater emergent wetlands, and riverine habitats (USFWS 2022a). Potentially significant effects on riparian or other sensitive natural communities would occur if future development or mobility improvements facilitated by the project result in the loss of habitat or degradation of habitat, such as impacts to water quality. Potentially significant impacts to state or federally protected wetlands could occur if development or mobility improvements facilitated by the project would result in the loss or degradation of existing wetlands.

Mobility improvements facilitated by the project, including improvements to roadways, and bicycle and pedestrian facilities, are not likely to result in the removal of riparian or other sensitive natural community habitat, as they would occur in areas of the City that are developed and surrounded by existing development. Development facilitated by the project would be subject to American Canyon Municipal Code requirements to protect riparian habitat and sensitive natural communities.

Section 19.24.040 of the American Canyon Municipal Code restricts residential, commercial, and industrial uses in riparian corridors and limits the potential for new development to substantially affect riparian areas. In addition, Section 19.24.040 requires development permitted in a riparian corridor to minimize the removal of vegetation, erosion, sedimentation, and runoff; minimize wastewater discharges and entrapment; buffer habitat from the built environment; and locate and design roads and utilities to avoid conflicts with biological resources, habitat areas, and wildlife corridors. Section 19.24.030 of the American Canyon Municipal Code requires a biological assessment report to be prepared for project-specific development that could result in potentially significant impacts to riparian habitat, wetlands, or vernal pools. This biological assessment would identify and provide mitigation for potentially significant impacts, in accordance with City review processes.

Section 19.24.050 of the American Canyon Municipal Code requires new development to be sited to preserve wetlands, including the retention of sufficient natural space. If preservation of wetlands for project-specific development is infeasible, the project applicant would be required to replace the

habitat consistent with the provisions of Section 19.24.050. Future development would not result in substantial adverse effects due to the direct removal of wetlands, as development facilitated by the project would primarily occur outside of substantial wetland habitat, and any wetland habitat that would be removed would be replaced in accordance with City requirements.

Section 19.24.060 of the American Canyon Municipal Code requires development of areas that encompass oak savannah, mixed hardwood forest, and coastal saltmarsh to maintain a buffer from the edge of the designated habitat zone as recommended by a biological assessment report, maintain connectivity to surrounding habitats, and limit public access in areas where damage to habitat may occur.

In addition, Section 14.28.110 of the American Canyon Municipal Code prohibits discharge into a watercourse; modification of the natural flow of water; deposition or removal of material from a watercourse; alteration of watercourse; or the placement of loose or unconsolidated material in or adjacent to a watercourse. Implementation of Section 14.28.110 would minimize the potential for development facilitated by the project to fill or hydrologically interrupt a wetland or damage water quality in riparian habitat. Development in state and/or federally protected wetlands would potentially be subject to United States Army Corps of Engineers, CDFW, and RWQCB permitting requirements.

In addition, the 2040 General Plan would include the following proposed policies that would protect riparian, creek, and wetland habitats:

- **Policy ENV-1.2: Sensitive Habitat Assessment and Impact Mitigation.** Require new development and redevelopment located within sensitive habitats, including coastal saltmarsh, mixed hardwood forest, oak savannah, vernal pools, and riparian habitats to provide a detailed assessment of the potential for impacts on these resources, and include measures to reduce any identifiable impacts.
- **Policy ENV-1.3: Habitat Conservation.** Support habitat conservation efforts to set aside and preserve suitable habitats, with priority given to habitats for rare and endangered species in American Canyon in accordance with state and federal resource agency requirements.
- **Policy: ENV-2.1: Creek Preservation.** Maintain American Canyon Creek within its natural waterway.
- **Policy ENV-2.2: Existing Streams and Creeks.** As required by wetland resource permitting agencies, require new development to incorporate existing streams and creeks into proposed development plans in their natural state to prevent degradation, erosion, or sedimentation and help impart a unique character to the city.

Development and mobility improvements facilitated by the project would be subject to applicable federal, State, and City requirements, which would minimize potential impacts to riparian habitat, sensitive natural communities, and wetlands. Through compliance with these regulations, the project would not have a substantial adverse impact on riparian habitat, sensitive natural communities, or wetlands. These impacts would be less than significant.

In addition, as discussed in Impact BIO-1, development and mobility improvements facilitated by the project would be required to comply with the provisions of the NPDES Construction General Permit, MS4 Storm Water Permit, American Canyon Municipal Code, and proposed policies in the 2040 General Plan. Compliance with these regulations would ensure future development facilitated by the project would not substantially degrade water quality in wetlands riparian habitats. These indirect impacts would be less than significant.

Mitigation Measure

No mitigation measures would be required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

Threshold 4:	Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Impact BIO-3 IMPLEMENTATION OF THE PROJECT WOULD NOT SUBSTANTIALLY IMPEDE THE MOVEMENT OF NATIVE RESIDENT OR MIGRATORY FISH OR WILDLIFE SPECIES, OR WITH ESTABLISHED NATIVE RESIDENT OR MIGRATORY WILDLIFE CORRIDORS AFTER IMPLEMENTATION OF PROPOSED POLICIES IN THE 2040 GENERAL PLAN AND COMPLIANCE WITH THE AMERICAN CANYON MUNICIPAL CODE.

Habitat connectivity is generally located to the east and north of the Planning Area, as well as within the riparian corridors in the Planning Area. Potentially significant effects on wildlife movement would occur if temporary disturbance during construction or permanent new development facilitated by the project would result in the fragmentation or degradation of wildlife corridors or nursery sites. Mobility improvements facilitated by the project, including improvements to roadways, and bicycle and pedestrian facilities, would occur in areas of the City that are developed and generally are surrounded by existing development and urban disturbance. As a result, mobility improvements facilitated by the project would not result in potentially significant impacts to wildlife movement because they would not obstruct wildlife corridors or fragment habitat such that wildlife movement is restricted.

Due to the existing level of development, the Planning Area is not within an essential connectivity area as defined by CDFW (CDFW 2022). Development facilitated by the project would generally occur in areas of the City that are developed or surrounded by existing development and urban disturbance. The 2040 General Plan includes the following proposed policy to establish a network of open spaces along the City's natural drainages and riparian corridors:

- **ENV-1.5: Open Space Network.** Establish a network of open spaces along the city's natural drainages and riparian corridors and link significant biological habitats by restricting alteration to these resources and limiting land uses. Any recreational use of these areas shall be designed to avoid damaging sensitive habitat areas.

In addition, Section 19.24.040 of the American Canyon Municipal Code restricts uses in riparian corridors, which would minimize the potential impacts on riparian habitat. Furthermore, Section 19.24.040 requires project-specific development permitted within riparian corridors provide for sufficient passage of native and anadromous fish and provide wildlife corridors to adjacent open spaces.

The 2040 General Plan also includes the following proposed policy, which would minimize impacts from any future development or mobility improvements on sensitive habitat that could provide opportunities for wildlife movement:

- **ENV-1.2: Sensitive Habitat Assessment and Impact Mitigation.** Require new development and redevelopment located within sensitive habitats, including coastal saltmarsh, mixed hardwood forest, oak savannah, vernal pools, and riparian habitats to provide a detailed assessment of the

potential for impacts on these resources, and include measures to reduce any identifiable impacts.

With implementation of the proposed policies in the 2040 General Plan, as well as compliance with the American Canyon Municipal Code, development facilitated by the project would not substantially interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. This impact would be less than significant.

Mitigation Measure

No mitigation measures would be required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

Threshold 5:	Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Impact BIO-4 THE PROJECT WOULD IMPLEMENT PROPOSED POLICIES DESIGNED TO PROTECT BIOLOGICAL RESOURCES. DEVELOPMENT AND MOBILITY IMPROVEMENTS FACILITATED BY THE PROJECT WOULD BE REQUIRED TO ADHERE TO THESE POLICIES, AS WELL AS AMERICAN CANYON MUNICIPAL CODE REQUIREMENTS TO PROTECT BIOLOGICAL RESOURCES. THEREFORE, THIS IMPACT WOULD BE LESS THAN SIGNIFICANT.

The Planning Area has trees within its developed and disturbed areas, as well as its surrounding parks and open space. Section 18.40.110 of the American Canyon Municipal Code provides regulations governing trees in the City. Pursuant to Section 18.40.110, existing trees are required to be preserved unless otherwise approved by City Council as part of a development plan. Any tree removed as part of project-specific development is required to be replaced on-site at a minimum size of a 24-inch box of the same species, unless specifically approved by the City Council. In addition, the 2040 General Plan would implement the following proposed policies related to trees:

- **Policy ENV-1.4: Native Species.** Encourage the use of native vegetation where possible.
- **Policy ENV-1.6: Urban Forest.** Build upon existing streetscapes and develop an urban forest within the City's streets, parks, and open space to provide avian habitat, sequester carbon monoxide emissions, foster pedestrian activity, and provide shade.
- **Policy ENV-1.7: Trees for Pollinators.** Support sustainable pollinator species (i.e.: bees, birds, butterflies) in American Canyon by planting low-water use pollinator-supportive trees in streets, parks, open spaces, and private development.
- **Policy ENV-6.12: Climate Adaptation.** Mitigate the effects of heat reflecting from paved trail surfaces by incorporating shade trees along the south and west sides of trails wherever possible.

In addition, the Environment, Parks, and Recreation Element in the 2040 General Plan has additional policies that would protect biological resources in the Planning Area. Development and mobility improvements facilitated by the project would adhere to the requirements of the American Canyon Municipal Code and the proposed polices in the 2040 General Plan. Therefore, the project would not conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. This impact would be less than significant.

Mitigation Measure

No mitigation measures would be required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

Threshold 6:	Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Impact BIO-5 IMPLEMENTATION OF THE PROJECT WOULD NOT CONFLICT WITH THE PROVISION OF AN ADOPTED HABITAT CONSERVATION PLAN, NATURAL COMMUNITY CONSERVATION PLAN, OR OTHER APPROVED LOCAL, REGIONAL, OR STATE HABITAT CONSERVATION PLAN. NO IMPACT WOULD OCCUR.

There are no habitat conservation plans, natural community conservation plans, or other approved local regional or state habitat conservation plans in the Planning Area. Therefore, development and improvements in the Planning Area would not conflict with such plans. No impact would occur.

Mitigation Measures

No mitigation measures would be required.

Significance After Mitigation

There would be no impact and no mitigation would be required.

4.4 Cultural Resources

This section summarizes the potential cultural resources in the Planning Area and analyzes the impacts on cultural resources due to the project.

4.4.1 Setting

a. Cultural Setting

The cultural setting for the Planning Area is presented broadly in three overviews: Prehistoric, Ethnographic, and Historic. The prehistoric and historic overviews describe human occupation before and after European contact. The ethnographic overview in the Section 4.12, *Tribal Cultural Resources* provides a synchronic "snapshot" of traditional Native American culture.

Prehistory

The Planning Area lies in the San Francisco Bay Area archaeological region (Milliken et al. 2007, Moratto 1984). Milliken et al. (2007) generally divided the prehistoric chronology of the Bay Area into five periods: The Early Holocene (8,000-3,500 before common era [BCE]), Early Period (3,500-500 BCE), Lower Middle Period (500 BCE to CE 430 common era [CE]), the Upper Middle Period (430-1050 CE), and the Late Period (1050 CE-contact).

It is presumed that early Paleoindian groups lived in the area prior to 8,000 BCE; however, no evidence for this period has been discovered in the San Francisco Bay Area (Milliken et al. 2007). Sites dating to this period may be submerged or deeply buried as a result of rising sea levels and widespread sediment deposition that has occurred since the Terminal Pleistocene (Byrd et al. 2017). For this reason, the Terminal Pleistocene Period (ca. 11,700-8,000 BCE) is not discussed here.

The earliest intensive study of the archaeology of the San Francisco Bay Area began with N.C. Nelson of the University of California, Berkeley, between 1906 and 1908. He documented over 400 shell mounds throughout the area. Nelson was the first to identify the Bay Area as a discrete archaeological region (Moratto 1984).

Early Holocene (8,000-3,500 BCE)

Archaeological evidence from the early Holocene is limited as sites dating to this period are likely buried under Holocene alluvial deposits (Moratto 1984; Ragir 1972). The available data suggests that the Early Holocene in the San Francisco Bay Area is characterized by a mobile forager pattern and the presence of millingslabs, handstones, and a variety of leaf-shaped projectile points. Two archaeological sites (CA-CCO-696 and CA-CCO-637) dating to this period have been identified in Contra Costa County at the Los Vaqueros Reservoir. The earliest date for the Early Holocene comes from the CA-CCO-696, dating to approximately 7000 BCE (Milliken et al. 2007).

Early Period (3,500-600 BCE)

The Early Period saw increased sedentism with the introduction of new ground stone technologies (i.e., mortar and pestle), an increase in regional trade, and the first cut shell beads. The earliest evidence for the use of the mortar and pestle in the San Francisco Bay Area dates to 3800 BCE and comes from archaeological site CA-CCO-637. By 1500 BCE, mortars and pestles had almost completely replaced millingslabs and handstones, indicating a greater reliance on processing nuts,

especially acorns. Faunal evidence from various sites during this person indicate a diverse faunal exploitation pattern based on the presence mussel and other shellfish, marine mammals, terrestrial mammals, and birds within sites dating to this period (D'Oro 2009).

The earliest cut bead horizon is also associated with this period. Rectangular Haliotis spp. (abalone) and Callianax biplicate (formerly *Olivella biplicata*) (Vellanoweth et al. 2014) (snail) beads have been identified at several Early Period sites, including CA-CCO-637, CA-SCL-832 in Sunnyvale, and CA-ALA-307 in Berkeley (Milliken et al. 2007). These early examples of cut beads were recovered from mortuary contexts.

Lower Middle Period (500 BCE-CE 430)

The Lower Middle Period saw numerous changes from the previous period. The presence of chipped stone points and bone tools became typical. Rectangular shell beads (common during the Early Period) disappear completely and are replaced by split-beveled and saucer Olivella beads. Haliotis spp. ornaments, bone tools and ornaments, and basketry awls also became typical, indicating the development of coiled basketry technology. Mortars and pestles continued to be the dominant grinding tool (Luby and Gruber 1999; Milliken et al. 2007).

Evidence for the Lower Middle Period in the Bay Area comes from sites such as the Emeryville shell mound (CA-ALA-309) and Ellis Landing (CA-CCO-295). The Emeryville shell mound (CA-ALA-309) is one of the largest shell mounds in the San Francisco Bay Area and contains multiple cultural sequences. The lower levels of the site, which date to the Middle Period, contain flexed burials with bone implements, chert bifaces, charmstones, and oyster shells (Moratto 1984).

Upper Middle Period (CE 430-1050)

Around CE 430, Olivella saucer bead trade networks that had been established during earlier periods collapsed and over half of known sites occupied during the Lower Middle Period were abandoned. Olivella saucer beads were replaced with Olivella saddle beads. New types of material culture appear within these sites, including elaborate, decorative blades, fishtail charmstones, new Haliotis spp. ornament forms, and mica ornaments. Sea otter bones became more abundant, while salmon and other fish became less so, suggesting changes in faunal exploitation patterns from earlier periods (Milliken et al. 2007; Simons and Carpenter 2009). Excavations at archaeological site CA-ALA-309 indicate that a shift from mussels to oysters, and oysters to clams may have occurred (Gifford 1916). Isotopic analysis confirms that San Francisco Bay Area individuals shifted from hunting higher-trophic-level foods in the Early Period to gathering foods like plants and shellfish in the Middle and Upper Periods (Burns et. al 2012). Subsistence analyses at various sites dating to this period indicate a diverse diet that included numerous species of fish, mammals, birds, shellfish, and plant resources that varied by location in the San Francisco Bay Area (Hylkema 2002).

Late Period (CE 1050-contact)

The Late Period saw an increase in social complexity, indicated by differences in burials and an increased level of sedentism relative to preceding periods, evidenced by mortars weighing up to 90.7 kilograms (Lentz 2012). An increase in imported Napa Valley obsidian occurred during this time for the production of smaller points, preforms and simple flake tools. Small, finely worked projectile points of the Stockton Serrated series associated with bow and arrow technology appear around CE 1250. Olivella shell beads disappeared and were replaced with Olivella lipped and spire -lopped beads in the South Bay and clamshell disk beads in the North Bay. Thicker and larger beads indicated higher affluence. The toggle harpoon, hopper mortar, and magnesite tube beads also

appeared during this period (Milliken et al. 2007; Lentz 2012; Von Der Porten et al. 2014), as did an increase in the intensity of resource exploitation that correlates with an increase in population (Moratto 1984). Many of the well-known sites of earlier periods, such as the Emeryville shell mound (CA-ALA-309) and the West Berkeley site (CA-ALA-307) were abandoned, as indicated by the lack of Late Period elements. Researchers have suggested that the abandonment of these sites may have resulted from fluctuating climates and drought that occurred throughout the Late Period (Lightfoot and Luby 2002).

b. Historic Context

The Post-European contact history of California is generally divided into three periods: the Spanish Period (1769–1822), the Mexican Period (1822–1848), and the American Period (1848–present). Each of these periods is briefly described below.

Spanish Period (1769 – 1822)

For more than 200 years, Cabrillo and other Spanish, Portuguese, British, and Russian explorers sailed the Alta (upper) California coast and made limited inland expeditions, but they did not establish permanent settlements (Bean 1968; Rolle 2003). Explorers such as Francis Drake and Sebastian Cermeno explored the San Francisco Bay area in the late 1500s (Bean 1968). Gaspar de Portolá and the Franciscan Father Junípero Serra established the first Spanish settlement in Alta California at Mission San Diego de Alcalá in 1769, the first of 21 missions erected by the Spanish. Portolá continued north, reaching the San Francisco Bay later that year. Pedro Fages' expedition also explored the region in 1772 (Cook 1957). Mission San Francisco de Asis and the San Francisco presidio (military fort) were founded in 1776, and Mission San Rafael Arcangel was built in 1817, all within about 30 miles of the Planning Area (Presidio Trust 2020; California Missions Foundation, N.D.).

Mexican Period (1822 – 1848)

The Mexican Period commenced when news of the success of the Mexican Revolution (1810-1821) against the Spanish crown reached California in 1822. This period saw the federalization of mission lands in California with the passage of the Secularization Act of 1833. This Act enabled Mexican governors in California to distribute former mission lands to individuals in the form of land grants. Successive Mexican governors made more than 700 land grants between 1822 and 1846, putting most of the state's lands into private ownership for the first time (Shumway 2007). The approximately 80,000-acre Rancho Suscol or Soscol was acquired by General Vallejo in 1843; which encompasses the Planning Area (City of Sonoma, N.D.).

The Mexican period saw an increased importance of sea trade and an influx of American settlers, which motivated the United States to expand their territory into California. The United States supported a small group of insurgents from Sonoma during the Bear Flag Revolt. The Bear Flaggers captured Sonoma in June of 1846. The next month, Commodore John Drake Sloat landed in Monterey and proceeded to take Yerba Buena, Sutter's Fort, Bodega Bay, and Sonoma. Fighting between American and Mexican forces continued until Mexico surrendered in 1847 (Rolle 2003).

American Period (1848 – Present)

The American Period began with the signing of the Treaty of Guadalupe Hidalgo in 1848, in which the United States agreed to pay Mexico $15 million for the conquered territory, including California, Nevada, Utah, and parts of Colorado, Arizona, New Mexico, and Wyoming. Settlement of California

continued to increase during the early American Period. Many ranchos were sold or otherwise acquired by Americans, and most were subdivided into agricultural parcels or towns. California's population grew exponentially with the discovery of gold in 1848. San Francisco grew from a population of 812 to 25,000 in only a few years and became California's first city (Rolle 2003).

The City of Vallejo, located directly south of the Planning Area, was founded on what was once General Vallejo's rancho land, and thus was named after him. After the state of California was admitted to the Union, he donated 156 acres of land and offered funding to establish a new state capital. The town of Vallejo briefly became the site of the state capitol in 1852, and it served as the capital again in 1853 for approximately one month. Vallejo's son-in-law, John B. Frisbie, is generally credited with the founding of the city and helping to establish its government (Vallejo Convention and Visitors Bureau 2019; Vallejo Chamber of Commerce 2020).

Although the town lost the government center, a naval shipyard was established there in 1854 which furthered development of the town. Mare Island Naval Shipyard, also located approximately 5-miles south of the Planning Area, became the first United States Navy installation on the Pacific Coast, and Vallejo developed into an important shipping center with ferry transportation serving passengers, railroads, and the Pony Express (Vallejo Convention and Visitors Bureau 2019). The Mare Island Naval Shipyard had an immense impact on the population of Vallejo and surrounding areas. It was known in the 1920s for the development of submarines, and its peak production period for shipbuilding, repair, and maintenance occurred during World War II. Correspondingly, the population in the areas greatly expanded during the war years. Mare Island continued to be a primary station for the construction and development of the Navy's pacific fleet of submarines in the years that followed. At the time, the base encompassed 5,200 acres (Vallejo Chamber of Commerce 2020). The area flourished as well, in part due to the Navy's presence which attracted countless military and civilian personnel from various parts. In the 1920s many Filipinos settled in the area following the Spanish-American War and the Filipino Insurrection, making the area one of the most diverse areas in northern California.

With the end of the Cold War, Mare Island Naval Shipyard's budget was reduced and the shipyard was closed in 1996, dramatically affecting the surrounding areas. The municipality underwent a bankruptcy in 2008, and efforts afterwards focused on drawing new investment to the area (Felix 2013). Various industrial, educational, recreational and historical areas have been developed as part of evolving the property for new uses (Gase 2019). Today, the waterfront area has become a focus for redevelopment to generate economic growth (City of Vallejo 2018).

City of American Canyon

The area now comprising Napa County was subject to European exploration as early as 1823, when Francisco Castro, Father Jose Altamira, and Jose Sanchez led an expedition though the area to find a site for a new mission. However, despite this incursion, European-American settlement of what is now American Canyon did not begin until two years after California was admitted to the United States (FirstCarbon Solutions 2016). In 1852, American Simpson Thompson purchased lands from General Mariano Guadalupe Vallejo and General J.B. Frisbie to establish a ranch. Thompson earned fame as one of the area's earliest fruit growers, but also grew grains on his land. In 1869, a railroad servicing the Napa Valley was developed, with a stop at Napa Junction (the original name for American Canyon), from which another line went east into the interior of California (ACHC n.d.). The area maintained a predominantly agricultural character until around 1900, when Augustus Watson established a limestone quarry. By 1902, Watson sold the quarry to the Standard Portland Cement Company, which supplemented the quarry with a new cement plant. Central to the local economy,

the plant employed 200 and produced more than 2,000 barrels of cement a day, on average. The plant continued producing cement until the 1920s or 1930s, when the local supply of limestone was exhausted. By 1946, the Basalt Rock Company repurposed the facility for the production of aggregate (FirstCarbon Solutions 2016).

Residential development of the area began after World War II. American Canyon's first subdivision, McKnight Acres was completed in 1948 and the Rancho Del Mar subdivision was built in 1952. Throughout the 1950s and 1960s, the community established new institutions and municipal services, such as the American Canyon Fire Protection District and the American Canyon Water District, in addition to expansions of the sewer and parks systems. A multi-decade campaign resulted in the incorporation of American Canyon in 1992, confirming the community's separate identity from neighboring Vallejo and Napa (ACHC n.d.). The city has grown steadily since its incorporation, expanding from about 7,000 in 1990 to approximately 21,758 residents in 2024 (see Section 4.13, *Population and Housing*).

c. Historical and Archaeological Resources in the Planning Area

There are seven important historic resources in or next to American Canyon city limits: the four properties described below and three residential properties on Jameson Canyon Road. These properties are not listed on the National Register of Historic Places or the California Register of Historical Resources but with further research and evaluation they, along with other historic-age properties within the city boundaries, may have potential to be listed historical resources.

Watson Ranch

Watson Ranch gained its name from the Watson family, who homesteaded the land in the 1850's and started the Napa Junction Company in 1900. This property consists of a main house and six outbuildings, including a secondary residence, three barns, a shop, and a garage. The Napa Junction Company mined and manufactured aggregate rock for cement, and Watson sold the company to the Standard Portland Cement Company in 1902.

Standard Portland Cement Company

The Standard Portland Cement Company mined limestone and clay from quarries located where the Watson Ranch development is now proposed. The concrete made from materials mined onsite went into countless projects in the Bay Area, including rebuilding San Francisco after the 1906 earthquake. Since the plant's closure in 1970, the structures have deteriorated and were further damaged in the 2014 Napa earthquake. The remaining walls of the structures have become an attraction for local urban graffiti artists as well. The Watson Ranch development will possibly preserve parts of the historic structures and include housing, retail, and other community services.

Lee Ranch

Lee Ranch is located at the north end of American Canyon between Green Island Road and the railroad tracks in what is now an industrial area. The home was built in 1929 and is a privately-owned home.

Newell Ranch

Newell Ranch was the home of Jack and Bernice Newell, beloved residents and benefactors of Vallejo and American Canyon for several decades until their passing. Historic Newell Ranch consists

of a barn and the ruins of two sheds, with a modern house constructed on the property in 1991. The ranch is a cultural icon for the community. The Newell Ranch Open Space was donated to the City of American Canyon by the Newell family in 1999, allowing residents to enjoy the 640 acres of trails, open hills, and scenic overlooks it provides, as well as preserving habitat for critical and endangered species and on-site cultural resources.

d. Native American Outreach

On August 16, 2022, City mailed and emailed out letters to the Cortina Band of Indians, Federated Indians of Graton Rancheria, and Yocha Dehe Wintun Nation to inform them of the proposed General Plan Update. To date, one response dated September 14, 2022 was received on from the Yocha Dehe Wintun Nation which stated that the project is within the aboriginal territories of the Yocha Dehe Wintun Nation. The Tribe requested formal consultation with the lead agency, a project timeline, detailed project information, and the latest cultural study conducted for the project. On November 16, 2022; December 9, 2022; and December 12, 2022, the City communicated with the Tribe to coordinate a date and time to meet regarding the General Plan Update. A consultation meeting was held on January 12, 2023. For a summary of the consultation meeting, refer to the discussion in Impact TCR-1 in Section 4.12, *Tribal Cultural Resources*.

4.4.2 Regulatory Setting

a. Federal Regulations

National Register of Historic Places

Although the project does not have a federal nexus, properties which are listed in or have been formally determined eligible for listing in the National Register of Historic Places (NRHP) are automatically listed in the California Register of Historical Resources (CRHR). The following is therefore presented to provide applicable regulatory context. The NRHP was authorized by Section 101 of the National Historic Preservation Act and is the nation's official list of cultural resources worthy of preservation. The NRHP recognizes the quality of significance in American, state, and local history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects. Pursuant to 36 Code of Federal Regulations (CFR) Part 60.4, a property is eligible for listing in the NRHP if it meets one or more of the following criteria:

Criterion A: Are associated with events that have made a significant contribution to the broad patterns of our history.

Criterion B: Are associated with the lives of persons significant in our past.

Criterion C: Embody the distinctive characteristics of a type, period, or method of installation, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction.

Criterion D: Have yielded, or may be likely to yield, information important in prehistory or history.

In addition to meeting at least one of the above designation criteria, resources must also retain integrity. The National Park Service recognizes seven aspects or qualities that, considered together, define historic integrity. To retain integrity, a property must possess several, if not all, of these seven qualities, defined as follows:

Location: The place where the historic property was constructed or the place where the historic event occurred.

Design: The combination of elements that create the form, plan, space, structure, and style of a property.

Setting: The physical environment of a historic property.

Materials: Materials are the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property.

Workmanship: The physical evidence of the crafts of a particular culture or people during any given period in history or prehistory.

Feeling: A property's expression of the aesthetic or historic sense of a particular period of time.

Association: The direct link between an important historic event or person and a historic property.

Certain properties are generally considered ineligible for listing in the NRHP, including cemeteries, birthplaces, graves of historical figures, properties owned by religious institutions, relocated structures, or commemorative properties. Additionally, a property must be at least 50 years of age to be eligible for listing in the NRHP. The National Park Service states that 50 years is the general estimate of the time needed to develop the necessary historical perspective to evaluated significance (National Park Service 1997:41). Properties which are less than 50 years must be determined to have "exceptional importance" to be considered eligible for NRHP listing.

b. State Regulations

California Environmental Quality Act

California Public Resources Code (PRC) Section 21804.1 requires lead agencies determine if a project could have a significant impact on historical or unique archaeological resources. As defined in PRC Section 21084.1, a historical resource is a resource listed in, or determined eligible for listing in, the CRHR; a resource included in a local register of historical resources or identified in a historical resources survey pursuant to PRC Section 5024.1(g); or any object, building, structure, site, area, place, record, or manuscript that a lead agency determines to be historically significant. PRC Section 21084.1 also states resources meeting the above criteria are presumed to be historically or cultural significant unless the preponderance of evidence demonstrates otherwise. Resources listed in the NRHP are automatically listed in the CRHR and are, therefore, historical resources under CEQA. Historical resources may include eligible built environment resources and archaeological resources of the precontact or historic periods.

CEQA Guidelines Section 15064.5(c) provides further guidance on the consideration of archaeological resources. If an archaeological resource does not qualify as a historical resource, it may meet the definition of a "unique archaeological resource" as identified in PRC Section 21083.2. PRC Section 21083.2(g) defines a unique archaeological resource as an artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

1. It contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information;
2. Has a special and particular quality such as being the oldest of its type or the best available example of its type; or
3. Is directly associated with a scientifically recognized important prehistoric or historic event or person.

If an archaeological resource does not qualify as a historical or unique archaeological resource, the impacts of a project on those resources will be less than significant and need not be considered further (CEQA Guidelines Section 15064.5[c][4]). CEQA Guidelines Section 15064.5 also provides guidance for addressing the potential presence of human remains, including those discovered during the implementation of a project.

According to CEQA, an impact that results in a substantial adverse change in the significance of a historical resource is considered a significant impact on the environment. A substantial adverse change could result from physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of the historical resource would be materially impaired (CEQA Guidelines Section 15064.5 [b][1]). Material impairment is defined as demolition or alteration in an adverse manner [of] those characteristics of a historical resource that convey its historical significance and that justify its inclusion in, or eligibility for inclusion in, the CRHR or a local register (CEQA Guidelines Section 15064.5[b][2][A]).

If it can be demonstrated that a project will cause damage to a unique archaeological resource, the lead agency may require reasonable efforts be made to permit any or all these resources to be preserved in place or left in an undisturbed state. To the extent that resources cannot be left undisturbed, mitigation measures are required (PRC Section 21083.2[a], [b]).

CEQA Guidelines Section 15126.4 stipulates an EIR shall describe feasible measures to minimize significant adverse impacts. In addition to being fully enforceable, mitigation measures must be completed within a defined time period and be roughly proportional to the impacts of the project. Generally, a project which is found to comply with the *Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings* (the Standards) is considered to be mitigated below a level of significance (CEQA Guidelines Section 15126.4 [b][1]). For historical resources of an archaeological nature, lead agencies should also seek to avoid damaging effects where feasible. Preservation in place is the preferred manner to mitigate impacts to archaeological sites; however, data recovery through excavation may be the only option in certain instances (CEQA Guidelines Section 15126.4[b][3]).

California Register of Historical Resources

The CRHR was established in 1992 and codified by PRC Sections 5024.1 and 4852. The CRHR is an authoritative listing and guide to be used by State and local agencies, private groups, and citizens in identifying the existing historical resources of the State and to indicate which resources deserve to be protected from substantial adverse change to the extent prudent and feasible (Public Resources Code, 5024.1(a)). The criteria for eligibility for the CRHR are consistent with the NRHP criteria but have been modified for state use to include a range of historical resources that better reflect the history of California (Public Resources Code, 5024.1(b)). Unlike the NRHP, the CRHR does not have a defined age threshold for eligibility; rather, a resource may be eligible for the CRHR if it can be demonstrated sufficient time has passed to understand its historical or architectural significance

(California Office of Historic Preservation 2006). Further, resources may still be eligible for listing in the CRHR even if they do not retain sufficient integrity for NRHP eligibility (California Office of Historic Preservation 2006). Generally, the California Office of Historic Preservation recommends resources over 45 years of age be recorded and evaluated for historical resources eligibility (California Office of Historic Preservation 1995:2).

Properties are eligible for listing in the CRHR if they meet one of more of the following criteria:

Criterion 1: Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.

Criterion 2: Is associated with the lives of persons important to our past.

Criterion 3: Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.

Criterion 4: Has yielded, or may be likely to yield, information important in prehistory or history.

California Health and Safety Code Section 7050.5

California Health and Safety Code Section 7050.5 states that in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site, or any nearby area reasonably suspected to overlie adjacent remains, until the coroner of the county in which the remains are discovered has determined if the remains are subject to the coroner's authority. If the human remains are of Native American origin, the coroner must notify the NAHC within 24 hours of this identification.

California Public Resources Code Section 5097.98

California Public Resources Code Section 5097.98 states that the NAHC, upon notification of the discovery of Native American human remains pursuant to Health and Safety Code Section 7050.5, shall immediately notify those persons it believes to be descended from the deceased (i.e., the Most Likely Descendant or "MLD"). With permission of the landowner or a designated representative, the MLD may inspect the remains and any associated cultural materials and make recommendations for treatment or disposition of the remains and associated grave goods. The MLD shall provide recommendations or preferences for treatment of the remains and associated cultural materials within 48 hours of being granted access to the site.

c. Local Regulations

City of American Canyon General Plan

The current City of American Canyon General Plan contains goals and policies to avoid potential impacts to cultural resources.

4.4.3 Impact Analysis

a. Significance Thresholds and Methodology

Significance Thresholds

Based on Appendix G of the CEQA Guidelines a project may be deemed to have a significant impact on cultural resources if it would:

1. Cause a substantial adverse change in the significance of a historic resource pursuant to Section 15064.5
2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5
3. Disturb any human remains, including those interred outside of formal cemeteries

Methodology

If a project may cause a substantial adverse change in the characteristics of a resource that convey its significance or justify its eligibility for inclusion in the CRHR, either through demolition, destruction, relocation, alteration, or other means, then the project would have a significant effect on the environment (CEQA Guidelines Section 15064.5[b]).

Direct impacts can be assessed by identifying the types and locations of proposed development, determining the exact locations of cultural resources within the Planning Area, assessing the significance of the resources that may be affected, and determining the appropriate mitigation. Removal, demolition, or alteration of historical resources can permanently impact the historic fabric of an archaeological site, building or structure, or historic district.

The State Legislature, in enacting the CRHR, amended CEQA to clarify which properties are significant, as well as which project impacts are considered significantly adverse. A project with an effect that may cause a substantial adverse change in the significance of a historical resource is a project that may have significant effect on the environment (CEQA Guidelines Section 150645[b]). A substantial adverse change in the significance of a historical resource means demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired (CEQA Guidelines Section 150645[b][1]).

The CEQA Guidelines further state that "[t]he significance of an historical resource is materially impaired when a project… [d]emolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in the California Register … local register of historic resources… or its identification in an historic resources survey." As such, the consideration for determining whether the project will have a significant impact on identified historic resources is whether it will materially impair the physical integrity of the historic resource, such that it could no longer be listed in the CRHR or a local landmark program.

b. Project Impacts and Mitigation Measures

Threshold 1:	Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?

Impact CUL-1 DEVELOPMENT FACILITATED BY THE PROJECT COULD ADVERSELY AFFECT PREVIOUSLY UNIDENTIFIED HISTORIC-PERIOD RESOURCES. IMPACTS TO HISTORIC-PERIOD RESOURCES WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION.

As discussed above in Section 4.4.1, *Setting*, review of historical maps and aerial photographs indicate that there are several historic-aged buildings or structures located within the Planning Area. Currently there are no specific development plans; however, the 2040 General Plan could result in development on parcels containing buildings that meet the age threshold for potential historical resources, pursuant to CEQA.

Development facilitated by the project could result in material impairment of historical resources, which CEQA Guidelines Section 15064.5[b][2][A] defines as the demolition or alteration in an adverse manner [of] those characteristics of a historical resource that convey its historical significance and that justify its inclusion in, or eligibility for inclusion in, the CRHR or a local register. The Environment Element of the 2040 General Plan Update contains the following proposed goals and policies, which would minimize impacts to historical resources within the City of American Canyon:

Goal ENV-4: Preserve and restore sites, and structures that have architectural, historical, archaeological and/or cultural significance to the City of American Canyon.

- **Policy ENV-4.1: Resource Protection.** Ensure the City's culturally, historically, and archaeologically significant resources are protected in a manner that preserves and/or enhances the inherent resource value.
- **Policy ENV-4.2: Historic Structure Compatibility.** Encourage compatibility between new development and existing adjacent historic structures in terms of scale, massing, building materials and general architectural treatment.
- **Policy ENV-4.3: Historic Resource Reuse.** Encourage appropriate adaptive reuse of historic resources where possible to prevent misuse, disrepair, and demolition.
- **Policy ENV-4.4: Historical Building Code.** When historical structures are rehabilitated in accordance with established historic preservation guidelines, consider implementing the State Historical Building Code Part 8, Title 24.
- **Policy ENV-4.5: Historic Resource Preservation.** Prohibit demolition of an historic resource as a first-choice alternative for resources that qualify for Federal, State Historic Registration, or Locally Significant Resources.
- **Policy ENV-4.6: Flexible Development Standards** Consider flexibility in development standards, such as a Variance of setbacks, heights and parking requirements to help feasibility of new development that contains preserved historic resources.

These policies would help reduce impacts; however, they do not require formal historical resource evaluations or the consideration of measures to mitigate potential impacts. As such, additional measures would be required to identify and mitigate impacts to historical resources to a less than significant level. The implementation of Mitigation Measure CUL-1 would reduce impacts on historical resources by requiring evaluations for age-eligible buildings within the Planning Area and

avoiding impacts on any identified potential historical resources. This impact would be less than significant with implementation of this mitigation measure.

Mitigation Measure

CUL-1 Historical Built Environment

Prior to project approval, the applicant shall submit a report to the City that identifies any historic-age features (i.e., structures over 45 years of age) proposed to be altered or demolished. If historical-age features are present, the applicant shall submit a historical resources evaluation to the City prepared in areas that contains buildings, structures, objects, sites, landscape/site plans, or other features that are 45 years of age or older, by a qualified architectural historian or historian who meets the Secretary of the Interior's Professional Qualifications Standards (PQS) in architectural history or history (36 CFR Part 61). The evaluation shall include an intensive-level evaluation, in accordance with the guidelines and best practices meeting the State Office of Historic Preservation guidelines. All evaluated properties shall be documented on Department of Parks and Recreation Series 523 Forms. The report shall be submitted to the City for review and approval.

If historical resources are identified through the survey and evaluation, efforts shall be made by the applicant to ensure that the relocation, rehabilitation, or alteration of the resource is consistent with the Secretary of the Interior's Standards for the Treatments of Historic Properties (Standards). The applicant shall submit a report to the City that identifies and specifies the treatment of character-defining features and construction activities, and demonstrates how the project complies with the Standards and avoids the substantial adverse change in the significance of the historical resource as defined by CEQA Guidelines Section 15064.5(b). The report shall be prepared by an architectural historian or historical architect meeting the PQS as defined by 36 CFR Part 61 and provided to the City for review and concurrence prior to project approval.

Significance After Mitigation

Mitigation Measure CUL-1 would ensure a historical resource evaluation is conducted for sites with age-eligible resources within the Planning Area and require measures to reduce impacts to historical resources to less than significant.

Threshold 2:	Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Impact CUL-2 DEVELOPMENT FACILITATED BY THE PROJECT COULD ADVERSELY AFFECT PREVIOUSLY UNIDENTIFIED ARCHAEOLOGICAL RESOURCES. IMPACTS WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION.

The City has known archaeological sensitivity and, as a result, the potential to encounter unidentified archaeological resources is moderate to high. Overall, ground disturbance into native soils in any areas within the Planning Area could contain previously unknown prehistoric or historic-period resources. Undeveloped areas have a higher probability of containing previously unidentified archaeological resources, given the City's known sensitivity and the probable lack of previous ground-disturbing activities in those areas. The Environment Element of the 2040 General Plan contains the following proposed goals and policies, which would minimize impacts to archaeological resources within the City of American Canyon:

Goal ENV-4: Preserve and restore sites, and structures that have architectural, historical, archaeological and/or cultural significance to the City of American Canyon.

- **Policy ENV-4.1: Resource Protection.** Ensure the City's culturally, historically, and archaeologically significant resources are protected in a manner that preserves and/or enhances the inherent resource value.

Goal ENV-5: Protect cultural and tribal resources.

- **Policy ENV-5.1: Preservation.** Protect areas containing significant historic, archaeological, and paleontological resources, as defined by the California Public Resources Code.

Many portions of the Planning Area have been previously developed for various purposes and uses. Nonetheless, there is the potential for both historic and prehistoric archaeological resources to exist surficially and below the ground surface throughout the Planning Area, which could be disturbed by grading and excavation activities for future projects. Therefore, development projects within the Planning Area that involve ground disturbance activities would have the potential to damage or destroy archaeological resources, especially if they occur in less disturbed sediments. Consequently, impacts would be potentially significant, and mitigation would be required for projects involving ground disturbance activities.

Mitigation Measures

CUL-2 Archaeological Resources Assessment

Prior to project approval of a project that involves ground disturbance activities (that may include but are not limited to, pavement removal, potholing, grubbing, tree removal, and grading), the applicant shall submit to the City an archaeological resources assessment prepared by a qualified archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards in either prehistoric or historic archaeology. Assessments shall include a CHRIS records search at the NWIC and a SLF Search from the NAHC. The records searches shall characterize the results of previous cultural resource surveys and disclose any cultural resources that have been recorded and/or evaluated in and around the development site. A qualified professional shall conduct a Phase I pedestrian survey for those projects that include undeveloped areas to locate any surface cultural materials.

If the Phase I archaeological survey identifies resources that may be affected, the applicant shall also conduct Phase II testing and evaluation. If resources are determined significant or unique through Phase II testing and site avoidance is not possible, the qualified professional shall identify appropriate site-specific mitigation measures in the Phase II evaluation. These measures may include, but would not be limited to, a Phase III data recovery program, avoidance, or other appropriate actions to be determined by a qualified archaeologist. If significant archaeological resources cannot be avoided, impacts may be reduced to less than significant level by filling on top of the sites rather than cutting into the cultural deposits. Alternatively, and/or in addition, a data collection program may be warranted, including mapping the location of artifacts, surface collection of artifacts, or excavation of the cultural deposit, to characterize the nature of the buried portions of sites. Curation of the excavated artifacts or samples would occur as specified by the archaeologist. The City shall review and approve the archaeological resources assessment prior to project approval.

CUL-3 Unanticipated Discoveries

For projects whose Phase I archaeological survey identifies archaeological resources that may be affected, the applicant shall retain a qualified cultural resource specialist to monitor construction activities that involve ground-disturbing activities greater than 12 inches in depth and occur within 60 feet of a potentially significant cultural resource. If archaeological resources are encountered during ground-disturbing activities, work in the immediate area must halt and an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for Archaeology should be contacted immediately to evaluate the find. If necessary, the evaluation may require preparation of a treatment plan and archaeological testing for CRHR eligibility. If the discovery proves to be significant under CEQA and cannot be avoided by the project, additional work, such as excavating the cultural deposit to fully characterize its extent and collecting and curating artifacts may be warranted to mitigate any significant impacts to cultural resources. If archaeological resources of Native American origin are identified during construction, a qualified archaeologist will consult with the City to begin Native American consultation procedures. Periodic reports of the find and subsequent evaluations shall be submitted to the City during construction.

Significance After Mitigation

Mitigation Measures CUL-2 and CUL-3 would reduce potential impacts to a less than significant level by requiring the identification and evaluation of any archaeological resources that may be present prior to construction and by providing steps for the evaluation and protection of unanticipated finds encountered during construction.

Threshold 3:	Would the project disturb any human remains, including those interred outside of formal cemeteries?

Impact CUL-3 DEVELOPMENT FACILITATED BY THE PROJECT COULD RESULT IN DAMAGE TO OR DESTRUCTION OF HUMAN BURIALS. IMPACTS WOULD BE LESS THAN SIGNIFICANT THROUGH ADHERENCE TO EXISTING REGULATIONS AND WITH MITIGATION.

Human burials outside of formal cemeteries can occur in prehistoric archaeological contexts. While no known burial sites have been identified within the Planning Area, excavations during construction activities could have the potential to disturb these resources, which could include Native American burial sites. Although it is unlikely that human remains are present, the Planning Area has the possibility of containing previously unidentified human remains.

Human burials, in addition to being potential archaeological resources, have specific provisions for treatment in PRC Section 5097. The California Health and Safety Code (Section 7050.5, 7051, and 7054) has specific provisions for the protection of human burial remains. Existing regulations address the illegality of interfering with human burial remains, and protect them from disturbance, vandalism, or destruction. They also include established procedures to be implemented if Native American skeletal remains are discovered. PRC Section 5097.98 also addresses the disposition of Native American burials, protects such remains, and establishes the NAHC to resolve any related disputes.

The Environment Element of the 2040 General Plan Update contains the following proposed goals and policies, which would minimize impacts to human burials within the City of American Canyon:

Goal ENV-4: Protect cultural and tribal resources.

- **Policy ENV-4.1: Preservation.** Protect areas containing significant historic, archaeological, and paleontological resources, as defined by the California Public Resources Code.
- **Policy ENV-4.2: Development.** Ensure that human remains are treated with sensitivity and dignity and ensure compliance with the provisions of California Health and Safety Code Section 7050.5 and California Public Resources Code Section 5097.98.
- **Policy ENV-4.3: Yocha Dehe Wintun Nation Treatment Protocol**. In the event any Native American human remains, grave goods, ceremonial items, and items of cultural patrimony are found in conjunction with development, including archaeological studies, excavation, geotechnical investigations, grading, and any ground disturbing activity, the "Yocha Dehe Wintun Nation Treatment Protocol for Handling Human Remains and Cultural Items Affiliated with the Yocha Dehe Wintun Nation" shall be implemented as included as Appendix A to the Housing Element.

Construction of future development and mobility improvements facilitated by the project, such as improvements to roadways, and bicycle and pedestrian facilities would be subject to State of California Health and Safety Code Section 7050.5, which states that if human remains are unearthed, no further disturbance can occur until the county coroner has made the necessary findings as to the origin and disposition of the remains, pursuant to PRC Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the NAHC, which will determine and notify an MLD. The MLD shall complete the inspection of the site and make recommendations to the landowner within 48 hours of being granted access. Implementation of Mitigation Measure CUL-4 would ensure that the appropriate protocols are followed if human remains are encountered and would reduce potentially significant impacts to a less than significant level.

Mitigation Measures

CUL-4 Human Remains

In the event of an accidental discovery or recognition of any human remains, CEQA Guidelines Section 15064.5, Health and Safety Code Section 7050.5, and Public Resources Code Sections 5097.94 and Section 5097.98 shall be followed. If during construction, there is accidental discovery or recognition of any human remains, the following steps shall be taken:

1. There shall be no further excavation or disturbance within 100 feet of the remains until the County Coroner is contacted to determine whether the remains are Native American and if an investigation of the cause of death is required. If the Coroner determines the remains to be Native American, the Coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours, and the NAHC shall identify the person or persons it believes to be the Most Likely Descendant (MLD) of the deceased Native American. The MLD may make recommendations to the landowner or the person responsible for the excavation work within 48 hours, for means of treating or disposing of, with appropriate dignity, the human remains, and any associated grave goods as provided in Public Resource Code Section 5097.98.

2. Where the following conditions occur, the landowner or authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the MLD or on the project site in a location not subject to further subsurface disturbance:
   - The NAHC is unable to identify an MLD or the MLD failed to make a recommendation within 48 hours after being notified by the commission.
   - The descendant identified fails to make a recommendation.
   - The landowner or authorized representative rejects the recommendation of the descendant, and mediation by the NAHC fails to provide measures acceptable to the landowner.

   Additionally, California Public Resources Code Section 15064.5 requires the following relative to Native American Remains:

   - When an initial study identifies the existence of, or the probable likelihood of, Native American Remains within a project, a lead agency shall work with the appropriate Native Americans as identified by the NAHC as provided in Public Resources Code Section 5097.98. The applicant may each develop a plan with respect to their respective individual development proposals for treating or disposing of, with appropriate dignity, the human remains, and any items associated with Native American Burials with the appropriate Native Americans as identified by the NAHC.

Significance After Mitigation

Mitigation Measure CUL-4 would reduce potential impacts on human remains to a less than significant level by requiring the implementation of the appropriate protocols.

4.5 Greenhouse Gas Emissions

This section summarizes the setting for greenhouse gas (GHG) emissions and climate change and analyzes the impacts related to GHG emissions and climate change due to the project.

4.5.1 Setting

Gases that absorb and re-emit infrared radiation in the atmosphere are called GHGs. The gases that are widely seen as the principal contributors to human-induced climate change include carbon dioxide (CO_2); methane (CH_4); nitrous oxides (N_2O); fluorinated gases such as hydrofluorocarbons (HFCs) and perfluorocarbons (PFCs); and sulfur hexafluoride (SF_6). Water vapor is excluded from the list of GHGs because it is short-lived in the atmosphere and its atmospheric concentrations are largely determined by natural processes, such as oceanic evaporation.

Different types of GHGs have varying global warming potentials (GWP). The GWP of a GHG is the potential of a gas or aerosol to trap heat in the atmosphere over a specified timescale (generally, 100 years). Because GHGs absorb different amounts of heat, a common reference gas (CO_2) is used to relate the amount of heat absorbed to the amount of the gas emitted, referred to as "carbon dioxide equivalent" (CO_2e), which is the amount of GHG emitted multiplied by its GWP. Carbon dioxide has a 100-year GWP of one. By contrast, methane has a 100-year GWP of 30, meaning its global warming effect is 30 times greater than CO_2 on a molecule per molecule basis (United Nations Intergovernmental Panel on Climate Change [IPCC] 2021).[1]

GHGs are emitted by natural processes and human activities. Of these gases, CO_2 and CH_4 are emitted in the greatest quantities from human activities. Emissions of CO_2 are usually by-products of fossil fuel combustion, and CH_4 results from off-gassing associated with agricultural practices and landfills. Human-made GHGs, many of which have greater heat-absorption potential than CO_2, include fluorinated gases and SF_6 (United States Environmental Protection Agency [USEPA] 2022a).

Climate change is the observed increase in the average temperature of the Earth's atmosphere and oceans along with other substantial changes in climate (such as wind patterns, precipitation, and storms) over an extended period. The term "climate change" is often used interchangeably with the term "global warming," but climate change is preferred because it conveys that other changes are happening in addition to rising temperatures. The baseline against which these changes are measured originates in historical records that identify temperature changes that occurred in the past, such as during previous ice ages. The global climate is changing continuously, as evidenced in the geologic record, which indicates repeated episodes of substantial warming and cooling. The rate of change has typically been incremental, with warming or cooling trends occurring over the course of thousands of years. The past 10,000 years have been marked by a period of incremental warming, as glaciers have steadily retreated across the globe. However, scientists have observed acceleration in the rate of warming over the past 150 years. The IPCC expressed in their Sixth Assessment Report that the rise and continued growth of atmospheric CO_2 concentrations is unequivocally due to human activities (IPCC 2021). Human influence has warmed the atmosphere, ocean, and land, which has led the climate to warm at an unprecedented rate in the last 2,000 years. It is estimated that between the period of 1850 through 2019, a total of 2,390 gigatons of anthropogenic CO_2 was emitted. It is likely that anthropogenic activities have increased the global

[1] The Intergovernmental Panel on Climate Change's (2021) *Sixth Assessment Report* determined that methane has a GWP of 30. However, the 2017 Climate Change Scoping Plan published by the California Air Resources Board uses a GWP of 25 for methane, consistent with the Intergovernmental Panel on Climate Change's (2007) *Fourth Assessment Report*. Therefore, this analysis utilizes a GWP of 25.

surface temperature by approximately 1.07 degrees Celsius between the years 2010 through 2019 (IPCC 2021).

The accumulation of GHGs in the atmosphere regulates the earth's temperature. Without the natural heat-trapping effect of GHGs, the earth's surface would be about 33 degrees Celsius (°C) cooler (World Meteorological Organization 2013). However, since 1750, estimated concentrations of CO_2, CH_4, and N_2O in the atmosphere have increased by 47 percent, 156 percent, and 23 percent, respectively, primarily due to human activity (IPCC 2021). GHG emissions from human activities, particularly the consumption of fossil fuels for electricity production and transportation, are believed to have elevated the concentration of these gases in the atmosphere beyond the level of concentrations that occur naturally.

a. Greenhouse Gas Emissions Inventory

Global Emissions Inventory

Worldwide anthropogenic GHG emissions totaled 47,000 million metric tons (MT) of CO_2e in 2015, which is a 43 percent increase from 1990 GHG levels (USEPA 2022b). Specifically, 34,522 million metric tons (MMT) of CO_2e of CO_2, 8,241 MMT of CO_2e of CH_4, 2,997 MMT of CO_2e of N_2O, and 1,001 MMT of CO_2e of fluorinated gases were emitted in 2015. The largest source of GHG emissions were energy production and fuel use from vehicles and buildings, which accounted for 75 percent of the global GHG emissions. Agriculture uses and industrial processes contributed 12 percent and six percent, respectively. Waste sources contributed three percent and international transportation sources contributed two percent. These sources account for approximately 98 percent because there was a net sink of two percent from land-use change (including afforestation/reforestation and emissions removals by other land use activities) (USEPA 2022b).

United States Emissions Inventory

Total United States (U.S.) GHG emissions were 6,558 MMT of CO_2e in 2019. Emissions decreased by 1.7 percent from 2018 to 2019. Since 1990, total U.S. emissions have increased by an average annual rate of 0.06 percent for a total increase of 1.8 percent between 1990 and 2019. The decrease from 2018 to 2019 reflects the combined influences of several long-term trends, including population changes, economic growth, energy market shifts, technological changes such as improvements in energy efficiency, and decrease carbon intensity of energy fuel choices. In 2019, the industrial and transportation end-use sectors accounted for 30 percent and 29 percent, respectively, of nationwide GHG emissions; while the commercial and residential end-use sectors accounted for 16 percent and 15 percent of nationwide GHG emissions, respectively, with electricity emissions distributed among the various sectors (USEPA 2022c).

California Emissions Inventory

Based on the California Air Resources Board (CARB) California Greenhouse Gas Inventory for 2000-2019, California produced 418.2 MMT of CO_2e in 2019, which is 7.2 MMT of CO_2e lower than 2018 levels. The major source of GHG emissions in California is the transportation sector, which comprises 40 percent of the state's total GHG emissions. The industrial sector is the second largest source, comprising 21 percent of the state's GHG emissions, while electric power accounts for approximately 14 percent (CARB 2021a). The magnitude of California's total GHG emissions is due in part to its large size and large population compared to other states. However, its relatively mild climate is a factor that reduces California's per capita fuel use and GHG emissions as compared to

other states. In 2016, the State of California achieved its 2020 GHG emission reduction target of reducing emissions to 1990 levels, as emissions fell below 431 MMT of CO_2e (CARB 2021).

Local Emissions Inventory

Based on the City of American Canyon's 2012 Energy Efficiency Climate Action Plan (EECAP), the City generated approximately 120,201 MT of CO_2e in 2010 (City of American Canyon 2012). On-road transportation was the major source accounting for 39.9 percent of the total, largely due to passenger vehicles, but also commercial trips and buses. Commercial/industrial energy was the second largest source of emissions at 27 percent. Residential energy usage represented 18 percent, and solid waste and wastewater represented 7 percent each. Off-road transportation accounted for 2 percent. Agriculture accounted for less than 1 percent of emissions (City of American Canyon 2012).

b. Potential Effects of Climate Change

Globally, climate change has the potential to affect numerous environmental resources through potential impacts related to future air temperatures and precipitation patterns. Scientific modeling predicts that continued GHG emissions at or above current rates would induce more extreme climate changes during the 21st century than were observed during the 20th century. Each of the past three decades has been warmer than all the previous decades on record, and the decade from 2000 through 2010 has been the warmest. The observed global mean surface temperature from 2015 to 2017 was approximately 1.0°C higher than the average global mean surface temperature over the period from 1880 to 1900 (National Oceanic and Atmospheric Administration 2020). Furthermore, several independently analyzed data records of global and regional Land-Surface Air Temperature obtained from station observations jointly indicate that Land-Surface Air Temperature and sea surface temperatures have increased.

According to *California's Fourth Climate Change Assessment*, statewide temperatures from 1986 to 2016 were approximately 0.6 to 1.1°C higher than those recorded from 1901 to 1960. Potential impacts of climate change in California may include reduced water supply from snowpack, sea level rise, more extreme heat days per year, larger forest fires, and more drought years (State of California 2018). In addition to statewide projections, *California's Fourth Climate Change Assessment* includes regional reports that summarize climate impacts and adaptation solutions for nine regions of the state and regionally specific climate change case studies (State of California 2018). However, while there is growing scientific consensus about the possible effects of climate change at a global and statewide level, current scientific modeling tools are unable to predict what local impacts may occur with a similar degree of accuracy. A summary follows of some of the potential effects that could be experienced in California because of climate change.

Air Quality

Scientists project that the annual average maximum daily temperatures in California could rise by 2.4 to 3.2°C in the next 50 years and by 3.1 to 4.9°C in the next century (State of California 2018). Higher temperatures are conducive to air pollution formation, and rising temperatures could therefore result in worsened air quality in California. As a result, climate change may increase the concentration of ground-level ozone. The magnitude of the effect of the increased concentration of ground-level ozone, and therefore its indirect effects, are uncertain. In addition, as temperatures have increased in recent years, the area burned by wildfires throughout the state has increased, and wildfires have occurred at higher elevations in the Sierra Nevada Mountains (State of California

2018). If higher temperatures continue to be accompanied by an increase in the incidence and extent of large wildfires, air quality could worsen. Severe heat accompanied by drier conditions and poor air quality could increase the number of heat-related deaths, illnesses, and asthma attacks throughout the state. However, if higher temperatures are accompanied by wetter, rather than drier conditions, the rains could tend to temporarily clear the air of particulate pollution, which would effectively reduce the number of large wildfires and thereby ameliorate the pollution associated with them (California Natural Resources Agency 2009).

Water Supply

Analysis of paleoclimatic data (such as tree-ring reconstructions of stream flow and precipitation) indicates a history of naturally and widely varying hydrologic conditions in California and the west, including a pattern of recurring and extended droughts. Uncertainty remains with respect to the overall impact of climate change on future precipitation trends and water supplies in California. Year-to-year variability in statewide precipitation levels has increased since 1980, meaning that wet and dry precipitation extremes have become more common (California Department of Water Resources 2018). This uncertainty regarding future precipitation trends complicates the analysis of future water demand, especially where the relationship between climate change and its potential effect on water demand is not well understood. The average early spring snowpack in the western U.S., including the Sierra Nevada Mountains, decreased by about 10 percent during the last century. During the same period, sea level rose over 0.15 meter along the central and southern California coasts (State of California 2018). The Sierra snowpack provides most of California's water supply as snow that accumulates during wet winters is released slowly during the dry months of spring and summer. A warmer climate is predicted to reduce the fraction of precipitation that falls as snow and the amount of snowfall at lower elevations, thereby reducing the total snowpack (State of California 2018). Projections indicate that average spring snowpack in the Sierra Nevada and other mountain catchments in central and northern California will decline by approximately 66 percent from its historical average by 2050 (State of California 2018).

Hydrology and Sea Level Rise

Climate change could affect the intensity and frequency of storms and flooding (State of California 2018). Furthermore, climate change could induce substantial sea level rise in the coming century. Rising sea level increases the likelihood of and risk from flooding. The rate of increase of global mean sea levels between 1993 to 2022, observed by satellites, is approximately 3.5 millimeters per year, double the twentieth century trend of 1.6 millimeters per year (World Meteorological Organization 2013; National Aeronautics and Space Administration 2022). Sea levels are rising faster now than in the previous two millennia, and the rise will probably accelerate, even with robust GHG emission control measures. While the City is no close to the Pacific coast, sea level rise may jeopardize California’s water supply due to saltwater intrusion and induce groundwater flooding and/or exposure of buried infrastructure (State of California 2018).

Agriculture

California has an over $50 billion annual agricultural industry that produces over a third of the country’s vegetables and two-thirds of the country’s fruits and nuts (California Department of Food and Agriculture 2020). Higher CO_2 levels can stimulate plant production and increase plant water-use efficiency. However, if temperatures rise and drier conditions prevail, certain regions of agricultural production could experience water shortages of up to 16 percent, which would increase

water demand as hotter conditions lead to the loss of soil moisture. In addition, crop yield could be threatened by water-induced stress and extreme heat waves, and plants may be susceptible to new and changing pest and disease outbreaks (State of California 2018). Temperature increases could also change the time of year certain crops, such as wine grapes, bloom or ripen, and thereby affect their quality (California Climate Change Center 2006).

Ecosystems

Climate change and the potential resultant changes in weather patterns could have ecological effects on the global and local scales. Soil moisture is likely to decline in many regions because of higher temperatures, and intense rainstorms are likely to become more frequent. Rising temperatures could have four major impacts on plants and animals: timing of ecological events; geographic distribution and range of species; species composition and the incidence of nonnative species within communities; and ecosystem processes, such as carbon cycling and storage (Parmesan 2006; State of California 2018).

4.5.2 Regulatory Setting

a. International

United Nations Climate Change Framework Convention

On March 21, 1994, the United States joined a number of countries around the world in signing the United Nations Climate Change Framework Convention. Under the Convention, governments agreed to gather and share information on GHG emissions, national policies, and best practices; launch national strategies for addressing GHG emissions and adapting to expected impacts, including the provision of financial and technological support to developing countries; and cooperate in preparing for adaptation to the impacts of climate change.

b. Federal Regulations

Federal Clean Air Act

The U.S. Supreme Court determined in *Massachusetts et al. v. Environmental Protection Agency et al.* ([2007] 549 U.S. 05-1120) that the USEPA has the authority to regulate motor vehicle GHG emissions under the federal Clean Air Act. The USEPA issued a Final Rule for mandatory reporting of GHG emissions in October 2009. This Final Rule applies to fossil fuel suppliers, industrial gas suppliers, direct GHG emitters, and manufacturers of heavy-duty and off-road vehicles and vehicle engines and requires annual reporting of emissions. In 2012, the USEPA issued a Final Rule that established the GHG permitting thresholds that determine when Clean Air Act permits under the New Source Review Prevention of Significant Deterioration and Title V Operating Permit programs are required for new and existing industrial facilities.

In *Utility Air Regulatory Group v. Environmental Protection Agency* (134 Supreme Court 2427 [2014]), the U.S. Supreme Court held the USEPA may not treat GHGs as an air pollutant for purposes of determining whether a source can be considered a major source required to obtain a Prevention of Significant Deterioration or Title V permit. The Court also held that Prevention of Significant Deterioration permits otherwise required based on emissions of other pollutants may continue to require limitations on GHG emissions based on the application of Best Available Control Technology.

Safer Affordable Fuel-Efficient Vehicles Rule

On September 27, 2019, the USEPA and the National Highway Traffic Safety Administration published the Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule Part One: One National Program. The SAFE Rule Part One revokes California's authority to set its own GHG emissions standards and to adopt its own zero-emission vehicle mandates. On April 30, 2020, the USEPA and the National Highway Traffic Safety Administration published Part Two of the SAFE Vehicles Rule, which revised corporate average fuel economy and CO_2 emissions standards for passenger cars and trucks of model years 2021-2026, such that the standards increase by approximately 1.5 percent each year through model year 2026, as compared to the approximately 5 percent annual increase required under the 2012 standards (National Highway Traffic Safety Administration 2022).

Construction Equipment Fuel-Efficiency Standard

USEPA sets emission standards for construction equipment. The first federal standards (Tier 1) were adopted in 1994 for all off-road engines over 50 horsepower (hp) and were phased in by 2000. A new standard was adopted in 1998 that introduced Tier 1 for all equipment below 50 hp and established the Tier 2 and Tier 3 standards. The Tier 2 and Tier 3 standards were phased in by 2008 for all equipment. The current iteration of emissions standards for construction equipment are the Tier 4 efficiency requirements, which are contained in 40 Code of Federal Regulations Parts 1039, 1065, and 1068 (originally adopted in 69 Federal Register 38958 [June 29, 2004] and most recently updated in 2014 [79 Federal Register 46356]). Emissions requirements for new off-road Tier 4 vehicles were completely phased in by the end of 2015.

c. State Regulations

CARB is responsible for the coordination and oversight of State and local air pollution control programs in California. There are numerous regulations aimed at reducing the state's GHG emissions. These initiatives are summarized below.

California Advanced Clean Cars Program

Assembly Bill (AB) 1493 (2002), California's Advanced Clean Cars program (referred to as "Pavley"), requires CARB to develop and adopt regulations to achieve "the maximum feasible and cost-effective reduction of GHG emissions from motor vehicles." On June 30, 2009, the USEPA granted the waiver of Clean Air Act preemption to California for its GHG emission standards for motor vehicles, beginning with the 2009 model year, which allows California to implement more stringent vehicle emission standards than those promulgated by the USEPA. Pavley I regulates model years from 2009 to 2016 and Pavley II, now referred to as "LEV (Low Emission Vehicle) III GHG," regulates model years from 2017 to 2025. The Advanced Clean Cars program coordinates the goals of the LEV, Zero Emissions Vehicles (ZEV), and Clean Fuels Outlet programs and would provide major reductions in GHG emissions. By 2025, the rules will be fully implemented, and new automobiles will emit 34 percent fewer GHGs and 75 percent fewer smog-forming emissions from their model year 2016 levels (CARB 2011).

California Advanced Clean Trucks Program

In June 2020, CARB approved the Advanced Clean Trucks regulation, which requires manufacturers who certify Class 2b-8 chassis or complete vehicles with combustion engines to sell zero-emission trucks as an increasing percentage of their annual California sales from 2024 to 2035. In addition,

the regulation requires company and fleet reporting for large employers and fleet owners with 50 or more trucks. By 2045, all new trucks sold in California must be zero-emission. Implementation of this regulation would reduce consumption of nonrenewable transportation fuels as trucks transition to alternative fuel sources.

Executive Order B-48-18: Zero-Emission Vehicles

On January 26, 2018, Governor Brown signed Executive Order B-48-18 requiring all State entities to work with the private sector to have at least 5 million ZEVs on the road by 2030, as well as install 200 hydrogen fueling stations and 250,000 electric vehicle (EV) charging stations by 2025. It specifies that 10,000 of the EV charging stations should be direct current fast chargers. This order also requires all State entities to continue to partner with local and regional governments to streamline the installation of ZEV infrastructure. The Governor's Office of Business and Economic Development is required to publish a Plug-in Charging Station Design Guidebook and update the 2015 Hydrogen Station Permitting Guidebook to aid in these efforts. All State entities are required to participate in updating the 2016 ZEV Action Plan, along with the 2018 ZEV Action Plan Priorities Update, which includes and extends the 2016 ZEV Action Plan (Governor's Interagency Working Group on Zero-Emission Vehicles 2016, 2018) to help expand private investment in ZEV infrastructure with a focus on serving low-income and disadvantaged communities.

Executive Order N-79-20

Governor Gavin Newsom signed Executive Order N-79-20 in September 2020, which sets a Statewide goal that 100 percent of all new passenger car and truck sales in the State will be zero-emissions by 2035. It also sets a goal that 100 percent of statewide new sales of medium- and heavy-duty vehicles will be zero emissions by 2045, where feasible, and for all new sales of drayage trucks to be zero emissions by 2035. Additionally, the Executive Order targets 100 percent of new off-road vehicle sales in the State to be zero emission by 2035. CARB is responsible for implementing the new vehicle sales regulation.

California Global Warming Solutions Act of 2006 (Assembly Bill 32, Senate Bill 32, and Assembly Bill 1279)

The "California Global Warming Solutions Act of 2006," (AB 32), outlines California's major legislative initiative for reducing GHG emissions. AB 32 codifies the statewide goal of reducing GHG emissions to 1990 levels by 2020 and requires CARB to prepare a Scoping Plan that outlines the main state strategies for reducing GHG emissions to meet the 2020 deadline. In addition, AB 32 requires CARB to adopt regulations to require reporting and verification of statewide GHG emissions. Based on this guidance, CARB approved a 1990 statewide GHG level and 2020 target of 431 MMT of CO_2e, which was achieved in 2016. CARB approved the Scoping Plan on December 11, 2008, which included GHG emission reduction strategies related to energy efficiency, water use, and recycling and solid waste, among others (CARB 2008).

The CARB approved the 2013 Scoping Plan update in May 2014. The update defined the CARB's climate change priorities for the next five years, set the groundwork to reach post-2020 statewide goals, and highlighted California's progress toward meeting the "near-term" 2020 GHG emission reduction goals defined in the original Scoping Plan.

On September 8, 2016, the governor signed Senate Bill (SB) 32 into law, extending the California Global Warming Solutions Act of 2006 by requiring the state to further reduce GHG emissions to 40

percent below 1990 levels by 2030 (the other provisions of AB 32 remain unchanged). On December 14, 2017, the CARB adopted the 2017 Scoping Plan, which provides a framework for achieving the 2030 target. The 2017 Scoping Plan relies on the continuation and expansion of existing policies and regulations, such as the Cap-and-Trade Program, and implementation of recently adopted policies and legislation, such as SB 1383 and SB 100 (discussed below). The 2017 Scoping Plan also puts an increased emphasis on innovation, adoption of existing technology, and strategic investment to support its strategies.

AB 1279, "The California Climate Crisis Act," was passed on September 16, 2022 and declares the State would achieve net zero greenhouse gas emissions as soon as possible, but no later than 2045, and to achieve and maintain net negative greenhouse gas emissions thereafter. In addition, the bill states that the State would reduce GHG emissions by 85 percent below 1990 levels no later than 2045. The 2022 Scoping Plan lays out a path to achieve AB 1279 targets (CARB 2022). The actions and outcomes in the 2022 Scoping Plan would achieve significant reductions in fossil fuel combustion by deploying clean technologies and fuels, further reductions in short-lived climate pollutants, support for sustainable development, increased action on natural and working lands to reduce emissions and sequester carbon, and the capture and storage of carbon.

Senate Bill 375

The Sustainable Communities and Climate Protection Act of 2008 (SB 375), signed in August 2008, enhances the state's ability to reach AB 32 goals by directing the CARB to develop regional GHG emission reduction targets to be achieved from passenger vehicles by 2020 and 2035. SB 375 aligns regional transportation planning efforts, regional GHG reduction targets, and affordable housing allocations. Metropolitan Planning Organizations (MPOs) are required to adopt a Sustainable Communities Strategy (SCS), which allocates land uses in the MPO's Regional Transportation Plan (RTP). Qualified projects consistent with an approved SCS or Alternative Planning Strategy (categorized as "transit priority projects") can receive incentives to streamline CEQA processing.

The City of American Canyon is within the planning area of the Association of Bay Area Governments (ABAG). ABAG was assigned targets of a 10 percent reduction in GHGs from transportation sources by 2020 and a 19 percent reduction in GHGs from transportation sources by 2035 (CARB 2022b).

Assembly Bill 1493 (Reduce GHG Emissions from Vehicle Use)

AB 1493 (Chapter 200, Statutes of 2002), known as the Pavley Bill, amended Health and Safety Code Sections 42823, and added Section 43018.5 requiring CARB to develop and adopt regulations that achieve maximum feasible and cost-effective reduction of GHG emissions from passenger vehicles, light-duty trucks, and other vehicles used for noncommercial personal transportation in California.

Assembly Bill 1007 (State Alternative Fuels Plan)

AB 1007 (Chapter 371, Statutes of 2005) required the California Energy Commission (CEC) to prepare a State plan to increase the use of alternative fuels in California. The CEC prepared the State Alternative Fuels Plan (SAF Plan) in partnership with CARB and in consultation with other federal, State, and local agencies. The SAF Plan presents strategies and actions California must take to increase the use of alternative non-petroleum fuels in a manner that minimizes costs to California and maximizes the economic benefits of in-state production. The SAF Plan assessed various alternative fuels and developed fuel portfolios to meet California's goals to reduce petroleum consumption, increase alternative fuels use, reduce GHG emissions, and increase in-State

production of biofuels without causing a significant degradation of public health and environmental quality.

CARB In-Use On-Road and Off-Road Diesel Rules

The CARB rule imposes limits on idling, restricts the addition of older vehicles, and requires the retirement or replacement of older engines depending on their fleet size category. This policy indirectly impacts energy consumption.

More specifically, CARB is also charged with developing air pollution control regulations based upon the best available control measures and implementing feasible control measures under the State and Federal Clean Air Act. (Health & Safety Code, Sections 39602.5, 39667, 43013, subds. (a) and (h), 43018, 40600, 40601, 40612(a)(2) and (c)(1)(A).) Pursuant to these statutory authorities, more stringent emission standards were adopted in 2004 for off-road construction equipment (i.e. "Tier 4" standards) (40 Code of Federal Regulations Parts 1039, 1065, and 1068; Cal. Code Regs., tit. 13, Section 2025; AR 2854). CARB also adopted emission standards for on-road heavy duty diesel vehicles (i.e., haul trucks). (Cal. Code Regs., title 13, Section 1956.8.) These haul truck regulations mandate fleet turn-over to ensure that by January 1, 2023, nearly all on-road diesel trucks will have 2010 model year engines or equivalent [i.e., Tier 4]. In addition, interim steps are incorporated into the regulations (e.g., vehicles older than 1999 will be replaced with newer engines by 2020).

California Integrated Waste Management Act (Assembly Bill 341)/Assembly Bill 1826 (Mandatory Recycling/Composting)

The California Integrated Waste Management Act of 1989, as modified by AB 341, requires each jurisdiction's source reduction and recycling element to include an implementation schedule that shows diversion away from landfills of 75 percent of all solid waste by 2020 and annually thereafter. AB 1826 requires recycling of organic waste (i.e., composting). All businesses and public entities that generate four or more cubic yards of solid waste per week and multi-family residential dwellings that have five or more units are required to recycle and compost.

Senate Bill 1383

Adopted in September 2016, SB 1383 requires CARB to approve and begin implementing a comprehensive strategy to reduce emissions of short-lived climate pollutants. SB 1383 requires the strategy to achieve the following reduction targets by 2030:

- Methane – 40 percent below 2013 levels
- Hydrofluorocarbons – 40 percent below 2013 levels
- Anthropogenic black carbon – 50 percent below 2013 levels

SB 1383 also requires the California Department of Resources Recycling and Recovery (CalRecycle), in consultation with the CARB, to adopt regulations that achieve specified targets for reducing organic waste in landfills.

Senate Bill 100

Adopted on September 10, 2018, SB 100 supports the reduction of GHG emissions from the electricity sector by accelerating the state's Renewables Portfolio Standard (RPS) Program, which was last updated by SB 350 in 2015. SB 100 requires electricity providers to increase procurement from eligible renewable energy resources to 33 percent of total retail sales by 2020, 60 percent by

2030, and 100 percent by 2045. The 2020 goal was met, with approximately 36 percent of electricity coming from renewable sources in March 2021 (CARB 2021b).

Executive Order B-55-18

On September 10, 2018, the former Governor Brown issued Executive Order B-55-18, which established a new statewide goal of achieving carbon neutrality by 2045 and maintaining net negative emissions thereafter. This goal is in addition to the existing statewide GHG reduction targets established by SB 375, SB 32, SB 1383, and SB 100.

California Refrigerant Management Program

California's Refrigerant Management Program (RMP) regulates refrigerants used in larger facilities, primarily industrial and supermarket land uses. Refrigerants regulated under the RMP include any refrigerant that is an ozone depleting substance as defined in Title 40 of the Code of Federal Regulation, Part 82, and any compound with a GWP value equal to or greater than 150 according to the GWPs specified in the IPCC Fourth Assessment Report of 2007. According to the RMP, all supermarket and industrial refrigeration systems with a full recharge capacity of 50 pounds (22.7 kilograms) or greater will be required to limit the refrigerants used to no greater than 150 GWP beginning in 2022. Similarly, according to the RMP, all room air conditioning unit systems with a full recharge capacity of 50 pounds or greater will be required to limit the refrigerants used to no greater than 750 GWP beginning in 2023.

Senate Bill 1020

Senate Bill 1020 (SB 1020), signed into law on September 16, 2022, requires renewable energy and zero-carbon resources to supply 90 percent of all retail electricity sales by 2035, 95 percent by 2040, and 100 percent by 2045. All State agencies facilities must be served by 100 percent renewable and zero-carbon resources by 2030. SB 1020 also requires the Public Utilities Commission, Energy Commission, and CARB to issue a joint progress report outlining the reliability of the electrical grid with a focus on summer reliability and challenges and gaps. Additionally, SB 1020 requires the Public Utilities Commission to define energy affordability and use energy affordability metrics to develop protections, incentives, discounts, or new programs for residential customers facing hardships due to energy or gas bills.

CARB Gas Appliances Sales Ban

As part of the 2022 State Implementation Plan, CARB adopted a ban on new sales of natural gas heaters, water heaters, and furnaces by 2030 in September of 2022. This new measure is intended to reduce emissions from new residential and commercial space and water heaters sold in the State. An emission standard for space and water heaters will go into effect in 2030. Beginning in 2030, 100 percent of the sales of new natural gas-powered heaters and water heaters would need to comply with the emission standard, such as putting in electric heaters or other zero-emission options.

California Building Standards Code

The California Code of Regulations (CCR) Title 24 is referred to as the California Building Standards Code. It consists of a compilation of several distinct standards and codes related to building construction, including plumbing, electrical, interior acoustics, energy efficiency, and accessibility for persons with physical and sensory disabilities. The California Building Standards Code's energy-efficiency and green building standards are outlined below. These standards are updated every

three years and future projects would be subject to the 2022 California Building Standards when they go into effect on January 1, 2023.

Part 6 – Building Energy Efficiency Standards/Energy Code

CCR Title 24, Part 6 is the Building Energy Efficiency Standards or California Energy Code. This code, originally enacted in 1978, establishes energy-efficiency standards for residential and non-residential buildings to reduce California's energy demand. New construction and major renovations must demonstrate their compliance with the current Energy Code through submittal and approval of a Title 24 Compliance Report to the local building permit review authority and the CEC. The current iteration is the 2019 Title 24 standards. The California Building Standards Code's energy-efficiency and green building standards are outlined below. The 2022 Standards have been adopted and will come into effect January 1, 2023.

Part 11 – California Green Building Standards

The California Green Building Standards Code, referred to as CALGreen, was added to Title 24 as Part 11, first in 2009 as a voluntary code, which then became mandatory effective on January 1, 2011 (as part of the 2010 California Building Standards Code). The 2022 CALGreen includes mandatory minimum environmental performance standards for all ground-up new construction of residential and non-residential structures. It also includes voluntary tiers with stricter environmental performance standards for these same categories of residential and non-residential buildings. Local jurisdictions must enforce the minimum mandatory CALGreen standards and may adopt additional amendments for stricter requirements.

The mandatory standards require:

- Minimum 20 percent reduction in indoor water use relative to specified baseline levels[2]
- Waste Reduction
  - Minimum 65 percent non-hazardous construction/demolition waste diverted from landfills;
  - Non-residential and Multifamily dwellings with 5 or more units shall provide readily accessible areas identified for the depositing, storage and collection of nonhazardous materials for recycling including (at a minimum) paper, corrugated cardboard, glass, plastic, organic waste, and metals;
  - Nonresidential: 100 percent of trees, stumps, rocks and associated vegetation soils resulting from primary land clearing shall be reused or recycled.
- Inspections of energy systems to ensure optimal working efficiency
- Electric Vehicle (EV) Charging for New Construction[3]
  - Multifamily dwellings, hotels/motels with less than 20 units/rooms: Designation of at least 10 percent of the total number of parking spaces shall be EV capable and at least 25 percent of the total number of parking spaces shall be EV Ready.

[2] Similar to the compliance reporting procedure for demonstrating Energy Code compliance in new buildings and major renovations, compliance with the CALGreen water reduction requirements must be demonstrated through completion of water use reporting forms. Buildings must demonstrate a 20 percent reduction in indoor water use by either showing a 20 percent reduction in the overall baseline water use as identified in CALGreen or a reduced per-plumbing-fixture water use rate.

[3] EV Capable = a vehicle space with electrical panel space and load capacity to support a branch circuit and necessary raceways to support EV charging. EV Ready = a vehicle space which is provided with a branch circuit and any necessary raceways to accommodate EV charging stations including a receptacle for future installation of a charger. See 2022 California Green Building Standard Code, Title 24 Part 11 for full explanation of mandatory measures including exceptions.

- Multifamily dwellings, hotels/motels with greater than 20 units/rooms: Designation of at least 10 percent of the total number of parking spaces shall be EV capable, at least 25 percent of the total number of parking spaces shall be EV Ready, and at least 5 percent of the total number of parking spaces shall be equipped with a Level 2 Charging Station.
- Non-residential land uses shall comply with the following EV charging requirements based on the number of passenger vehicle parking spaces
  - 0-9: no EV capable spaces or charging stations required;
  - 10 – 25: 4 EV capable spaces but no charging stations required;
  - 26 – 50: 8 EV capable spaces of which 2 must be equipped with charging stations;
  - 51 – 75: 13 EV capable spaces of which 3 must be equipped with charging stations;
  - 76 – 100: 17 EV capable spaces of which 4 must be equipped with charging stations;
  - 101 – 150: 25 EV capable spaces of which 6 must be equipped with charging stations;
  - 151 – 200: 35 EV capable spaces of which 9 must be equipped with charging stations;
  - >200: 20 percent of the total available parking spaces of which 25 percent must be equipped with charging stations;
- Non-residential land uses shall comply with the following EV charging requirements for medium-duty and heavy-duty vehicles: Warehouses, grocery stores, and retail stores with planned off-street loading spaces shall install EV supply and distribution equipment, spare raceway(s) or busway(s) and adequate capacity for transformer(s), service panel(s), or subpanel(s) at the time of construction based on the number of off-street loading spaces as indicated in Table 5.106.5.4.1 of the California Green Building Standards.

- Bicycle Parking
  - Non-residential short term bicycle parking for projects anticipated to generate visitor traffic: permanently anchored bicycle racks within 200 feet of visitor entrance for 5 percent of new visitor motorized vehicle parking spaces with a minimum of one two-bike capacity rack.
  - Non-residential buildings with tenant spaces of 10 or more employees/tenant-occupants: Secure bicycle parking for 5 percent of the employee/tenant-occupant vehicle parking spaces with a minimum of one bicycle parking facility.

- Shade Trees (Non-Residential)
  - Surface parking: Minimum No. 10 container size or equal shall be installed to provide shade over 50 percent of the parking within 15 years (unless parking area covered by appropriate shade structures and/or solar);
  - Landscape areas: Minimum No. 10 container size or equal shall be installed to provide shade of 20 percent of the landscape area within 15 years;
  - Hardscape areas: Minimum No. 10 container size or equal shall be installed to provide shade of 20 percent of the landscape area within 15 years (unless covered by applicable shade structures and/or solar or the marked area is for organized sports activities).

The CALGreen voluntary standards are only mandatory if a local ordinance requires them. Since the City has not made any of the voluntary measures mandatory, the following voluntary standards would not be applicable to the project:

- Deconstruct existing buildings and reuse applicable salvaged materials;

- Residential Bicycle Parking:
  - Multifamily/hotel/motel short-term parking: Provide permanently anchored bicycle racks within 100 feet of visitor's entrance for 5 percent of visitor motorized vehicle parking capacity (minimum 1 two-bile capacity rack);
  - Hotel/Motel long-term parking: Provide one acceptable on-site bicycle parking space for every 25,000 square feet but not less than two spaces;

The CALGreen voluntary standards are divided into two tiers. Tier 1 adds additional requirements beyond the mandatory measures, whereas Tier 2 further increases the requirements.

- **Tier I**
  - Stricter energy efficiency requirements;
  - Stricter water conservation requirements for specific fixtures;
  - Minimum 65 percent reduction in construction waste with third-party verification, Minimum 10 percent recycled content for building materials;
  - Minimum 20 percent permeable paving;
  - Minimum 20 percent cement reduction;
  - Multifamily developments/hotels/motels: Minimum 35 percent of total parking spaces shall be EV ready and for projects with 20 or more dwelling units/rooms a minimum of 10 percent of the total number of parking spaces shall be equipped with EV charging stations;
- **Tier II**
  - Stricter energy efficiency requirements,
  - Stricter water conservation requirements for specific fixtures;
  - Minimum 75 percent reduction in construction waste with third-party verification,
  - Minimum 15 percent recycled content for building materials;
  - Minimum 30 percent permeable paving;
  - Minimum 25 percent cement reduction;
  - Multifamily developments/hotels/motels: Minimum 40 percent of total parking spaces shall be EV ready and for projects with 20 or more dwelling units/rooms a minimum of 15 percent of the total number of parking spaces shall be equipped with EV charging stations

Plan Bay Area 2050

Plan Bay Area 2050 is a State-mandated, integrated long-range transportation, land-use, and housing plan, known as an RTP/SCS, that would support a growing economy, provide more housing and transportation choices and reduce transportation-related pollution in the nine-county San Francisco Bay Area. Plan Bay Area 2050 builds on earlier efforts to develop an efficient transportation network and grow in a financially and environmentally responsible way. Plan Bay Area 2050 focuses on advancing equity and improving resiliency in the Bay Area by creating strategies in the following four elements: Housing, Economy, Transportation, and Environment. The Plan discusses how the future is uncertain due to anticipated employment growth, lack of housing options, and outside forces, such as climate change and economic turbulence. These uncertainties will impact growth in the Bay Area and exacerbate issues for those who are historically and systemically marginalized and underserved and excluded. Thus, Plan Bay Area 2050 has created strategies and considered investments that will serve those systemically underserved communities

and provide equitable opportunities. The Plan presents a total of 35 strategies to outline how the $1.4 trillion dollar investment would be utilized. The strategies include, but are not limited to, the following: providing affordable housing, allowing higher-density in proximity to transit-corridors, optimizing the existing roadway network, creating complete streets, providing subsides for public transit, reducing climate emissions, and expanding open space area. To bring these strategies to fruition, it will require participation by agencies, policymakers, and the public. An implementation plan is also included as part of the Plan to assess the requirements needed to carry out the strategies, identify the roles of pertinent entities, create an appropriate method to implement the strategies, and create a timeline for implementation.

Napa Valley Transportation Authority

The Napa Valley Transportation Authority (NVTA) is a Congestion Management Agency (CMA) formed in 1998 as a joint power authority between the cities of American Canyon, Calistoga, Napa, St. Helena, the town of Yountville, and the County of Napa. NVTA serves as the countywide transportation planning agency. NVTA also develops the long-range county transportation plan, which (along with similar plans from the other eight Bay Area counties) forms the "primary basis" for the RTP/SCS adopted by the Metropolitan Transportation Commission. In turn, the county transportation plan must consider the most recently adopted RTP/SCS to assure that both plans employ a common planning framework.

City of American Canyon Energy Efficiency Climate Action Plan

The City of American Canyon Energy Efficiency Climate Action Plan (EECAP) was adopted in December 2012 to develop a coordinated approach to energy efficiency and GHG reductions within the community and local government. The EECAP provides feasible strategies and measures that cost-effectively reduce energy-related and GHG emissions. Additionally, the EECAP includes an inventory of GHG emissions from all sectors in the community for years 2005 and 2010, as well as forecasts of anticipated GHG emissions for years 2020 and 2035 under a business-as-usual scenario that takes into consideration current consumption patterns, as well as population and job projections.

American Canyon Industrial GHG Standards Ordinance 2024-02

CEQA requires lead agencies to choose a threshold of significance to evaluate greenhouse gas emissions that is supported by substantial evidence and captures all significant impacts which may be one developed by an expert agency. The City falls within the Bay Area Air Quality Management District (BAAQMD), which in 2022 issued GHG significance thresholds recommendations for residential and commercial projects but did not recommend a threshold for industrial land uses. The South Coast Air Quality Management District (SCAQMD), which includes Los Angeles County, has developed a threshold of significance under CEQA for industrial land uses that is supported by substantial evidence and serves as a basis for mitigation of significant sources of GHG impacts.

The City's threshold of significance that combines BAAQMD's baseline threshold with the SCAQMD's threshold will capture the main sources of GHG emissions from industrial land uses.

The threshold standards are applied in a tiered evaluation system:

Tier 1: CEQA Categorical Exemptions

- Initially, determine if the project qualifies for any CEQA categorical exemptions. If it does not, proceed to Tier 2.

Tier 2: Consistency with Local GHG Reduction Plans

- Assess if the project aligns with a locally adopted GHG reduction plan. This plan must have undergone public hearing and CEQA review, have an approved inventory, and include monitoring. If the project is not consistent with such a plan, move to Tier 3.

Tier 3: Project Design Elements

- Evaluate the project against specific design elements
    1. **Buildings**
        a. The project should not include natural gas appliances or plumbing.
        b. The project should avoid wasteful or unnecessary energy use, as per CEQA guidelines.
    2. **Transportation**
        a. The project must achieve a reduction in vehicle miles traveled (VMT) below the regional average, currently at least 15% as per the California Climate Change Scoping Plan.
        b. The project must comply with the latest CALGreen Tier 2 electric vehicle requirements.
- If the project does not incorporate these design elements, it is considered to have a significant GHG impact. If it does, move to Tier 4.

Tier 4: GHG Emissions Screening Threshold

- Determine if the project's GHG emissions exceed the South Coast Air Quality Management District's threshold of 10,000 metric tons of CO2 equivalent (MT CO2e) per year for industrial uses and stationary projects. Projects exceeding this threshold are deemed to have a significant GHG impact.

Industrial Commerce Centers Sustainability Standards Ordinance 2024-03

The American Canyon Industrial Greenhouse Gas Standards Ordinance establishes the following standards to all warehousing, logistics, and distribution facilities in the City where a Notice of Preparation is issued after March 1, 2024, under CEQA. It defines such facilities as those used for storing and consolidating manufactured goods, typically larger than 200,000 square feet with specific characteristics such as dock high loading doors and truck activities.

The following standards are applicable under the proposed Ordinance:

1. **Zero Emission Operational Equipment.** All on-site motorized operational equipment (forklifts, yard trucks, pallet jacks, etc.) must be zero-emission. This includes using electrical hookups instead of diesel-fueled generators for construction tools.
2. **Zero Emission Cargo Handling Equipment.** All outdoor cargo handling equipment must be zero-emission vehicles. Necessary charging stations or infrastructure for these vehicles must be included in each building.

3. **Rooftop Solar Panels.** Before issuing a business license, the City will ensure that rooftop solar panels are installed to supply 100% of the power needed for non-refrigerated parts of the facility, including parking areas.
4. **Refrigerated Space Requirements.** Facilities not committing to non-refrigerated use must install conduits during construction for potential refrigerated spaces. Electric plug-in units for refrigeration units must be installed at relevant dock doors.
5. **Zero Emission Construction Equipment.** All generators and diesel-fueled off-road construction equipment over 75 horsepower must be zero-emissions or have CARB Tier IV-compliant engines. Exemptions are possible if such equipment is not reasonably available.
6. **Electric Vehicle Charging Stations.** Install infrastructure for Level 2 (or faster) EV charging stations for a percentage of employee parking spaces, increasing to 25% by 2030.
7. **Air Filtration Systems.** Install HVAC and/or HEPA air filtration systems in all warehouse facilities.

4.5.3 Impact Analysis

a. Significance Thresholds and Methodology

Significance Thresholds

Based on Appendix G of the CEQA Guidelines a project may be deemed to have a significant impact on GHG emissions if it would:

1. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or
2. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Most individual projects do not generate sufficient GHG emissions to create a project-specific impact through a direct influence on climate change. However, physical changes caused by a project can contribute incrementally to cumulative effects that are significant, even if individual changes resulting from a project are limited. The issue of climate change typically involves an analysis of whether a project's contribution towards an impact is cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, other current projects, and probable future projects (CEQA Guidelines, Section 15064[h][1]). The 2022 BAAQMD *CEQA Thresholds for Evaluating the Significance of Climate Impacts From Land Use Projects and Plans* provides two plan level thresholds for determining the significance of GHGs. The two approaches are as follows:

1. Consistency with a qualified GHG reduction plan
2. Meets the State's goals to reduce emissions to 40 percent below 1990 levels by 2030 and carbon neutrality by 2045

The City of American Canyon's EECAP is not a qualified GHG reduction plan, since it contains targets only for 2020 and was adopted prior to the adoption of new targets contained in the 2022 Scoping Plan; therefore, the first approach is not feasible. As such, the City uses the second approach to determine the significance of GHGs for development facilitated by the project.

Methodology

Based on plan-level guidance from the 2022 BAAQMD *CEQA Thresholds for Evaluating the Significance of Climate Impacts From Land Use Projects and Plans,* GHG emissions associated with project implementation is discussed qualitatively by comparing the project to the 2022 BAAQMD GHG thresholds, namely whether policies work towards achieving carbon neutrality by 2045. In addition, the project is qualitatively compared to other applicable plans, policies, and regulations adopted for the purpose of reducing the emissions of GHGs.

In developing its 2022 GHG significance thresholds, BAAQMD analyzed what new land use development projects will require to achieve California's long-term climate goal of carbon neutrality by 2045, thereby better representing what design elements new land use development projects need to incorporate to sufficiently contribute to achieving the State's goal. As GHG emissions from the land use sector come primarily from building energy use and from transportation, these are the areas that need to be evaluated to determine whether the project can or will be carbon neutral. With respect to building energy use, this can be achieved by replacing natural gas with electric power and by eliminating inefficient or wasteful electricity usage. These strategies will support California's transition away from fossil fuel-based energy sources and will bring the project's GHG emissions associated with building energy use down to zero because SB 100 incrementally requires greater proportions of in-state sales of electricity to be generated from renewable and carbon-free sources, ultimately requiring 100 percent of in-state electricity sales to be generated from carbon-free sources by 2045. With respect to transportation, projects need to be designed to reduce project-generated VMT and to provide sufficient EV charging infrastructure to support the adoption of EVs. BAAQMD's 2022 significance thresholds for project design elements are listed below. If a land use development project cannot demonstrate consistency, then that project would result in a potentially significant impact related to GHG emissions.

1. **Buildings**
    i. The project will not include natural gas appliances or natural gas plumbing (in both residential and nonresidential development).
    ii. The project will not result in any wasteful, inefficient, or unnecessary electrical usage as determined by the analysis required under CEQA Section 21100(b)(3) and Section 15126.2(b) of the CEQA Guidelines.

2. **Transportation**
    i. Achieve compliance with off-street EV requirements in the most recently adopted version of CALGreen Tier 2.
    ii. Achieve a 15 percent reduction in project-generated residential VMT per capita and VMT per employee rate below the existing American Canyon rate.

As discussed in Chapter 4.11, *Transportation*, project-generated traffic is evaluated for whether it would conflict or be inconsistent with CEQA Guidelines Section 15064.3(b), which describes specific considerations for analyzing transportation impacts as amended on July 1, 2020, pursuant to SB 375. SB 375 aims to better promote statewide policies that (a) combat climate change by reducing greenhouse gas emissions and particulates; (b) encourage infill development and a diversity of uses instead of sprawl; and (c) promote multi-modal transportation networks, providing clean, efficient access to destinations and improving public health through active transportation. Section 15064.3(b) states that VMT is "generally" the most appropriate measure of transportation impacts. No particular methodology or metric is mandated by section 15064.3(b) and the methodology or

metric is left to the lead agency, bearing in mind the criteria the legislature had in mind for determining the significance of transportation impacts in SB 743. These were expressed in Public Resource Code section 21099(b)(1), which states: "[t]hose criteria shall promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses." The American Canyon travel demand model is a trip-based model and estimates the following:

- Residential VMT per capita was estimated based on the VMT attributable to home-based trip productions, to and from residences in American Canyon.
- VMT per employee was estimated based on the VMT associated with home-based work (HBW) trips, to and from places of employment in American Canyon.

VMT impacts would be considered potentially significant if the forecasted rate of residential VMT per capita or VMT per employee for the project were to exceed 85 percent of the existing rate of VMT in each category for American Canyon, based on the American Canyon travel demand model.

In terms of the potential for wasteful, inefficient, or unnecessary electrical usage as determined by the analysis required under CEQA Section 21100(b)(3) and CEQA Guidelines Section 15126.2(b), project energy impacts are addressed under *Energy* in Chapter 4.15, *Effects Found to be Less than Significant*.

b. Project Impacts and Mitigation Measures

Threshold 1:	Would the project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?
Threshold 2:	Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Impact GHG-1 DEVELOPMENT FACILITATED BY THE PROJECT WOULD MAKE PROGRESS TOWARDS ACHIEVING STATE GOALS BUT WOULD NOT NECESSARILY MEET STATE 2030 OR 2045 GOALS. MITIGATION MEASURES GHG-2 AND GHG-3 WOULD REQUIRE IMPLEMENTATION OF CEQA GHG THRESHOLDS AND A CLIMATE ACTION PLAN (CAP); HOWEVER, DEVELOPMENT FACILITATED BY THE PROJECT WOULD NOT MEET THE 2030 OR 2045 GOALS UNTIL THE CAP IS UPDATED AND ADOPTED. THIS IMPACT WOULD BE SIGNIFICANT AND UNAVOIDABLE.

Construction

Construction of future development and mobility improvements associated with the 2040 General Plan would result in GHG emissions during construction, primarily from fuel consumption associated with heavy equipment, light-duty vehicles, machinery, and generators for lighting. Temporary grid power may also be provided to construction trailers or electric construction equipment that may result in indirect GHG emissions from energy generation. The project would utilize construction contractors that would be required to comply with applicable CARB regulations, such as accelerated retrofitting, repowering, or replacement of heavy-duty diesel on-road and off-road equipment. Construction contractors are required to comply with the provisions of CCR Title 13, sections 2449 and 2485, and CARB regulations, which prohibit diesel-fueled commercial and off-road vehicles from idling for more than five minutes, minimizing unnecessary GHG emissions. Construction equipment would be subject to the USEPA Construction Equipment Fuel Efficiency Standard, which would minimize inefficient fuel consumption and thus GHG emissions. These construction equipment

standards (i.e., Tier 4 efficiency requirements) are contained in 40 Code of Federal Regulations Parts 1039, 1065, and 1068. Pursuant to applicable regulatory requirements of CALGreen, the project would comply with construction waste management practices to divert construction and demolition debris from landfills. These practices would result in efficient use of energy during construction and, therefore, would minimize unnecessary GHG emissions. Furthermore, in the interest of cost efficiency, construction contractors would not utilize fuel in a manner that is wasteful or unnecessary, which would also have the effect of minimizing GHG emissions.

The use of GHG-reducing construction Best Management Practices (BMPs) is considered by the City to be a pragmatic and effective approach for the control of construction-related GHG emissions. The BAAQMD, in their 2017 CEQA Air Quality Guidelines, recommend that following construction BMPs for reducing GHG emissions:

- The use of alternative fueled construction vehicles and equipment for at least 15 percent of the fleet.
- The use of local building materials for at least 10 percent of materials.
- The recycling and reuse of at least 50 percent of construction and demolition waste materials.

Pursuant to the 2022 BAAQMD *CEQA Thresholds for Evaluating the Significance of Climate Impacts From Land Use Projects and Plans*, BAAQMD does not recommend a construction-related climate impact threshold. According to BAAQMD, GHG emissions from construction represent a very small portion of a project's lifetime GHG emissions. However, incorporation of feasible and applicable GHG-reducing construction BMPs serves herein as the basis for whether project construction would contribute its "fair share" of GHG emission reductions consistent with the legislative reduction targets codified by SB 32 and the State's long-term climate goal of carbon neutrality by 2045. The California Supreme Court, in Center for Biological Diversity v. Department of Fish & Wildlife (2015) (62 Cal.4th 204, 220-223), explained that an approach by which a lead agency ascertains a proposed project's "fair share" of required Statewide GHG reductions is a legitimate approach for formulating significance thresholds for GHG emissions. Under this approach, which here is focused on the project incorporating BAAQMD-recommended BMPs for construction-related emissions, the project would be considered to result in a potentially significant impact if project construction would not incorporate feasible and applicable GHG reducing construction BMPs including, at a minimum, those listed above. Implementation of Mitigation Measure GHG-1 would require incorporation of those GHG reducing construction BMPs and reduce construction related impacts to be less than significant.

The proposed thresholds for land use projects are designed to address operational GHG emissions that represent the vast majority of project GHG emissions. Therefore, the primary evaluation of GHG emissions impacts associated with project implementation is focused on operational emissions, discussed below.

Operation

The project would result in GHG emissions during operation. The nature of GHG emissions would be typical of those associated with residential, commercial, retail, hotel, industrial, warehouse, and research and development uses. GHG emissions would result primarily from building energy usage and fuel consumption associated with vehicle trips. The project contains policies that aim to reduce operational GHG emissions in accordance with State 2030 GHG emissions reductions goals and provide substantial progress to the State's goal of carbon neutrality by 2045, as included below. Operational buildout is expected to be 2040.

Transportation

On-road transportation sources are based on passenger vehicle and truck trip generation rates and VMT. As described in Section 4.11, *Transportation,* implementation of the 2040 General Plan would result in less than significant VMT impacts. The forecasted VMT of the project, including both VMT per residents and VMT per employee, would be more than 15 percent lower than existing VMT.

General Plan goals and policies listed under Impact AQ-2 in Section 4.2, *Air Quality,* would reduce emissions from vehicles by encouraging active transportation and transit use. Goal LU-1, coupled with proposed policy LU-1.4, would encourage compact development to reduce reliance on automobiles and associated GHG emissions. Goal MOB-1 and associated policies would encourage creation of complete streets (i.e., streets that support pedestrians and bicyclists) to reduce VMT in the City, which would reduce GHG emissions associated with vehicle use. Goal MOB-5 and associated policies would support public transit to reduce VMT, which would also reduce GHG emissions associated with vehicle use.

Buildings

Future buildings developed under the project would be served by Marin Clean Energy (MCE) or Pacific Gas and Electricity (PG&E). MCE is an alternative to PG&E for energy generation. All residents and local businesses are automatically enrolled in the Light Green Program (60 percent renewable energy) and have the option to opt up to the Deep Green Program, which offers 100 percent renewable energy. PG&E is required to increase its renewable energy procurement in accordance with SB 100 targets. SB 100 supports the reduction of GHG emissions from the electricity sector by accelerating the state's Renewables Portfolio Standard Program. It requires electricity providers to increase procurement from eligible renewable energy resources to 33 percent of total retail sales by 2020, 60 percent by 2030, and 100 percent by 2045. In addition, GHG emissions from building use would be reduced through implementation of the proposed policies listed below, which would encourage energy efficiency in buildings.

- **Policy U-9.1: Reach Building Code.** Reduce energy use in new development by considering a local amendment that requires a 15% energy efficient standard improvement over the California Building Code.
- **Policy U-9.2: Electric Energy Systems.** Coordinate with Pacific Gas and Electric Company (PG&E) to ensure that electrical energy systems do not adversely impact land uses and population in the City of American Canyon.
- **Policy U-9.5: Electric Energy Systems.** Coordinate with Pacific Gas and Electric Company (PG&E) to ensure that electrical energy systems do not adversely impact land uses and population in the City of American Canyon.
- **Policy U-9.6: Passive Solar Heating and Cooling.** Consistent with the California Subdivision Map Act, require new subdivisions to examine the feasibility of incorporating site layouts that allow passive solar heating and cooling.
- **Policy U-9.7: Residential Energy Efficiency.** Seek grant funds that help low and moderate-income residents obtain low or no-cost loans to increase energy efficiency of their homes through weatherization, insulation, solar energy generation and energy battery backup storage; and assist utility providers with outreach on home energy efficiency rebates and programs for all residents, regardless of income.

- **Policy ENV-10.6: Reach Building Code.** Consider feasibility of adopting a "reach" local amendment to the California building code to require a 15% or greater energy efficiency than the State standard.
- **Policy ENV-10.8: Building Electrification.** Consider a Reach Building Code that would prohibit installation of natural gas in all new construction.
- **Policy ENV-11.1: Energy Efficiency.** Require developers employ energy-efficient site planning methods and building design, including building orientation, shading, landscaping, building reflectance, and passive solar heating and hot water systems.
- **Policy ENV-11.1: Renewable Energy Sources.** Work with other agencies and utility companies to develop safe, economical, and renewable energy resources.
- **Policy ENV-11.2: Renewable Energy Program.** Support installation of renewable energy and battery storage for homes and businesses.
- **Policy ENV-11.3: Energy Retrofit Program.** Develop an energy retrofit program and incentives for homeowners and building owners to encourage energy efficiency improvements such as fixture and appliance upgrades.
- **Policy ENV-11.4: Energy Efficiency City Operations.** Increase energy efficiency of City operations and evaluate the feasibility of installing renewable energy at city facilities.

Proposed policies U-9.1 and ENV-10.6 would encourage a reduction in building energy use and associated GHG emissions by adopting a reach code that requires greater energy efficiency than mandated by the State. Proposed policies U-9.2, U-9.5 through U-9.7, and ENV-11.1 through ENV-11.4 would reduce energy use and associated GHG emissions through various energy efficiency programs and increased use of renewable energy sources. Proposed policy ENV-10.8 would reduce GHG emissions by supporting a prohibition of natural gas.

The proposed policies regarding vehicle use and buildings would assist in reducing emissions to 40 percent below 1990 levels by 2030 and reaching carbon neutrality by 2045 but would not necessarily achieve either goal. The project is a policy-level document that guides land use and development throughout the City. The CARB 2022 Climate Change Scoping Plan outlines a pathway to achieving the 2030 reduction targets set under SB 32, which are considered interim targets toward meeting the long-term 2045 carbon neutrality goal established by California Executive Order B-55-18. While the project would facilitate additional development within the City, building energy consumption and VMT (and thus GHG emissions), water consumption, and solid waste generation per capita would be reduced under the project's buildout compared to existing conditions, given the above discussed policies. However, the project does not outline how the City would meet the goals to reduce emissions to 40 percent below 1990 levels by 2030 and carbon neutrality by 2045. The project would therefore not be consistent with the California Executive Order B-55-18 goal of carbon neutrality by 2045, nor does it have a qualified GHG reduction plan to guide progress towards State goals. Therefore, impacts related to generation of GHG emissions and consistency with State GHG reduction plans due to the project would be potentially significant.

Implementation of Mitigation Measures GHG-2 and GHG-3 would require that the City implement CEQA GHG emissions thresholds and adopt the American Canyon CAP to establish a Citywide GHG reduction target and provide an outline of how the City will meet the State goal of carbon neutrality by 2045.

Mitigation Measures

GHG-1 Construction GHG BMPs

Prior to the issuance of any grading permits, the project applicant shall provide the City of American Canyon with documentation (e.g., site plans) demonstrating implementation of construction Best Management Practices (BMPs). Measures may include but are not limited to:

- At least 15 percent of the construction fleet for each project phase shall be alternatively fueled or electric.
- At least 10 percent of building materials used for project construction shall be sourced from local suppliers.
- At least 65 percent of construction and demolition waste materials shall be recycled or reused.
- At least one contractor that has a business location in American Canyon shall be contracted for project construction.
- All construction contracts shall include language that requires all off-road equipment with a power rating below 19 kilowatts (e.g., plate compactors, pressure washers) using during construction be electrically powered.
- Architectural coatings used for project construction shall be "Low-VOC," containing no greater than 50 grams of volatile organic compounds (VOC) per liter of product.
- Project construction shall prohibit the use of generators and shall establish grid power connection to electrical equipment needs.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California Airborne Toxics Control Measure [ATCM] Title 13, Section 2485 of California Code of Regulations). Clear signage regarding idling restrictions shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- The prime construction contractor shall post a publicly visible sign with their telephone number and contractor to contact. The construction contractor shall take corrective action within 48 hours. The BAAQMD's phone number shall also be identified and visible to ensure compliance with applicable regulations.

GHG-2 Adopt and Implement a CEQA GHG Emissions Threshold

The City shall include and implement a new 2040 General Plan policy under the Environment Element to prepare, adopt, and implement a CEQA GHG Emissions threshold of significance. The City shall adopt the CEQA GHG Emissions threshold of significance by the end of 2025 for use in future CEQA GHG emissions analyses through 2030. In addition, upon completion of future CAP updates and as necessary, the City shall update the CEQA GHG Emissions threshold of significance and American Canyon CEQA GHG Checklist to be consistent with each CAP update.

GHG-3 Adopt American Canyon CAP to Meet the State's 2030 and 2045 GHG Emissions Goals

The City shall draft and adopt the American Canyon qualified CAP by the end of 2025 to outline how American Canyon will meet the State's 2030 goal of 40 percent below 1990 emissions levels and

2045 goal of carbon neutrality. Implementation measures in the updated qualified CAP to achieve the 2030 and 2045 goals may include, but are not limited to, the following:

- Develop and adopt Zero Net Energy requirements for new and remodeled residential and non-residential development;
- Develop and adopt a building electrification ordinance for existing and proposed structures;
- Expand charging infrastructure and parking for electric vehicles;
- Implement carbon sequestration by expanding the urban forest, participating in soil-based or compost application sequestration initiatives, supporting regional open space protection, and/or incentivizing rooftop gardens; and
- Implement policies and measures included in the California 2022 Climate Change Scoping Plan, such as mobile source strategies for increasing clean transit options and zero emissions vehicles by providing electric vehicle charging stations.

Significance After Mitigation

Implementation of Mitigation Measure GHG-1 would ensure that construction related GHG impacts would be less than significant. Implementation of Mitigation Measures GHG-2 and GHG-3 would ensure that development facilitated by the project after 2024 would be consistent with State emissions goals. However, individual projects that may occur prior to 2024 would not be guaranteed to be consistent with State emissions goals, nor are exact emissions reductions known at the time of adoption of the 2040 General Plan. Until the CEQA GHG thresholds are adopted and the CAP is updated, implementation of the project would not be consistent with BAAQMD GHG thresholds nor would it be consistent with State GHG reduction plans. Therefore, the project's impacts related to GHG emissions would be significant and unavoidable.

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4.6 Land Use and Planning

This section summarizes existing and planned land uses in the Planning Area and analyzes the impacts on land use and planning due to the project. The physical environmental effects associated with the project, many of which pertain to issues of land use compatibility (e.g., aesthetics, air quality, noise) are evaluated in other sections of this EIR.

4.6.1 Setting

a. Existing Land Use Patterns

The General Plan Planning Area includes the following four components.

1. Current City Limits: The City limits encompasses approximately 6.1 square miles. The existing uses within City limits are discussed in further detail below.
2. Sphere of Influence (SOI): The SOI represents areas that may already receive City services and are a visual and logical expansion of the city boundaries. There is currently one area in the SOI that is not within City limits. The City is currently in the process of annexing that area as part of the Paoli/Watson Lane Annexation Project and is currently preparing the California Environmental Quality Act (CEQA) documentation (City of American Canyon 2022).
3. Urban Limit Line (ULL): The ULL was established in a 2008 voter initiative. The ULL agreement obtained County support for City annexation of three properties in the Napa Airport Specific Plan and potentially additional properties within the ULL until the Year 2030. In return, the City clarified its City Water Service area policies for some properties outside the City limits. The ULL boundary includes the SOI plus additional properties east of the City (see Figure 2-3 in Chapter 2, *Project Description*).
4. Historical City Water Service Area: Areas within the City's historical water service area beyond the ULL are intended to remain outside the city limits for the duration of the General Plan planning period. This property is relevant to the General Plan because these County properties obtain potable water from the City's water service area.

Within the City limits, approximately 30 percent of the city has residential uses, including single-family, multifamily, and mobile home parks (American Canyon 2020). Approximately 26 percent of American Canyon is made up of vacant land, primarily vacant industrial land. Public facilities, parks, and open space make up next largest category at 16 percent. Existing industrial uses occupy 14 percent of the city, while commercial uses comprise 4.2 percent (American Canyon 2020).

Residential

Residential uses are the predominant land use in the City. Housing units consist of single-family, multi-family, mobile homes, and estate (agricultural) homes. Neighborhoods containing single-family detached dwelling units are the primary developed land use within the city. Most low-density (i.e., single-family) residential uses are located west of State Route (SR) 29 while the higher density residential uses (i.e., multi-family and mobile homes) are generally located between American Canyon Road and the City' s southern limit, and between SR 29 and Flosden Road.

Commercial

Commercial uses in the City include retail (general and personal services), offices, restaurants, convenience markets, gas stations, and auto-related facilities. Commercial uses located along SR 29 and are generally sited to attract customers from commuter or tourist traffic on SR 29 (e.g., gas stations, restaurants, and convenience markets) (American Canyon 1994a). Planned multimodal improvements (i.e.: sidewalks, trails, property interconnectivity) as well as adjacent existing and planned housing will increase non-motorized access.

Industrial

Industrial uses in the City include light and heavy manufacturing, storage and salvage yards, business parks, and other related uses (American Canyon 1994a). Industrial uses are primarily located in the north-western portion of the City.

Institutional

Institutional uses include churches, and other religious institutions. These facilities provide a variety of services for the physically challenged, senior citizens, and others (American Canyon 1994a).

Public

The City's public uses encompass educational facilities, recreational facilities, utilities, easements, and civic structures. Utility facilities and easements include such uses as a wastewater treatment plant and Pacific Gas & Electric transmission line corridors (American Canyon 1994a). The City also includes a network of public parks, primarily around residences, and open space adjacent to the Napa River and Newell Open Space to provide opportunities for recreation.

Agriculture

Agriculture uses are limited within the Urban Limit Line (ULL). These consist of grazing, livestock feed crops and vineyards.

Vacant

Vacant land in the city is primarily located in areas designated industrial and residential on the northwestern side of the city. In the northeastern side of the City and ULL, vacant land is designated industrial, residential, and special study.

4.6.2 Regulatory Setting

a. Federal Regulations

There are no federal regulations that pertain to land use and planning.

b. State Regulations

General Plan Law (California Government Code Section 65300)

California Government Code Section 65300 regulates the substantive and topical requirements of general plans. State law requires that each city and county adopt a general plan "for the physical development of the county or city, and any land outside its boundaries which bears relation to its

planning." The California Supreme Court has called the general plan the "constitution for future development." The general plan expresses the community's development goals and embodies public policy relative to the distribution of future land uses, both public and private.

California Government Code Section 65301

Section 65301 of the California Government Code requires a general plan to address the geographic territory of the local jurisdiction and any other territory outside its boundaries that bears relation to the planning of the jurisdiction. The jurisdiction may exercise their own judgment in determining what areas outside of its boundaries to include in the planning area. The State of California General Plan Guidelines denotes that the planning area for a city should include (at minimum) all land within the city limits and all land within the city's SOI.

Government Code Section 65860(a)

State law requires that general law city or town zoning ordinances be consistent with the general plan. A zoning ordinance is consistent with an adopted general plan only if the various land uses authorized by the zoning ordinance "are compatible with the objectives, policies, general land uses, and programs specified in such a plan" (Government Code Section 65860(a)). State law also provides that in the event a zoning ordinance becomes inconsistent with a general plan by reason of amendment to such a plan, the zoning ordinance must be amended within a reasonable time so that it is consistent with the general plan as amended [Government Code Section 65860(a)]. The City of American Canyon is a general law city and is, therefore, required to have zoning consistency.

Cortese Knox Hertzberg Local Government Reorganization Act of 2000

The 2000 Cortese Knox Hertzberg Local Government Reorganization Act (CKH Act) established procedures for local agency changes of organization, including city incorporation, annexation to a city or special district, and consolidation of cities or special districts (Section 56000, et seq.). Local Agency Formation Commissions (LAFCOs) have numerous powers under the CKH Act, but the most important are the power to act on local agency boundary changes and to adopt sphere of influences (SOIs) for local agencies. The law states that to update an SOI, LAFCOs are required to first conduct a review of the municipal services provided by the local agency. The CKH Act requires LAFCOs to update SOIs for every city and special district every five years. The original deadline was January 2006, five years following the CHK Act becoming State law. That deadline was extended two years to January 2008. Every SOI update must be accompanied by an update of the municipal services review. American Canyon's SOI is not being updated as a part of the 2040 General Plan.

State Aeronautics Act

The State Aeronautics Act requires each county with an airport to establish an Airport Land Use Commission (ALUC) to regulate land use around airports to protect public safety and ensure that land uses near airports do not interfere with aviation operations. The Napa County Airport Land Use Compatibility Plan (ALUCP) regulates land use around the Napa County Airport, as well as two other aviation facilities in the County, by requiring compliance with the policies of the plan. In certain circumstances, local governments may override the decisions of the ALUC.

Sustainable Communities and Climate Protection Act (SB 375)

The Sustainable Communities and Climate Protection Act (SB 375) supports the State's climate goals by helping reduce greenhouse gas emissions through coordinated transportation, housing, and land

use planning. Under SB 375, the California Air Resources Board (CARB) set targets for 2020 and 2035 for each of the 18 metropolitan planning organization regions in 2010 and updated them in 2018. Each of the regions must prepare a Sustainable Communities Strategy (SCS), as an integral part of its regional transportation plan, that contains land use, housing, and transportation strategies that, if implemented, would allow the region to meet CARB's targets. SB 375 establishes some incentives to encourage implementation of the development patterns and strategies included in an SCS. Developers can get relief from certain environmental review requirements under CEQA if their new residential and mixed-use projects are consistent with a regions SCS that meets the targets (see Public Resources Code Sections 21155, 21155.1, 21155.2, and 21159.28).

c. Local Regulations

Association of Bay Area Governments 2021 Regional Transportation Plan/Sustainable Communities Strategy

The Association of Bay Area Governments (ABAG) is required by State and federal law to prepare, update, and adopt a Regional Transportation Plan (RTP) every four years. Senate Bill (SB) 375, California's Sustainable Communities and Climate Protection Act, was enacted in 2008, requiring all RTPs to include an SCS that reduces greenhouse gas emissions from passenger vehicles and light-duty trucks. The most recent update to the RTP/SCS was completed by ABAG and the Metropolitan Transportation Commission in October 2021. The 2021 RTP/SCS, also known as Plan Bay Area 2050, builds on ABAG's 2017 RTP/SCS and serves as the blueprint for the region's transportation system over the next 30 years (ABAG 2021).

The 2021 RTP/SCS includes the following goals:

- Protect and preserve affordable housing.
- Spur housing production for residents of all income levels.
- Create inclusive communities.
- Improve economic mobility.
- Shift the location of jobs.
- Maintain and optimize the existing transportation system.
- Create healthy and safe streets.
- Build a next-generation transit network.
- Reduce risks from hazards.
- Expand access to parks and open space.
- Reduce climate emissions.

City of American Canyon Municipal Code

The Zoning Code (Title 19) of the City of American Canyon Municipal Code is the primary tool used by the City to carry out the goals, objectives, and policies of the American Canyon General Plan by classifying and regulating the uses of land and structures within the city, consistent with the General Plan. Zoning is the instrument that implements the land use designations of a general plan. In addition to establishing permitted uses, zoning may also establish development standards relating to issues such as intensity, setbacks, height, and parking. Projects submitted to the City for review and approval are generally evaluated for consistency with the zoning designations.

The 21 existing zoning districts established by the American Canyon Zoning Ordinance are as follows (American Canyon 2015):

- RE – Residential Estate
- RR – Rural Residential (RR-20,000, RR-10,000)
- RS – Suburban Residential (RS-8000, RS-6500)
- RM – Medium Residential
- RH – High Residential (RH-1, RH-2)
- PC – Planned Community
- SP – Specific Plan (SP-1, SP-2)
- CN – Neighborhood Commercial
- CC – Community Commercial
- REC – Recreation
- TC – Town Center
- P – Public
- LI – Light Industrial
- GI – General Industrial
- OS – Open Space
- OS-CRW – Open Space Clarke Ranch West
- SS – Special Study

Napa County Airport Land Use Compatibility Plan

The Napa County ALUCP governs land use around Napa County Airport. The ALUCP identifies two categories of flight hazards: physical obstructions and land use characteristics. Physical obstructions are associated with tall objects or structures. The ALUCP establishes a height restriction of 35 feet above the ground for objects located within Zone D. Additional height may be permitted under stringent Special Use Permit procedures as provided for in the Airport Safety Ordinance No. 416 and be referred to the Napa County ALUC prior to final approval. Land use characteristics involve uses that may produce hazards to aviation. Specific characteristics prohibited within the airport land use planning boundaries are listed below:

- Glare or distracting lights, which could be mistaken for airport lights
- Sources of dust, steam, or smoke that may impair pilot visibility
- Sources of electrical interference with aircraft communications or navigation
- Any use that may attract large flocks or birds, especially landfills or certain agricultural uses

The ALUCP follows Noise Compatibility Guidelines, as included in Table 2-1 of the ALUCP (ALUC 1991). New residential uses are not permitted within Zone D without ALUC review. However, the City entered a Settlement Agreement with the ALUC on May 3, 2022. The Settlement Agreement provides that the City will not recommend for approval any application for a residential use in Zone D until an amendment to the ALUCP has been approved or December 31, 2023, whichever occurs first. The Settlement Agreement does not prohibit the City from processing an application for a residential proposal within Zone D.

4.6.3 Impact Analysis

a. Significance Thresholds and Methodology

Significance Thresholds

Based on Appendix G of the CEQA Guidelines a project may be deemed to have a significant impact on land use and planning if it would:

1. Physically divide an established community;
2. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

Methodology

The consistency analysis describes existing regional and local plans and policies and is intended to fulfill the requirements of CEQA Guidelines Section 15125(d). The emphasis of the analysis is on the project's inconsistency and potential conflicts between the project and existing applicable land use plans adopted for the purpose of avoiding or mitigating an environmental effect, and whether any inconsistencies would cause significant environmental effects. The project is considered consistent with the provisions of the identified regional and local plans if it meets the general intent of the applicable plans and does not conflict with directly applicable policies. A given project need not be in perfect conformity with each and every policy nor does state law require precise conformity of a proposed project with every policy or land use designation. Courts have also acknowledged that general and specific plans attempt to balance a range of competing interests, and that it is nearly, if not absolutely, impossible for a project to be in perfect conformity with each and every policy set forth in the applicable plan. Additionally, in reaching such consistency conclusions, the City may also consider the consequences of denial of a project, which can result in other policy inconsistencies. For example, Government Code Section 65589.5 explains that the potential consequences of limiting the approval of housing can include reduced mobility, urban sprawl, excessive commuting, and air quality deterioration.

For an impact to be considered significant, an inconsistency would also have to result in a significant adverse change in the environment not already addressed in the other resource chapters of this EIR. The analysis below provides a discussion of the most relevant policies from the various planning documents. However, the City's consistency conclusions are based upon the planning documents as a whole.

b. Project Impacts and Mitigation Measures

Threshold 1:	Would the project physically divide an established community?

Impact LU-1 THE PROJECT WOULD NOT PHYSICALLY DIVIDE AN ESTABLISHED COMMUNITY AND THERE WOULD BE NO IMPACT.

Most of the Planning Area is currently developed. As described in Section 2, *Project Description,* the project would have a maximum buildout potential of an additional 3,204 residential units and an additional 5.7 million non-residential square footage. This buildout is projected to occur specifically within the existing City limits. The 2040 General Plan would involve implementation of proposed policies and land use designations that identify the type and intensity of uses permissible in the

Planning Area. Intensity and density standards are established for each land use classification. The intent of the land use designations is to adequately classify and distinguish the various land uses needed within the Planning Area.

The Land Use Element of the 2040 General Plan contains the following proposed goals and policies, which would maintain existing communities within the City of American Canyon and would ensure that established communities would not be divided by development facilitated by the project:

Goal LU-1: Establish American Canyon as a "complete city" with a diversity of distinct land uses that serve the needs of residents, businesses, and visitors.

- **Policy LU-1.1: Balance of Land Uses.** Establish a diversity of land use designations that provide for housing, commercial, employment, educational, cultural, entertainment, and recreation needs of residents; capture visitor and tourist activity; provide employment opportunities for residents of the greater subregion; and provide open space and aesthetic relief from developed urban/suburban areas.
- **Policy LU-1.2: Pattern of Development.** Support a pattern of development that establishes distinct neighborhoods, districts, places of community activity and culture and open spaces that are interlinked and promote a cohesive image; locates jobs, commerce, recreation, and other places of community activity within close proximity to housing, minimizing the need for vehicular use; achieves a balance of uses to serve both sides of Highway 29; and establishes an overall compact urban form surrounded by open space.
- **Policy LU-1.4: Compact Development Pattern**. Maintain a compact development pattern that fosters a walkable and bikeable urban form.

These policies would maintain existing communities in the City of American Canyon and would ensure that established communities would not be divided. Policy LU-1.1 would ensure orderly, contiguous development and would avoid land use incompatibilities, which would prevent division of existing communities. Policies LU-1.2 and LU-1.4 would encourage infill development and development of underutilized property, which facilitate development of vacant or underutilized properties to be consistent with their surrounding land uses. Furthermore, the mobility improvements identified in the Mobility Element of the 2040 General Plan would not be located within an established community and would therefore not divide an established community. The project would not physically divide the City of American Canyon or its established communities. There would be no impact.

Mitigation Measures

No mitigation measures would be required.

Significance After Mitigation

There would be no impact and no mitigation would be required.

Threshold 2:	Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Impact LU-2 THE PROJECT WOULD NOT RESULT IN A SIGNIFICANT ENVIRONMENTAL IMPACT DUE TO A CONFLICT WITH A PLAN ADOPTED FOR THE PURPOSE OF AVOIDING OR MITIGATING AN ENVIRONMENTAL EFFECT. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

Several regionally and locally adopted land use plans, policies, and regulations apply to the project. These include the Plan Bay Area 2050, the Bay Area 2017 Clean Air Plan, and the ALUCP. Project consistency with the 2017 Clean Air Plan is discussed in Section 4.2, *Air Quality*. Project consistency with applicable goals and policies of Plan Bay Area 2050 are identified below in Table 4.6-1. Consistency of the project with the ALUCP is described below.

Table 4.6-1 Project Consistency with the Plan Bay Area 2050

Plan Bay Area Goals	Project Consistency
Environmental Strategies	
EN4. Maintain urban growth boundaries. Using urban growth boundaries and other existing environmental protections, focus new development within the existing urban footprint or areas otherwise suitable for growth, as established by local jurisdictions.	**Consistent.** The Planning Area is within the City's Sphere of Influence and urban limit line boundaries.
Economic Strategies	
EC4. Allow greater commercial densities in Growth Geographies. Allow greater densities for new commercial development in select Priority Development Areas and Transit-Rich Areas to encourage more jobs to locate near public transit.	**Consistent.** The following 2040 General Plan proposed goals and policies encourages commercial and mixed-use development that is clustered and attractive to pedestrians and cyclists. ▪ **Goal LU-3:** Attractive and vibrant neighborhoods, community, and regional commercial centers with convenient shopping, services, entertainment, and social interaction. ▪ **Policy LU-3.1: Diversity of Commercial Uses.** Provide for a diversity of retail and service commercial uses that support multiple neighborhoods and the greater community, reduce the need for trips to adjacent jurisdictions for goods and services, and provide shopping and service opportunities for commuters, visitors, and tourists. ▪ **Goal LU-4:** Improve the appearance and functionality of the Highway 29 corridor and establish a Town Center to provide for economically sound local-serving commercial development. ▪ **Policy LU-4.9: Commercial Clustering.** Encourage the clustering of commercial activities along Highway 29 to provide more attractive and cohesive facilities while minimizing potential circulation conflicts. Overall, compared to existing conditions, the project could add approximately 5.7 million square feet of commercial, retail, hotel, industrial, warehouse, and research and development uses. With implementation of the proposed goals and policies in the 2040 General Plan, the project would be consistent with strategy EC4.

Plan Bay Area Goals	Project Consistency
EC6. Retain and invest in key industrial lands. Implement local land use policies to protect key industrial lands, identified as Priority Production Areas, while funding key infrastructure improvements in these areas.	**Consistent.** Portions of the Planning Area are mapped as Priority Production Areas by ABAG. The project would facilitate infrastructure and roadway improvements while maintaining existing industrial lands throughout the Planning Area.

The Napa County Airport is located less than one mile north of the city limits and development within the Napa County Airport's sphere of influence is governed by the ALUCP. Portions of the northern areas of the city are located within Compatibility Zone D and Zone E. The Napa County ALUCP contains "Supporting Compatibility Policies" related to noise, safety, airspace protection, and overflight (ALUC 1991). Consistency with the ALUCP regarding noise and maintenance of acceptable noise levels is discussed in Section 4.7, *Noise*, which finds impacts to be less than significant. Consistency with the ALUCP regarding hazards, including those related to safety, airspace protection, and overflight, is discussed in Section 4.15, *Effect Found to be Less Than Significant*, which finds impacts to be less than significant. As such, the project would be consistent with the ALUCP and impacts would be less than significant.

As demonstrated above, the project would be consistent with Plan Bay Area 2050 and the ALUCP. Therefore, impacts would be less than significant.

Mitigation Measures

No additional mitigation measures for land use and planning would be required beyond those identified throughout this EIR, including Mitigation Measures AES-1 and AES-2; AQ-1 through AQ-4; BIO-1 and BIO-2; CUL-1 through CUL-3; GHG-1 through GHG-3; NOI-1 through NOI-3; PAL-1; and WF-1 and WF-2.

Significance After Mitigation

Impacts would be less than significant without mitigation, beyond those identified throughout this EIR.

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4.7 Noise

This section analyzes noise and groundborne vibration impacts associated with the project, including short-term construction and long-term operational noise and vibration. Noise modeling results associated with the analysis herein are included in Appendix C to this EIR.

4.7.1 Environmental Setting

a. Fundamentals of Noise

Sound is a vibratory disturbance created by a moving or vibrating source, which is capable of being detected by the hearing organs. Noise is defined as sound that is loud, unpleasant, unexpected, or undesired and may therefore be classified as a more specific group of sounds. The effects of noise on people can include general annoyance, interference with speech communication, sleep disturbance, and in the extreme, hearing impairment (California Department of Transportation [Caltrans] 2013).

Noise levels are commonly measured in decibels (dB) using the A-weighted sound pressure level (dBA). The A-weighting scale is an adjustment to the actual sound pressure levels so that they are consistent with the human hearing response. Decibels are measured on a logarithmic scale that quantifies sound intensity in a manner similar to the Richter scale used to measure earthquake magnitudes. A doubling of the energy of a noise source, such as doubling of traffic volume, would increase the noise level by 3 dBA; dividing the energy in half would result in a 3 dBA decrease (Caltrans 2013).

Human perception of noise has no simple correlation with sound energy: the perception of sound is not linear in terms of dBA or in terms of sound energy. Two sources do not “sound twice as loud” as one source. It is widely accepted that the average healthy ear can barely perceive changes of 3 dBA, increase or decrease (i.e., twice the sound energy); that a change of 5 dBA is readily perceptible; and that an increase (or decrease) of 10 dBA sounds twice (half) as loud (Caltrans 2013).

Sound changes in both level and frequency spectrum as it travels from the source to the receiver. The most obvious change is the decrease in sound level as the distance from the source increases. The manner by which noise declines with distance depends on factors such as the type of sources (e.g., point or line), the path the sound will travel, site conditions, and obstructions. Noise levels from a point source (e.g., construction, industrial machinery, ventilation units) typically attenuate, or drop off, at a rate of 6 dBA per doubling of distance. Noise from a line source (e.g., roadway, pipeline, railroad) typically attenuates at about 3 dBA per doubling of distance (Caltrans 2013). The propagation of noise is also affected by the intervening ground, known as ground absorption. A hard site, such as a parking lot or smooth body of water, receives no additional ground attenuation and the changes in noise levels with distance (drop-off rate) result simply from the geometric spreading of the source. An additional ground attenuation value of 1.5 dBA per doubling of distance applies to a soft site (e.g., soft dirt, grass, or scattered bushes and trees) (Caltrans 2013).

Noise levels may also be reduced by intervening structures. The amount of attenuation provided by this “shielding” depends on the size of the object and the frequencies of the noise levels. Natural terrain features, such as hills and dense woods, and man-made features, such as buildings and walls, can alter noise levels. Generally, any large structure blocking the line of sight will provide at least a 5 dBA reduction in source noise levels at the receiver.

Noise Descriptors

The impact of noise is not a function of loudness alone. The time of day when noise occurs, its frequency, and the duration of the noise are also important. In addition, most noise that lasts for more than a few seconds is variable in its intensity. Consequently, a variety of noise descriptors have been developed.

One of the most frequently used noise metrics that considers both duration and intensity is the equivalent noise level (L_{eq}). The L_{eq} is defined as the single steady A-weighted level that is equivalent to the same amount of energy as that contained in the actual fluctuating levels over a period of time. Typically, L_{eq} is equivalent to a one-hour period, even when measured for shorter durations, as the noise level of a 10- to 30-minute period would be the same as the hour if the noise source is relatively steady. L_{max} is the highest Root Mean Squared (RMS) sound pressure level within the sampling period, and L_{min} is the lowest RMS sound pressure level within the measuring period. Normal conversational levels at three feet are in the 60- to 65-dBA L_{eq} range and ambient noise levels greater than 65 dBA L_{eq} can interrupt conversations (Federal Transit Administration [FTA] 2018).

Noise that occurs at night tends to be more disturbing than that which occurs during the day. Community noise is usually measured using Day-Night Average Level (L_{dn} or DNL), which is a 24-hour average noise level with a +10 dBA penalty for noise occurring during nighttime (10:00 p.m. to 7:00 a.m.) hours, or Community Noise Equivalent Level (CNEL), which is the 24-hour average noise level with a +5 dBA penalty for noise occurring from 7:00 p.m. to 10:00 p.m. and a +10 dBA penalty for noise occurring from 10:00 p.m. to 7:00 a.m. (Caltrans 2013). Noise levels described by DNL and CNEL usually differ by about 0.5 dBA and are, therefore, generally considered to be interchangeable.

b. Overview of Groundborne Vibration

In environmental analysis, groundborne vibration of concern consists of the oscillatory waves that move from a source through the ground to adjacent structures. The number of cycles per second of oscillation makes up the vibration frequency, described in terms of Hertz. The frequency of a vibrating object describes how rapidly it oscillates. Typically, groundborne vibration generated by human activities attenuates rapidly with distance from the source of the vibration.

While people have varying sensitivities to vibrations at different frequencies, in general they are most sensitive to low-frequency vibration. Vibration in buildings, such as from nearby construction activities, may cause windows, items on shelves, and pictures on walls to rattle. Vibration of building components can also take the form of an audible low-frequency rumbling noise, referred to as groundborne noise. Groundborne noise is usually only a problem when the originating vibration spectrum is dominated by frequencies in the upper end of the range (60 to 200 Hertz), or when foundations or utilities, such as sewer and water pipes, physically connect the structure and the vibration source (FTA 2018). Although groundborne vibration is sometimes noticeable in outdoor environments, it is almost never annoying to people who are outdoors. The primary concern from vibration is that it can be intrusive and annoying to building occupants and vibration-sensitive land uses.

Vibration energy spreads out as it travels through the ground, causing the vibration level to diminish with distance away from the source. High-frequency vibrations diminish much more rapidly than low frequencies, so low frequencies tend to dominate the spectrum at large distances from the source. Discontinuities in the soil strata can also cause diffractions or channeling effects that affect the propagation of vibration over long distances (Caltrans 2020). When a building is impacted by

vibration, a ground-to-foundation coupling loss will usually reduce the overall vibration level. However, under rare circumstances, the ground-to-foundation coupling may amplify the vibration level due to structural resonances of the floors and walls.

Vibration amplitudes are usually expressed in peak particle velocity (PPV). The PPV is normally described in inches per second (in/sec). PPV is defined as the maximum instantaneous positive or negative peak of a vibration signal. PPV is often used in monitoring of blasting vibration and other construction activity because it is related to the stresses that are experienced by buildings (Caltrans 2020). Table 4.7-1 summarizes the vibration damage criteria recommended by the FTA for evaluating the potential for architectural damage to buildings.

Table 4.7-1 Criteria for Vibration Damage Potential

Building Category	PPV (in/sec)
I. Reinforced concrete, steel, or timber (no plaster)	0.5
II. Engineered concrete and masonry (no plaster)	0.3
III. Nonengineered timber and masonry buildings	0.2
IV. Buildings extremely susceptible to vibration damage	0.12

in/sec = inches per second; PPV = peak particle velocity

Source: FTA 2018

c. Sensitive Receivers

According to the City's 2040 General Plan, the City defines noise-sensitive land uses as residential uses, residential care, child/elder care facilities, schools, places of worship, and hospitals. Vibration-sensitive receivers, which are similar to noise-sensitive receivers include residences, hotels, and institutional uses, such as hospitals, schools, and churches. However, vibration-sensitive receivers also include buildings where vibrations may interfere with vibration-sensitive equipment (e.g., recording studies or medical facilities with sensitive equipment). Other uses that may have particular sensitivity to groundborne vibration include historic sites and structures.

Noise-sensitive land uses are located throughout American Canyon. Residential development is located on the western and eastern sides of the City, mostly away from State Route (SR) 29 and the noise-generating areas of the airport and commercial area to the north. Schools, daycares, and assisted living facilities are located within these quieter residential areas, ensuring they are also located away from major noise sources.

d. Existing Conditions

Noise Sources

The most prevalent noise source in the City is from vehicle traffic along SR 29 and American Canyon Road. Motor vehicle noise is characterized by a high number of individual events that can create a sustained noise level in proximity to noise-sensitive uses. Roadways with the highest roadway vehicle volumes and speeds produce the highest noise levels. Table 4.7-2 provides existing roadway vehicle noise levels along roadway segments near the project area. Traffic noise modeling data are contained in Appendix C.

Table 4.7-2 Existing Traffic Noise Levels Along Roadway Segments

Roadway	Segment	Existing ADT [1, 2]	Existing Traffic Noise Level at 50 feet (dBA CNEL) [3]
SR 29	North of SR 37	43,483	77.1
SR 29	South of Mini Drive	37,492	76.3
SR 29	North of Mini Drive	43,469	76.6
SR 29	North of American Canyon Road	49,579	77.1
SR 29	South of Napa Junction Road	40,762	77.1
SR 29	North of Napa Junction Road	59,044	78.6
SR 29	North of Green Island Road	60,263	79.2
SR 29	South of SR 12	59,200	78.9
American Canyon Road	West of SR 29	15,330	69.5
American Canyon Road	East of Flosden Road	10,771	67.1
American Canyon Road	West of I-80	4,076	66.0
Flosden Road	South of American Canyon Road	21,510	71.1
Newell Drive	North of American Canyon Road	9,685	64.0
South Kelly Road	South of SR 12	1,602	59.2

1. ADT = average daily traffic
2. Source: GHD 2022
3. Traffic noise levels were estimated based on the existing ADT by Rincon staff.

Figure 4.7-1 shows the existing 60, 65, and 70 dBA CNEL noise contours from roadways and highways in the Planning Area.

Airport noise associated with Napa County Airport operations is an additional noise source in American Canyon. The northern City boundary is just south of the Napa County Airport, with industrial buildings closest to the airport and residences located approximately four miles south. The Napa County Airport does not support commercial flights and mostly serves single-engine aircraft. Napa County projects that by 2021, the Napa County Airport would operate between approximately 210,000 and 260,000 total aircrafts (County of Napa 2007). The northern portion of American Canyon falls within the Napa County Airport Compatibility Zones D and E (Federal Aviation Administration [FAA] 2008).

Railroad operations are another source of noise in some parts of the Planning Area. Average noise levels from rail traffic vary depending on the number of daily trains along a given rail line, the timing and duration of train pass-by events, and whether trains sound their warning whistles near "at-grade" crossings. When trains approach an at-grade crossing, they are required to sound their warning horn within a quarter mile unless a Federal Railroad Administration (FRA) Quiet Zone has been established. There are no FRA Quiet Zones in the Planning Area; therefore, trains must sound their warning horn in the Planning Area. Train warning horns typically generate maximum noise levels of 105 to 110 dBA at 100 feet.

Using train data provided by the FRA and the Bay Area Regional Rail Plan (FRA 2022, MTC 2006), railroad noise levels were modeled using the FTA CREATE Model and the FRA Grade Crossing Horn Model. Table 4.7-3 contains the calculated distances to the 65 dBA L_{dn}/CNEL contours from railroad noise, both from the main line and within a quarter mile of grade crossings where horn warnings are required. Switching train activity is also a source of noise in the area around Napa Junction.

Table 4.7-3 Existing Railroad Noise Levels

Operator	Line	Distance (feet) to 65 dBA L_{dn}/CNEL Contour (Mail Line)	Distance (feet) to 65 dBA L_{dn}/CNEL Contour (Within ¼ Mile of Grade Crossing)
CFNR	Ignacio to Fairfield/Suisun	50	218
CFNR	Calistoga to Vallejo	35	199

Notes: CFNR = California Northern Railroad Company

Source: Calculated using the FTA CREATE Model and the FRA Grade Crossing Horn Model. See Appendix C.

Vibration Sources

Existing sources of operational vibration in the Planning Area include railroad operation and vehicle traffic on roadways. Caltrans has studied the effects of propagation of vehicle vibration on sensitive land uses and notes that "heavy trucks, and quite frequently buses, generate the highest earthborn vibrations of normal traffic." Caltrans further notes that the highest traffic-generated vibrations are along freeways and state routes. Their study finds that "vibrations measured on freeway shoulders (five meters from the centerline of the nearest lane) have never exceeded 0.08 in/sec, with the worst combinations of heavy trucks and poor roadway conditions (while such trucks were moving at freeway speeds). This level coincides with the maximum recommended safe level for ruins and ancient monuments (and historic buildings)" (Caltrans 2013). Construction vibration levels have the potential to be significant when equipment such as impact and vibratory pile drivers, rock blasting, and vibratory rollers are used during construction.

4.7.2 Regulatory Setting

a. Federal Regulations

Occupational Health and Safety Administration

The federal government regulates occupational noise exposure common in the workplace through the Occupational Health and Safety Administration (OSHA) under the United State Environmental Protection Agency. Noise limitations would apply to the operation of construction equipment and could also apply to any proposed industrial land uses. Noise exposure of this type is dependent on work conditions and is addressed through a facility's Health and Safety Plan, as required under OSHA, and is not addressed further in this analysis. Since the federal government has preempted setting noise level standards for transportation sources, local jurisdictions are limited to regulating noise generated by the transportation system through nuisance abatement ordinances and land use planning.

Figure 4.7-1 Existing Traffic Noise Contours

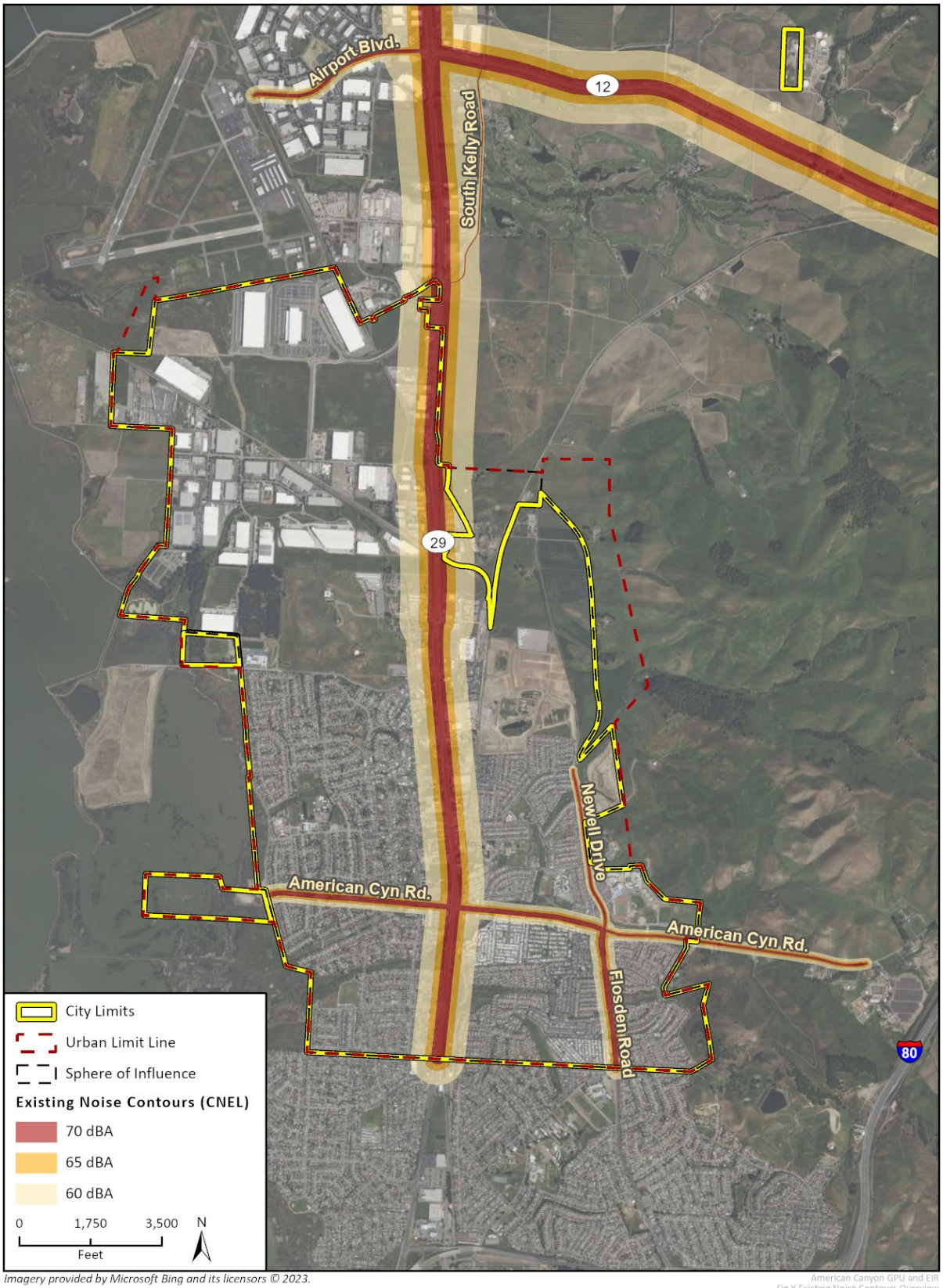

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Fig X Existing Noise Contours Overview

US Department of Housing and Urban Development

The US Department of Housing and Urban Development (HUD) has set the goal of 65 dBA Ldn as a desirable maximum exterior standard for residential units developed with HUD funding (this level is also generally accepted within the State of California). Although HUD does not specify acceptable interior noise levels, standard construction of residential dwellings typically provides 20 dBA or more of attenuation with the windows closed. Based on this premise, the interior Ldn should not exceed 45 dBA.

b. State Regulations

California General Plan Guidelines

State law requires general plans to include a Noise Element under Government Code Section 65302(f). The California General Plan Guidelines, published by the Governor's Office of Planning and Research, indicate acceptable, specific land use types in areas with specific noise exposure. The guidelines also offer adjustment factors that may be used to arrive at noise acceptability standards that reflect the noise control goals of the community, the community's sensitivity to noise, and the community's assessment of the relative importance of noise pollution. These guidelines are advisory, and local jurisdictions have the authority to set specific noise standards based on local conditions.

California Building Code

California Code of Regulations Title 24, Building Standards Administrative Code, Part 2, Chapter 12, and the California Building Code codify the State noise insulation standards. These noise standards apply to new construction in California to control interior noise levels as they are affected by exterior noise sources and interior noise sources from separate areas. The regulations specify that interior noise levels shall not exceed 45 dB CNEL/L_{dn} in any habitable room, as well as specifying sound transmission class requirements for walls, floors, and ceilings around sleeping units.

In addition, the standards require an acoustical analysis that demonstrates the manner dwelling units will meet the interior standard, when units are proposed with exterior noise levels greater than 60 dBA CNEL. Title 24 standards are typically enforced by local jurisdictions through the building permit application process.

California Green Building Code

California Green Building Standards Code 2019 (CALGreen) Section 5.507.4, Acoustical Control, regulates construction of non-residential uses within the 65 dBA CNEL/L_{dn} contour of an airport, freeway, expressway, railroad, industrial noise source, or other fixed source. According to Section 5.507.4.1.1: buildings exposed to a noise level of 65 dB L_{eq}(1-hr) during any hour of operation shall employ sound-resistant assemblies as determined by a prescriptive method (CALGreen Section 5.507.4.1) or performance method (CALGreen Section 5.507.4.2).

Projects may demonstrate compliance through the prescriptive method if wall and roof-ceiling assemblies exposed to the noise source meet a composite sound transmission class (STC) rating of at least 50 or a composite outdoor/indoor transmission class (OITC) rating of no less than 40, with exterior windows of a minimum STC of 40 or OITC of 30. Projects may demonstrate compliance through the performance method if wall and roof-ceiling assemblies exposed to the noise source

are constructed to provide an interior noise environment that does not exceed 50 dB $L_{eq\text{-}1Hr}$ in occupied areas during hours of operations.

California Airport Noise Standards

California Code of Regulations Title 21, Subchapter 6, Airport Noise Standards, establishes 65 dBA CNEL as the acceptable level of aircraft noise for persons living in the vicinity of airports. Noise-sensitive land uses are generally incompatible in locations where the aircraft exterior noise level exceeds 65 dBA CNEL. This standard remains unless an aviation easement for aircraft noise has been acquired by the airport proprietor, or the residence is a high-rise with an interior CNEL of 45 dBA or less in all habitable rooms. Assembly Bill (AB) 2776 requires any person who intends to sell or lease residential properties in an airport influence area to disclose that fact to the person buying the property.

c. Regional

Napa County Airport Land Use Compatibility Plan

The Napa County Airport Land Use Compatibility Plan (ALUCP) governs land use around the Napa County Airport. The ALUCP was adopted by the Napa County Airport Land Use Commission in April 1991 and revised in December 1999. It identifies acceptable aviation noise levels by land use.

d. Local Regulations

City of American Canyon Municipal Code

Section 8.12.070 of the American Canyon Municipal Code identifies that no person shall create any sound, or allow the creation of any sound, on any property that causes the exterior sound level on any other occupied property to exceed the sound level standards shown in Table 4.7-4 due to stationary sources.

Section 8.12.080 of the American Canyon Municipal Code identifies the following requirements.

- Section 8.12.080 (B)(2)(a). Operating or causing the operation of any tools or equipment used in construction, drilling, repair, alteration or demolition work between the hours of 7:00 p.m. and 7:00 a.m., such that the sound therefrom creates a noise disturbance across a residential or commercial real property line, except for emergency work of public service utilities or by variance issued by the appropriate authority.
- Section 8.12.080 (B)(2)(b). Noise Restrictions at Affected Properties. Where technically and economically feasible, construction activities shall be conducted in such a manner that the maximum noise levels at affected properties will not exceed those listed in Table 4.7-5.

Table 4.7-4 Exterior Noise Limits for Stationary Sources

Zone	Time	Allowable Noise Limit (L_{50})
Residential Single and Double	Nighttime (10:00 p.m. to 7:00 a.m.)	50
	Daytime (7:00 a.m. to 10:00 p.m.)	60
Residential Multiple	Nighttime (10:00 p.m. to 7:00 a.m.)	55
	Daytime (7:00 a.m. to 10:00 p.m.)	60

Source: Section 8.12.070 of American Canyon Municipal Code

Table 4.7-5 Noise Limits for Construction Activities

Time	Noise Limit by Receiving Land Use (L_{max})		
	Residential	Commercial	Industrial
7:00 a.m. to 7:00 p.m.	75	80	85
7:00 p.m. to 7:00 a.m.	60	65	70

Source: Section 8.12.080 of American Canyon Municipal Code

4.7.3 Impact Analysis

a. Significance Thresholds and Methodology

Significance Thresholds

Based on Appendix G of the CEQA Guidelines a project may be deemed to have a significant impact on noise if it would:

1. Generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies
2. Generate excessive groundborne vibration or groundborne noise levels
3. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels

Construction Noise Thresholds

The City has adopted construction noise limits, as shown in Table 4.7-5 above. Project impacts would be significant if construction noise exceeds these standards.

Operational Noise Thresholds

The City has adopted noise standards in the American Canyon Municipal Code that regulate stationary operational noise sources in the City. The project would result in a significant impact if it generates noise from stationary sources in excess of the standards shown in Table 4.7-4.

For traffic noise, the following thresholds of significance similar to those recommended by the Federal Aviation Administration (FAA) are used to assess traffic noise impacts at sensitive receiver locations:

- Greater than 1.5 dBA increase for ambient noise environments of 65 dBA CNEL and higher;
- Greater than 3 dBA increase for ambient noise environments of 60 - 64 CNEL; and
- Greater than 5 dBA increase for ambient noise environments of less than 60 dBA CNEL.

Groundborne Vibration Thresholds

The City has not adopted a significance threshold to assess vibration impacts. Therefore, the *Transit Noise and Vibration Impact Assessment Manual* (FTA 2018) is used to evaluate potential construction vibration impacts. Construction vibration impacts would be significant if vibration levels exceed the FTA criteria shown in Table 4.7-1. For example, impacts would be significant if vibration levels exceed 0.2 in/sec PPV for residential structures and 0.3 in/sec PPV for commercial

structures, which is the limit where minor cosmetic (i.e., architectural) damage may occur to these buildings.

Methodology

Construction Noise

Construction noise levels that could occur with implementation of the project are based on reference noise levels published by the FTA.

Operational Stationary Noise

Stationary noise (i.e., on-site operational noise) were analyzed in context of typical mechanical equipment on commercial, industrial, residential, and mixed-use development such as heating, ventilation, and air conditioning (HVAC) units.

Operational Traffic Noise

Development facilitated by the project would generate motor vehicle trips, thereby increasing off-site traffic on area roadways. The project's traffic noise impacts are analyzed based on data provided by the City's traffic engineer GHD, which is included as Appendix C to this EIR. Traffic noise levels for existing and project conditions were estimated using the FHWA traffic noise prediction model methodology. Traffic noise impacts are analyzed based on average daily traffic (ADT) roadway volume for existing and future conditions, as well as speeds, and number of lanes data. The FHWA model predicts noise levels through a series of adjustments to a reference sound level. These adjustments account for distances from the roadway, traffic volumes, vehicle speeds, car/truck mix, number of lanes, and road width.

Groundborne Vibration

Future development facilitated by the project would not include substantial vibration sources associated with operation. Construction activities have the greatest potential to generate groundborne vibration affecting nearby noise-sensitive receivers. Construction vibration levels that could occur due to buildout of the project are based on reference vibration levels published by the FTA.

Impact of the Environment on the Project

As a result of the Supreme Court decision regarding the assessment of the environment's impacts on projects (California Building Industry Association (CBIA) v. Bay Area Air Quality Management District (BAAQMD), 62 Cal. 4th 369 (No. S 213478) issued December 17, 2015), it is generally no longer the purview of the CEQA process to evaluate the impact of existing environmental conditions on a proposed project. Therefore, this environmental analysis does not consider the potential impacts of the environment (i.e., existing noise) on the project.

b. Project Impacts and Mitigation Measures

Threshold 1:	Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

IMPACT NOI-1 CONSTRUCTION OF DEVELOPMENT FACILITATED BY THE PROJECT WOULD TEMPORARILY INCREASE NOISE LEVELS, POTENTIALLY AFFECTING NEARBY NOISE-SENSITIVE LAND USES. DEVELOPMENT FACILITATED BY THE PROJECT WOULD ALSO INTRODUCE NEW NOISE SOURCES AND CONTRIBUTE TO INCREASES IN OPERATIONAL NOISE. THE CONTINUED REGULATION OF NOISE, CONSISTENT WITH THE CITY MUNICIPAL CODE AND IMPLEMENTATION OF PROPOSED POLICIES IN THE 2040 GENERAL PLAN WOULD MINIMIZE IMPACTS TO ADJACENT LAND USES. HOWEVER, CONSTRUCTION AND OPERATIONAL TRAFFIC NOISE COULD EXCEED STANDARDS EVEN AFTER IMPLEMENTATION OF MITIGATION. THIS IMPACT WOULD BE SIGNIFICANT AND UNAVOIDABLE.

Construction

Noise from individual development facilitated by the project would temporarily increase noise levels at nearby noise-sensitive receivers. Since project-level details are not available for future development, it is not possible to determine exact noise levels, locations, or time periods for construction. However, noise estimates have been developed for typical construction activities that are expected to occur due to the 2040 General Plan.

Construction activities would generate noise from demolition, site preparation, grading, building construction, and paving activities. Each phase of construction has a specific mix of construction equipment and associated noise characteristics, depending on the equipment used during that phase. Construction noise would typically be higher during the initial phases of construction (i.e., demolition, site preparation, and grading work) and would be lower during the later construction phases (i.e., building construction and paving). Table 4.7-6 illustrates typical noise levels associated with construction equipment at 50 feet and 100 feet.

Table 4.7-6 Typical Noise Levels for Construction Equipment

	Estimated Noise Levels (dBA L_{eq})	
Equipment	**50 feet**	**100 feet**
Air Compressor	80	74
Backhoe	80	74
Concrete Mixer	85	79
Dozer	85	79
Grader	85	79
Jack Hammer	88	82
Loader	80	74
Paver	85	79
Pile-drive (Impact)	101	95
Pile-driver (Sonic)	95	89

Equipment	Estimated Noise Levels (dBA L_{eq})	
	50 feet	100 feet
Roller	85	79
Saw	76	70
Scarified	83	77
Scraper	85	79
Truck	84	78

Source: FTA 2018.

The American Canyon Municipal Code Section 8.12 includes quantitative limits for construction noise at residential, commercial, and industrial receiving land uses. These construction noise limits are used to assess construction noise impacts.

Noise would typically drop at a rate of approximately 6 dBA per doubling of distance. Therefore, noise levels would be approximately 6 dBA lower than shown in Table 4.7-6 at 200 feet from the noise source and 12 dBA lower at a distance of 400 feet from the noise source. As shown in Table 4.7-6, construction noise may exceed the City's daytime and nighttime construction noise thresholds for residential, commercial, and industrial land uses, depending on the equipment used and the distance of equipment to noise-sensitive receivers.

The 2040 General Plan would include the following proposed goal and policy, which would minimize construction noise from individual development facilitated by the project:

Goal S-8: A comfortable community environment that is free from excessive stationary and mobile noise and vibration.

- **Policy S-8.10: Construction Noise.** Minimize exposure of sensitive receivers and enforce the limits in Section 8.12 of the municipal code for construction noise and vibration through methods such as restricting construction to daytime hours, use of sound barriers and/or other methods to dampen noise from construction equipment, and public notification prior to construction activities.

At this stage of planning, project-level details are not available for future projects and it is not possible to determine noise levels from construction of future development. Therefore, construction noise levels associated with future projects may exceed the City's construction noise limits, and impacts would be potentially significant.

Implementation of Mitigation Measure NOI-1 would reduce construction noise impacts associated with future projects in American Canyon. However, even with implementation of mitigation, there is still the possibility that future development could exceed the City's construction noise thresholds due to pile driving or other intensive construction activities, or due to construction occurring during sensitive nighttime hours. Therefore, the 2040 General Plan construction noise impacts would be significant and unavoidable.

Operational Stationary Noise

Stationary sources of noises may occur on different types of land uses. Residential uses would generate noise from landscaping, maintenance activities, and mechanical equipment such as ground-level and rooftop HVAC systems. Commercial uses would generate noise from HVAC

systems, loading docks, and other sources. Industrial uses may generate noise from HVAC systems, loading docks, and possibly machinery. Noise generated by residential or commercial uses is generally short and intermittent. Industrial uses may generate noise on a more continual basis. Nightclubs, outdoor dining areas, gas stations, car washes, fire stations, drive-throughs, swimming pool pumps, school playgrounds, athletic and music events, and public parks are other common noise sources. The proposed Safety Element contains goals, policies, and programs that require local planning and development decisions to consider noise-related impacts from stationary sources. The following proposed goal, policies, and programs in the 2040 General Plan would minimize potential adverse noise-related impacts from stationary sources:

Goal S-8: A comfortable community environment that is free from excessive stationary and mobile noise and vibration.

- **Policy S-8.1: Land Use Compatibility.** Use the land use-noise compatibility matrix in Table S-1 to guide the siting of future land uses.
- **Policy S-8.2: Sensitive Facilities**. Ensure appropriate noise mitigation is incorporated into the design of noise- sensitive facilities.
- **Policy S-8.3: Site Design**. Minimize noise impacts to adjacent noise-sensitive land uses in site planning and project design.
- **Policy S-8.12: Residential Outdoor Mechanical Equipment**. Require air conditioning units and pool equipment within residential areas be designed and sited in a manner that does not intrude upon the peace and quiet of adjacent noise-sensitive uses.
- **Program PPP: Noise Compatibility Matrix.** Continue to enforce Chapter 8.12 *Community Noise* of the municipal code.
- **Program QQQ: Acoustical Analyses.** Require applicants to submit an acoustical analysis for projects near sensitive land uses or involving new or expanded sensitive land uses and require appropriate mitigation measures to reduce noise impacts if necessary to less than significant levels.
- **Program RRR: Noise Insultation.** Require new residential development meet the California Noise Insulation Standards (Title 24 of the California Administrative Code) for interior and exterior noise levels.

Implementation of these policies and compliance with the City's exterior noise standards for stationary sources would ensure that noise from new developments is analyzed and mitigated to acceptable levels prior to the approval of future development. Therefore, noise impacts from operational use of residential-scale HVAC units, industrial equipment, and other stationary noise sources would be reduced by proposed policies and programs in the 2040 General Plan, and impacts would be less than significant.

Operational Traffic Noise

Implementation of the project would result in additional buildout, which would generate new vehicle trips that could incrementally increase operational traffic noise. Figure 4.7-2 shows the 60, 65, and 70 dBA CNEL noise contours from roadways and highways that are projected for 2040. The complete distances to the 60, 65, and 70 dBA CNEL noise contours for roadway segments are included in Appendix C. Table 4.7-7 shows the estimated roadway vehicle noise level increases on study roadway segments over existing conditions, at 50 feet from the centerline of the nearest travel lane.

In addition, the proposed Newell Drive extension would add new sources of roadway traffic noise. Traffic noise levels for 2040 Buildout conditions were estimated using the FHWA traffic noise prediction model methodology and data provided by GHD. Under 2040 Buildout conditions, the Newell Drive extension is estimated to have up to 26,519 vehicles per day. The nearest sensitive receptor to the proposed Newell Drive extension are residences adjacent to the proposed roadway extension at the north end of Newell Drive (e.g., residences on Farentino Place and Cantada Court). At a nominal distance of 50 feet from the roadway centerline, traffic noise from the proposed Newell Drive extension would result in noise levels of up to 68.4 dBA CNEL, as shown in Table 4.7-7, which would exceed the City's exterior standard of 60 dBA CNEL. Traffic noise impacts from the proposed Newell Drive extension would be potentially significant.

As shown in Table 4.7-7, significant traffic noise increases are anticipated along SR 37 east of Fairgrounds Road; American Canyon Road east of Flosden Road and west of I-80; Flosden Road south of American Canyon Road; Newell Drive north of American Canyon Road, and South Kelly Road south of SR 12. Along all other roadway study segments, roadway vehicle noise increases would be less than significant.

Figure 4.7-2 2040 Traffic Noise Contours

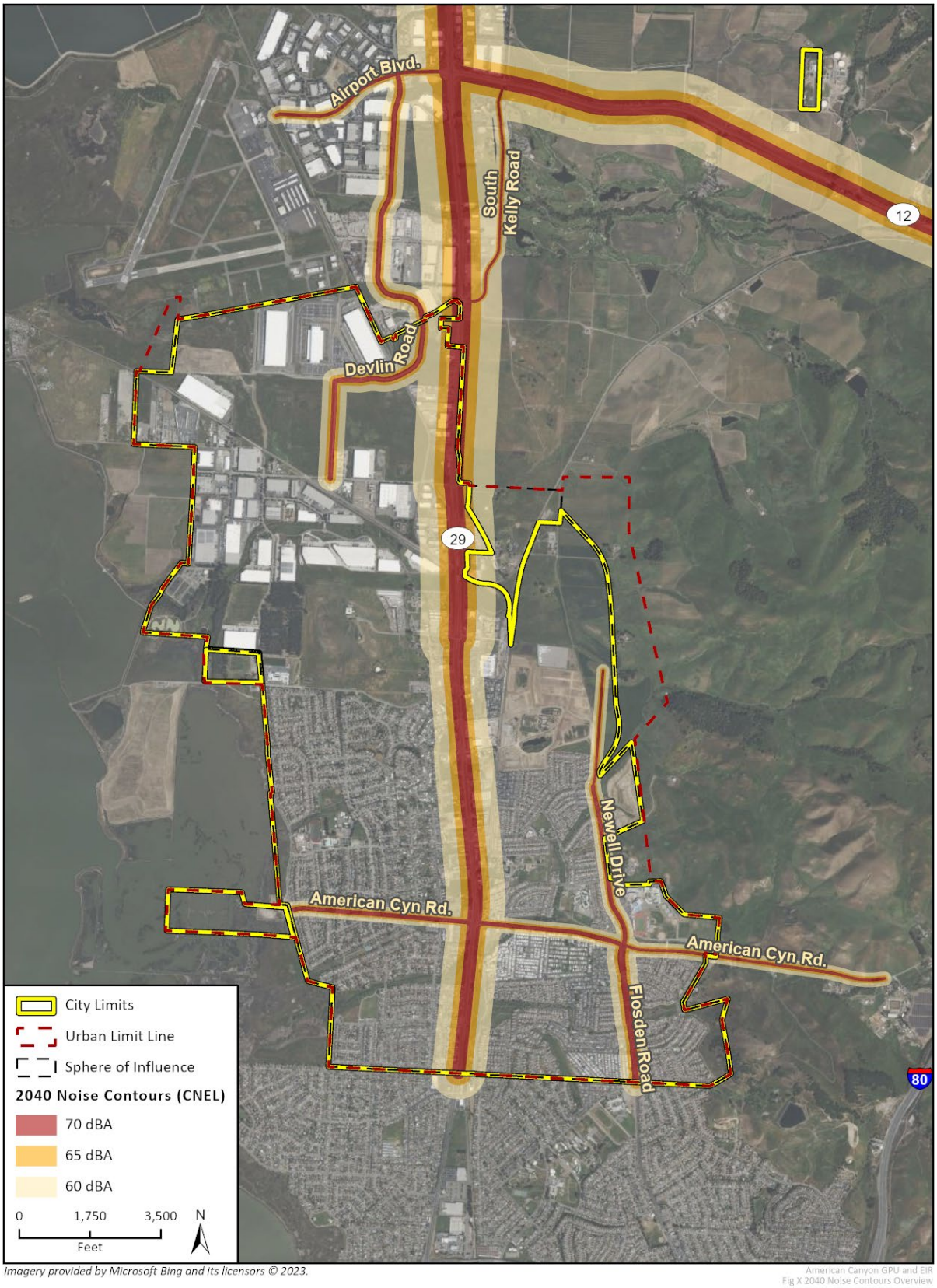

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Fig X 2040 Noise Contours Overview

Table 4.7-7 Roadway Vehicle Noise Increase Along Roadway Segments

Roadway Segment	Existing ADT	2040 Buildout ADT	Existing Roadway Vehicle Noise Level at 50 feet (dBA CNEL)	2040 Roadway Vehicle Noise Level at 50 feet (dBA CNEL)	Roadway Vehicle Noise Increase (dBA CNEL)	Significant? Y/N
I-80 – South of SR 37	110,006	146,018	83.6	84.8	1.2	N
I-80 - South of American Canyon Road	109,042	147,666	83.4	84.8	1.3	N
I-80 - South of Red Top Road	112,650	149,993	83.6	84.9	1.2	N
I-80 - South of SR 12	97,782	135,651	83.0	84.4	1.4	N
I-80 - North of SR 12	136,706	183,562	84.9	86.2	1.3	N
SR 29 - South of SR 37	24,051	31,935	73.2	74.4	1.2	N
SR 29 - North of SR 37	43,483	48,337	77.1	77.5	0.5	N
SR 29 - South of Mini Drive	37,492	40,554	76.3	76.7	0.3	N
SR 29 - North of Mini Drive	43,469	46,425	76.6	76.8	0.3	N
SR 29 - North of American Canyon Road	49,579	52,117	77.1	77.3	0.2	N
SR 29 - South of Napa Junction Road	40,762	41,222	77.1	77.1	0.0	N
SR 29 - North of Napa Junction Road	59,044	66,806	78.6	79.2	0.5	N
SR 29 - North of Green Island Road	60,263	66,145	79.2	79.6	0.4	N
SR 29 - South of SR 12	59,200	66,059	78.9	79.4	0.5	N
SR 29 - North of SR 12	88,600	113,419	80.4	81.4	1.1	N
Airport Boulevard - West of SR 29	10,500	10,837	69.5	69.6	0.1	N
SR 12 - East of North Kelly Road	35,033	41,815	78.8	79.6	0.8	N
SR 12 - West of Red Top Road	37,179	43,770	78.9	79.6	0.7	N
SR 37 - West of SR 29	39,980	53,018	77.0	78.2	1.2	N
SR 37 - East of SR 29	62,495	79,835	78.8	79.9	1.1	N
SR 37 - East of Fairgrounds Road	69,800	104,578	79.4	81.1	**1.8**	Y
SR 37 - East of I-80	42,000	55,652	76.6	77.8	1.2	N
American Canyon Road - West of SR 29	15,330	18,166	69.5	70.3	0.7	N
American Canyon Road - East of Flosden Road	10,771	19,057	67.1	69.6	**2.5**	Y

Roadway Segment	Existing ADT	2040 Buildout ADT	Existing Roadway Vehicle Noise Level at 50 feet (dBA CNEL)	2040 Roadway Vehicle Noise Level at 50 feet (dBA CNEL)	Roadway Vehicle Noise Increase (dBA CNEL)	Significant? Y/N
American Canyon Road - West of I-80	4,076	16,044	66.0	71.9	**6.0**	Y
Hiddenbrook Parkway - East of I-80	6,023	7,962	64.5	65.7	1.2	N
Flosden Road - South of American Canyon Road	21,510	31,811	71.1	72.8	**1.7**	Y
Newell Drive - North of American Canyon Road	9,685	34,091	64.0	69.5	**5.5**	Y
Newell Drive – South of Napa Junction Road	-	26,519	-	68.4	-	N
South Kelly Road - South of SR 12	1,602	13,336	59.2	68.4	**9.2**	Y
Devlin Road - North of Green Island Road	-	10,312	-	74.7	-	N

Notes:

Neither Newell Drive – South of Napa Junction Road nor Devlin Road – North of Green Island Road exist in 2022.

ADT = average daily trips

Bold and underlined = significant increase

Source: GHD 2024

The following proposed policies in the 2040 General Plan would reduce traffic noise:

Goal S-8: A comfortable community environment that is free from excessive stationary and mobile noise and vibration.

- **Policy S-8.4: Roadway Noise**. Encourage nonmotorized transportation alternatives for local trips and decrease excessive motor vehicle noise by implementing traffic-calming road design, lateral separation, natural buffers, and setbacks.
- **Policy S-8.5: Highway Noise**. Continue to coordinate with California Department of Transportation (Caltrans) and the NVTA to complete the American Canyon SR 29 Corridor Improvement Project.
- **Policy S-8.7: Mobile Noise Sources.** Minimize exposure of sensitive receptors to noise from roads through land use decisions, by encouraging the siting of sensitive noise receptors away from high traffic roadways.
- **Policy S-8.8: Noise Mitigation Measures.** Require heavy trucks to use designated truck routes that avoid residential and other sensitive land uses to the maximum degree feasible. When not feasible, investigate noise mitigation strategies such as noise barriers or truck travel restrictions, especially in areas of concern such as along American Canyon Road.

In addition, the following proposed goals, policies, and implementation programs in the 2040 General Plan would encourage active transportation modes, such as walking and bicycling, as well as the use of public transit, thereby reducing vehicle trips and traffic noise in American Canyon:

Goal LU-1: Establish American Canyon as a "complete city" with a diversity of distinct land uses that serve the needs of residents, businesses, and visitors.

- **Policy LU-1.4: Compact Development Pattern**. Maintain a compact development pattern that fosters a walkable and bikeable urban form.

Goal MOB-1: Provide safe and convenient access throughout the community with a citywide network of complete streets that meet the needs of all users and reduce vehicle miles traveled (VMT).

- **Policy MOB-1.7: Promote Walking and Bicycling.** Promote walking and bicycling for transportation, recreation, and improvement of public health.
- **Policy MOB-1.11: Reduce the Need to Drive.** Implement land use policies designed to create a pattern of activity that makes it easy to shop, play, visit friends, and conduct personal business without driving.
- **Policy MOB-1.12: Neighborhood Context.** Support safe, complete, and well-connected neighborhood street, bicycle, and pedestrian access and connections that balance circulation needs with the neighborhood context.
- **Policy MOB-1.17: Reduce Vehicle Miles Traveled.** Through layout of land uses, improved alternate travel modes, and provision of more direct routes, strive to reduce the total vehicle miles traveled by city and non-residents traveling to American Canyon to work or shop.
- **Policy MOB-1.22: Non-motorized Circulation System.** Provide safe and direct pedestrian routes and bikeways between places.
- **Policy MOB-1.23: Pedestrian Connections to Employment Destinations**. Encourage the development of a network of continuous walkways within new commercial, town center, public, and industrial uses to improve workers' ability to walk safely around, to, and from their

workplaces. Where possible, route pedestrians to grade separated crossings over State Route 29.

- **Policy CIR-1.24: Bicycle Facilities.** Bicycle facilities shall be provided to complete a continuous bikeway system, consistent with state standards, as shown on the Bikeway Plan Map. In cases where existing right of way constraints limit development of Class II or Class IV facilities, Class Ill signage and demarcation may be permitted at the discretion of the City Engineer. Deviations from these standards and from the routing shown on the diagram shall be permitted with the approval of the City Engineer.
- **Policy CIR-1.27: Sustainable Roadway Expansion.** Monitor the effects of roadway expansion on air, noise, seismic and archeological resources, and nesting habitat.

Goal MOB-5: Support increased public transit to improve mobility, improve air quality, and support efforts to reduce vehicle miles traveled (VMT).

- **Policy MOB-5.2: Existing Transportation Demand Management Efforts**. Continue to support the implementation of existing local and regional efforts to manage traffic demand, such as the Napa Logistics Park trip monitoring program, and employer TDM provisions of the Bay Area Air Quality Management District (BAAAQMD).
- **Policy MOB-5.3: Multi-agency Transit support.** Continue to cooperate with other agencies and jurisdictions to promote local and regional public transit, including ACT and VINE serving American Canyon.
- **Policy MOB-5.5: Transit Stops.** Work with NVTA to situate transit stops at locations that are convenient for transit users and promote increased transit ridership through the provision of shelters, benches, bike racks on buses, and other amenities.
- **Policy CIR-5.7: Future Transit Links.** Consider orienting transit system expansion to link with other potential future commuter bus and/or rail services.
- **Program C: Active Transportation Plan.** Prepare and update every five years an Active Transportation Plan to replace the Bicycle Master Plan and include pedestrian facilities. The Plan should include a full range of facilities for bicycle travel, including Class I bike/multiuse paths, Class II bike lanes, Class Ill bike routes, and Class IV separated bikeway to provide a continuous system of bikeways throughout the city.
- **Program H: Bicycle Facility Development and Maintenance.** Prepare and update every five years a bike facility development and maintenance program that includes the following provisions:
  - signage consistent with according to Caltrans or City standards
  - lighting where needed;
  - bicycle paths and lanes on bridges and overpasses;
  - bicycle-safe drainage grates;
  - bikeways free of hazards such as uneven pavement or gravel;
  - merging or crossing signage where bike routes and paths make transitions into or across roadways;
  - promoting classes on bicycle safety in the schools in coordination with the Napa Valley Unified School District; and
  - sweeping debris from and repairing bicycle paths and lanes

- **Program K: Pedestrian Connections to Schools.** Continue developing the existing network of walkways between schools and residential uses, and encourage the development of new continuous walkways between schools and residential uses. Where possible, route pedestrians to grade separated crossings over State Route 29.

Implementation of these proposed policies and programs would reduce vehicle trips and associated traffic noise. However, implementation of these proposed policies and programs would not guarantee that traffic noise impacts would be less than significant. Mitigation Measure NOI-2 would be required to minimize roadway vehicle noise impacts on roadways that would generate significant traffic noise increases.

Implementation of Mitigation Measure NOI-2 would reduce operational traffic noise. Notable reductions in tire noise have been achieved via the implementation of special paving materials, such as rubberized asphalt or open-grade asphalt concrete overlays. For example, Caltrans conducted a study of pavement noise along I-80 in Davis and found an average improvement of 6 to7 dBA reduction compared to conventional asphalt overlay (Caltrans 2011). This would reduce impacts along American Canyon Road east of Flosden Road and west of I-80; Flosden Road south of American Canyon Road; and Newell Drive north of American Canyon Road/the proposed Newell Drive Extension to less than significant.

However, SR 37 east of Fairgrounds Road and South Kelly Road south of SR 12 is outside of the City's jurisdiction and the City is not able to add physical improvements along this roadway segment to reduce traffic noise. As the City has no jurisdiction over this roadway, it would be infeasible to implement mitigation measures to reduce traffic noise on SR 37 east of Fairgrounds Road and South Kelly Road south of SR 12. Therefore, this impact is considered significant and unavoidable.

Mitigation Measures

NOI-1 Conduct Construction Noise Analysis

The City shall review future developments within 1,000 feet of a sensitive receiver, and where applicable, require the following feasible measures as standard conditions of approval to reduce construction noise levels below a level of significance:

- **Mufflers.** During excavation and grading construction phases, all construction equipment, fixed or mobile, shall be operated with closed engine doors and shall be equipped with properly operating and maintained mufflers consistent with manufacturers' standards.
- **Stationary Equipment.** All stationary construction equipment shall be placed so that emitted noise is directed away from the nearest sensitive receivers.
- **Equipment Staging Areas.** Equipment staging shall be located in areas that will create the greatest distance feasible between construction-related noise sources and noise-sensitive receivers.
- **Smart Back-up Alarms.** Mobile construction equipment shall have smart back-up alarms that automatically adjust the sound level of the alarm in response to ambient noise levels. Alternatively, back-up alarms shall be disabled and replaced with human spotters to ensure safety when mobile construction equipment is moving in the reverse direction in compliance with applicable safety laws and regulations.
- **Electrically-Powered Tools and Facilities.** Electrical power shall be used to run air compressors and similar power tools and to power any temporary structures, such as construction trailers or caretaker facilities, where feasible.

- **Noise Disturbance Coordinator.** The project applicant shall designate a "noise disturbance coordinator" responsible for responding to any local complaints about construction noise. The disturbance coordinator shall determine the cause of any noise complaint and shall require that reasonable measures be implemented to correct the problem. A telephone number for the disturbance coordinator and the City shall be posted at the construction site.
- **Temporary Noise Barriers.** Erect temporary noise barriers, where feasible, when construction noise is predicted to exceed the City's construction standards and when the anticipated construction duration is greater than is typical (e.g., two years or greater). Temporary noise barriers shall be constructed with solid materials (e.g., wood) with a density of at least 1.5 pounds per square foot with no gaps from the ground to the top of the barrier. If a sound blanket is used, barriers shall be constructed with solid material with a density of at least 1 pound per square foot with no gaps from the ground to the top of the barrier and be lined on the construction side with acoustical blanket, curtain or equivalent absorptive material rated sound transmission class (STC) 32 or higher.

Mitigation Measure NOI-2 Implement Roadway Vehicle Noise Reduction Measures

The City shall install "quiet pavement" roadway improvements, such as rubberized asphalt or open-grade asphalt concrete overlays along impacted roadway segments (American Canyon Road east of Flosden Road and west of I-80; Flosden Road south of American Canyon Road; and Newell Drive north of American Canyon Road). The program may be funded by "fair share" developer contributions for proposed projects along impacted roadways to pay for the "quiet pavement" roadway improvements.

Significance After Mitigation

Construction noise impacts would be significant and unavoidable even with implementation of Mitigation Measure NOI-1. Operational traffic noise impact would be significant and unavoidable even with implementation of Mitigation Measure NOI-2. Operational stationary noise impacts would be less than significant without mitigation.

Threshold 2:	Would the project result in generation of excessive groundborne vibration or groundborne noise levels?

IMPACT NOI-2 CONSTRUCTION OF DEVELOPMENT FACILITATED BY THE PROJECT WOULD TEMPORARILY GENERATE GROUNDBORNE VIBRATION AND NOISE, POTENTIALLY AFFECTING NEARBY LAND USES. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION. OPERATION OF DEVELOPMENT FACILITATED BY THE PROJECT WOULD NOT RESULT IN SUBSTANTIAL GROUNDBORNE VIBRATION AND NOISE AND THIS IMPACT WOULD BE LESS THAN SIGNIFICANT.

Construction

Construction of development facilitated by the proposed 2040 General Plan could intermittently generate groundborne vibration at nearby properties. Table 4.7-8 identifies groundborne vibration levels from various types of construction equipment at various distances.

As shown in Table 4.7-8, buildings and structures could experience the strongest vibration during the use of pile-drivers and vibratory rollers. Vibration levels from pile-drivers could approach 1.519 in/sec PPV at 25 feet from the source and 0.190 in/sec at 100 feet, and vibration levels from vibratory rollers could approach 0.21 in/sec PPV at 25 feet and 0.026 at 100 feet. The threshold for

historic structures is 0.12 in/sec PPV; the threshold is higher for residential buildings at 0.2 in/sec PPV.

Vibration levels from typical equipment such as bulldozers and jackhammers would not exceed FTA thresholds for historic structures and residential buildings at a distance of 25 feet or greater. However, vibration levels from pile driving equipment and vibratory rollers may exceed FTA thresholds.

Table 4.7-8 Vibration Source Levels for Construction Equipment

Equipment		Approximate Vibration Level (in/sec PPV)			
		25 feet from Source	50 feet from Source	100 feet from Source	200 feet from Source
Caisson Drilling		0.089	0.031	0.011	0.004
Jackhammer		0.035	0.012	0.004	0.002
Large Bulldozer		0.089	0.031	0.011	0.004
Loaded Truck		0.076	0.027	0.010	0.003
Pile Driver (impact)	Upper range	1.519	0.537	0.190	0.067
	Typical	0.644	0.228	0.081	0.028
Pile Driver (sonic)	Upper range	0.734	0.260	0.092	0.032
	Typical	0.170	0.060	0.021	0.008
Small Bulldozer		0.003	0.001	<0.001	<0.001
Vibratory Roller		0.21	0.074	0.026	0.009

Source: FTA 2018.

Implementation of the following proposed goal, policy, and program in the 2040 General Plan would reduce construction vibration in residential areas:

Goal S-8: A comfortable community environment that is free from excessive stationary and mobile noise and vibration.

- **Policy S-8.13: Vibration Impacts.** Require project specific vibration impact assessments for projects involving the use of vibration generating equipment such as pile drivers and vibratory rollers that could generate groundborne vibration levels. For projects with significant vibration impacts, require feasible mitigation measures to reduce ground vibration levels and exposure to sensitive receptors.
- **Program TTT: Vibration Impact Assessment.** Require project specific vibration impact assessments and vibration impact reduction measures for new development projects using major vibration generating equipment.

Proposed policy S-8.13 and proposed Implementation Program TTT would require a vibration impact assessment be prepared to ensure that significant vibration impacts are mitigated and that vibration levels and exposure to sensitive receivers are reduced. Typical vibration minimization techniques include (1) limiting construction activities with the highest potential to produce vibration to hours with the least potential to affect nearby institutional, educational, and office uses and (2) notifying neighbors of scheduled construction activities that would generate vibration. Since at this stage of planning, project-level details are not available for individual development, it is not possible to determine which projects may use pile driving or other vibration generating equipment, or their

exact vibration levels, locations, or time periods for construction. Therefore, even after implementation of proposed policy S-8.13, construction vibration impacts may exceed the FTA's vibration levels for preventing architectural building damage, and impacts would be potentially significant. Implementation of Mitigation Measure NOI-3 would reduce construction groundborne vibration and noise impacts to less than significant.

Operation

Residential, commercial, industrial, and retail land uses facilitated by the project would not involve substantial vibration sources associated with operation such subways and would not directly increase the amount of railroad traffic on rail lines in the plan area. Therefore, project operational groundborne vibration and noise impacts would be less than significant.

Mitigation Measures

NOI-3 Construction Vibration Control Plan

Prior to issuance of a building permit for a project that includes the following, the project applicant shall prepare a groundborne noise and vibration analysis to assess and mitigate potential noise and vibration impacts related to these construction activities:

- Pile driving within:
  - 135 feet of fragile structures such as historical resources;
  - 100 feet of non-engineered timber and masonry buildings (e.g., most residential buildings); or
  - 75 feet of engineered concrete and masonry (no plaster);
- A vibratory roller within:
  - 40 feet of fragile historical resources; or
  - 25 feet of any other structure
- A dozer or other large earthmoving equipment within:
  - 20 feet for a fragile historical structure; or
  - 15 feet of any other structure

The noise and vibration analysis shall be conducted by a qualified and experienced acoustical consultant or engineer. The vibration levels shall not exceed FTA architectural damage thresholds (e.g., 0.12 in/sec PPV for fragile or historical resources, 0.2 in/sec PPV for non-engineered timber and masonry buildings, and 0.3 in/sec PPV for engineered concrete and masonry). If vibration levels would exceed this threshold, alternative uses such as drilling piles as opposed to pile driving, static rollers as opposed to vibratory rollers, and lower horsepower earthmoving equipment shall be used. If necessary, construction vibration monitoring shall be conducted to ensure FTA vibration thresholds are not exceeded.

Significance After Mitigation

Construction vibration impacts would be less than significant with implementation of Mitigation Measure NOI-3, which requires measures to reduce construction vibration.

Threshold 3:	For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

IMPACT NOI-3 DEVELOPMENT FACILITATED BY THE PROJECT WOULD NOT RESULT IN A SIGNIFICANT INCREASE IN AIRPORT OR AIRSTRIP ACTIVITY. THE CONTINUED REGULATION OF AIRPORT NOISE CONSISTENT WITH STATE AND FEDERAL REGULATIONS, THE IMPLEMENTATION OF PROPOSED POLICIES IN THE 2040 GENERAL PLAN, AND COMPLIANCE WITH NAPA COUNTY AIRPORT LAND USE COMPATIBILITY PLAN WOULD MINIMIZE DISTURBANCE TO PEOPLE RESIDING OR WORKING WITHIN PROXIMITY OF THE NAPA COUNTY AIRPORT. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

The Napa County Airport does not offer commercial airline service and would not serve residents and businesses associated with development facilitated by the 2040 General Plan. As such, implementation of the project would not increase airport activities or airport noise.

Existing requirements for airports would reduce the noise impacts of airport activity on residents and workers. Title 21 of the California Code of Regulations establishes noise standards for airports and the responsibilities of the regional Airport Land Use Commissions, which prepare land use compatibility plans with thorough evaluations of airport noise, as described above in Section 4.7.2, *Regulatory Setting*. Additionally, the Federal Aviation Administrative Regulation Part 150 Airport Noise Compatibility Program is designed to reduce the effect of airport noise on the surrounding communities as airports expand.

Furthermore, individual development would be subject to all development standards for each compatibility zone, and other policies contained within the Napa County ALUCP intended to reduce land use conflicts with airport operations. Lastly, the following proposed goals and policies in the 2040 General Plan would reduce noise from the Napa County Airport through airport land use consistency, mitigation, and coordination with the Napa County Airport:

Goal S-6: A community protected from loss of life, injury, and property damage from aircraft operations.

- **Policy S-6.1: Airport Land Use Consistency.** Review all applications for new development, expansion of existing uses, and re-use within Napa County Airport Compatibility Zones "A" through "E" for compliance with the appropriate use and development conditions.
- **Policy S-6.2: Adverse Airport Impact Mitigation.** Work with the Napa County Airport Authority to ensure that onsite ground activities of the Airport do not adversely impact (e.g., noise, vibration, air emissions, or other pollution) the City of American Canyon.

Goal S-9: Limit aircraft noise impacts consistent with the Napa Airport Land Use Compatibility Plan (ALUCP).

- **Policy S-9.1: Land Use Compatibility.** Restrict development of uses within the 65 CNEL contour of Napa Airport to industrial, agricultural, or other open space uses.
- **Policy S-9.2: Development Requirements.** Require development in the vicinity of Napa Airport comply with the Airport Land Use Compatibility Plan (ALUP) noise standards.
- **Policy S-9.3: Napa County Airport.** Work closely with Napa County Airport to ensure the airport's operations do not generate adverse noise conditions in the City of American Canyon.

Given the existing regulations and implementation of proposed goals and policies in the 2040 General Plan, airport activity would not expose residents and workers to excessive noise levels, and impacts would be less than significant.

Mitigation Measures

No mitigation measures would be required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

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4.8 Paleontological Resources

This section summarizes the potential to encounter paleontological resources in the Planning Area and analyzes the impacts on paleontological resources due to the project.

4.8.1 Setting

a. Regional Geology

The City of American Canyon is in the Coast Ranges geomorphic province, one of the eleven geomorphic provinces of California (California Geological Survey 2002). The Coast Ranges extend along most of California's coast from the California-Oregon border to Point Arguello in Santa Barbara County, and consist of northwest-trending mountain ranges and valleys. The Coast Ranges are composed of Mesozoic and Cenozoic sedimentary, igneous, and metamorphic strata. The eastern side is characterized by strike-ridges and valleys in the Upper Mesozoic strata. The Coast Ranges province runs parallel to and overlaps the San Andreas Fault in some areas (California Geological Survey 2002). The City of American Canyon is located on the northeastern shore of San Pablo Bay on the east side of Napa Slough, the outlet of the Napa River.

Paleontological resources, or fossils, are the evidence of once-living organisms preserved in the rock record. They include both the fossilized remains of ancient plants and animals and the traces thereof (e.g., trackways, imprints, burrows, etc.). Paleontological resources are not found in "soil" but are contained within the geologic deposits or bedrock that underlies the soil layer. Typically, fossils are greater than 5,000 years old (i.e., older than middle Holocene in age) and are typically preserved in sedimentary rocks. Although rare, fossils can also be preserved in volcanic rocks and low-grade metamorphic rocks under certain conditions (SVP 2010). Fossils occur in a non-continuous and often unpredictable distribution within some sedimentary units, and the potential for fossils to occur within sedimentary units depends on several factors. It is possible to evaluate the potential for geologic units to contain scientifically important paleontological resources.

b. Geologic Units

The geology of the region surrounding the Planning Area was mapped at a scale of 1:100,000 by Graymer et al. (2002), who identified the following 12 distinct geologic units underlying the Planning Area:

- Artificial fill
- Quaternary stream channel deposits
- Bay Mud
- Quaternary alluvial fan deposits (Holocene)
- Quaternary alluvial fan deposits (Pleistocene)
- Huichica Formation
- Cierbo Sandstone, intercalated basalt
- Markley Sandstone
- Markley Sandstone, Jameson Shale Member
- Domengine Sandstone

- Great Valley Complex, sandstone and shale
- Great Valley Complex, serpentinite

The following section discusses the geographic distribution, lithologic characteristics, and paleontological sensitivity of each of these geologic units. Figure 4.8-1 identifies the geologic units in the Planning Area.

Artificial Fill (af)

Artificial fill is found in a small part of western American Canyon (Figure 4.8-1). Artificial fill consists of human-deposited sediments (Graymer et al. 2002), which have no paleontological sensitivity.

Quaternary Stream Channel Deposits (Qhc)

Quaternary stream channel deposits underlie American Canyon Creek, which primarily runs westward toward North Slough (Figure 4.8-1). Quaternary stream channel deposits consist of unconsolidated cobbles, gravel, and sand, with minor amounts of clay and silt that is deposited by active stream channels (Graymer et al. 2002). Quaternary stream channel deposits are undergoing active deposition, which means they are too young to preserve paleontological resources. Therefore, Quaternary stream channel deposits have low paleontological sensitivity.

Bay Mud (Qhbm)

Bay Mud is found in much of western American Canyon beneath North Slough (Figure 4.8-1). Bay Mud consists of blue, gray, green, or black, bedded to massive, poorly to well-consolidated, silty clay with interspersed layers of sand, gravel, peat, and preserved shells (Graymer et al. 2002). Bay Mud is Holocene in age, meaning it is likely too young (i.e., less than 5,000 years old) to preserve paleontological resources (Society of Vertebrate Paleontology [SVP] 2010). Therefore, Bay Mud has low paleontological sensitivity.

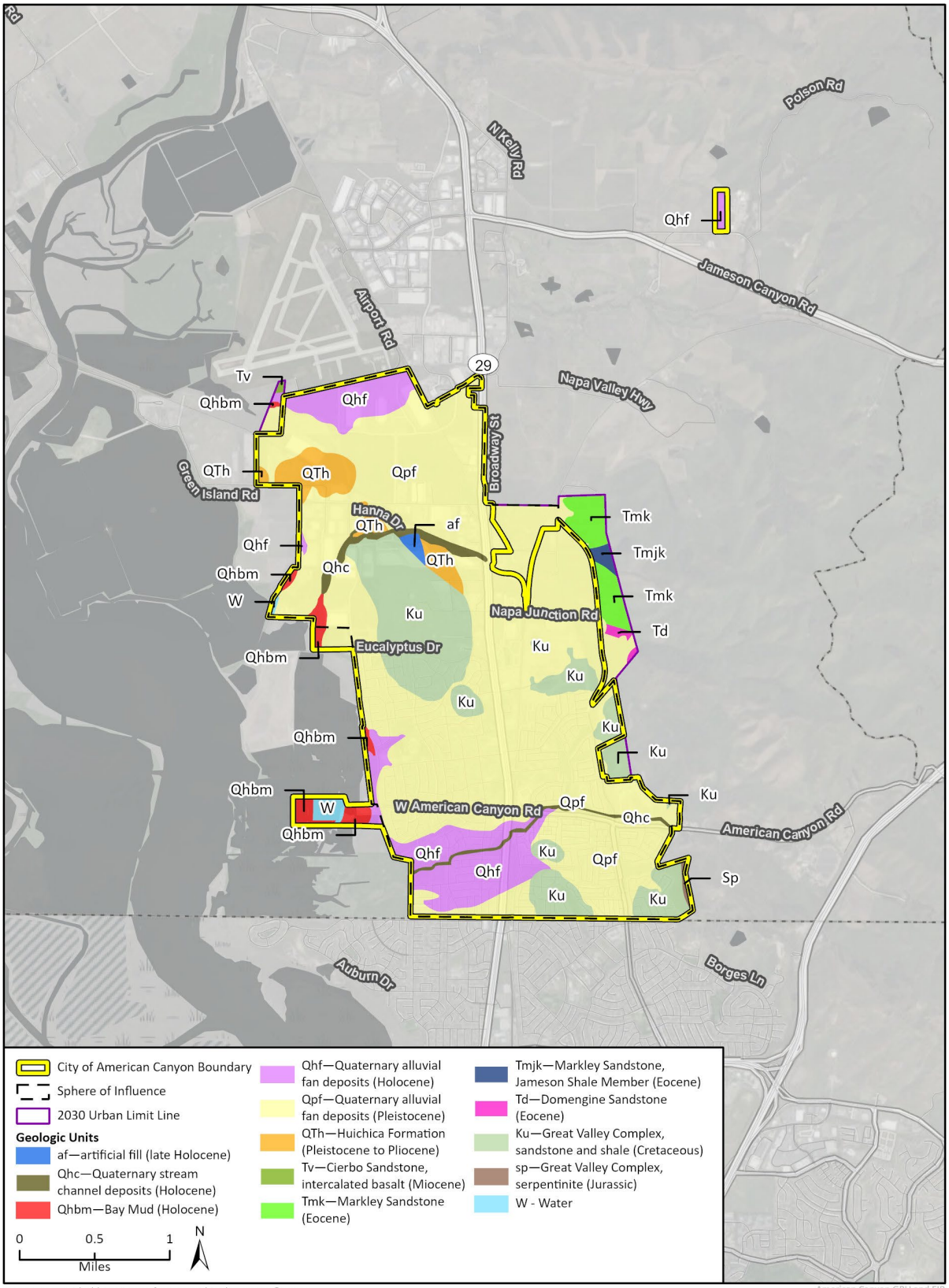
Quaternary Alluvial Fan Deposits (Holocene) (Qhf)

Quaternary alluvial fan deposits (Holocene) are found in parts of central American Canyon (Figure 4.8-1). Quaternary alluvial fan deposits (Holocene) consist of moderately to poorly sorted, moderately to poorly bedded, gravel, sand, silt, and clay (Graymer et al. 2002). Quaternary alluvial fan deposits (Holocene) are likely too young (i.e., less than 5,000 years old) to preserve paleontological resources (SVP 2010); therefore, they have low paleontological sensitivity.

Quaternary Alluvial Fan Deposits (Pleistocene) (Qpf)

Quaternary alluvial fan deposits (Pleistocene) underlie much of central American Canyon (Figure 4.8-1). Quaternary alluvial fan deposits (Pleistocene) consist of poorly sorted, moderately to poorly bedded, gravel, silt, sand, and clay (Graymer et al. 2002). Quaternary alluvial fan deposits (Pleistocene) have produced significant paleontological resources throughout the San Francisco Bay region, including mammoth (*Mammuthus*), ground sloth (*Paramylodon*), mastodon (*Mammut*), horse (*Equus*), rodents, reptiles, and birds (Jefferson 2010; Paleobiology Database [PBDB] 2022; University of California Museum of Paleontology [UCMP] 2022). Given this fossil-producing history, Quaternary alluvial fan deposits (Pleistocene) have high paleontological sensitivity.

Figure 4.8-1 Geologic Units in the Planning Area



Imagery provided by Microsoft Bing and its licensors © 2023.
Basemap provided by Graymer et al. 2002.

Huichica Formation (QTh)

The Huichica Formation underlies part of northwestern American Canyon (Figure 4.8-1). The Huichica Formation consists of yellow, massively bedded siltstone; well-sorted sandstone; or poorly consolidated gravel, that is early Pleistocene to Pliocene in age (Graymer et al. 2002). There are no known significant fossil localities from the Huichica Formation; therefore, it has low paleontological sensitivity.

Cierbo Sandstone, Intercalated Basalt (Tv)

As shown in Figure 4.8-1, a small part of northwestern American Canyon is mapped as a late Miocene, black basaltic deposit within outcrops of the Cierbo Sandstone (Graymer et al. 2002). Basalt is an igneous rock, which forms through the cooling of lava at Earth's surface. Therefore, intercalated basalt of the Cierbo Sandstone cannot preserve paleontological resources and has no paleontological sensitivity.

Markley Sandstone (Tmk) and Markley Sandstone, Jameson Shale Member (Tmjk)

The Markley Sandstone and the Jameson Shale Member of the Markley Sandstone are found in eastern American Canyon (Figure 4.8-1). The Markley Sandstone consists of white to light gray, buff-weathering micaceous sandstone (Graymer et al. 2002). The Jameson Shale Member of the Markley Sandstone consists of brown, laminated, siliceous mudstone (Graymer et al. 2002). Although they differ in lithology, they are historically considered part of the same geologic formation; therefore, fossils are generally identified as coming from the 'Markley Sandstone' in general. The Markley Sandstone has produced numerous fossil localities throughout California, yielding taxa such as sharks, ray-finned fish, plants, gastropods, bivalves, and microfossils (Graymer et al. 2002; PBDB 2022; UCMP 2022). Given this fossil-producing history, the Markley Sandstone and the Jameson Shale Member of the Markley Sandstone have high paleontological sensitivity.

Domengine Sandstone (Td)

The Domengine Sandstone underlies a small part of eastern American Canyon (Figure 4.8-1). The Domengine Sandstone consists of white, gray-weathering, semi-friable, locally cross-bedded sandstone, that is also known as the Domengene Sandstone or Muir Sandstone (Graymer et al. 2002). The Domengine Sandstone is middle Eocene in age. The Domengine Sandstone (and Domengene/Muir Sandstone) have produced many bivalve, annelid, gastropod, and echinoid fossils throughout California (PBDB 2022; UCMP 2022). Given this fossil-producing history, the Domengine Sandstone has high paleontological sensitivity.

Great Valley Complex, Sandstone and Shale (Ku)

Sandstone and shale of the Great Valley Complex underlies parts of eastern and central American Canyon (Figure 4.8-1). These sandstone and shale beds are Late Cretaceous in age and consist of various interbedded lithologies, including carbonaceous biotite wacke; laminated fine sandstone; greenish-gray mudstone; greenish-gray, gray, or black shale; or white-mica sandstone (Graymer et al. 2002). Late Cretaceous sedimentary rocks of the Great Valley Complex (some of which are assigned to named units such as the Moreno, Panoche, or Yolo formations) have produced fossils throughout California, including dinosaurs (Hadrosauridae), mosasaurs, sharks, ray-finned fish, bivalves, gastropods, and cephalopods (PBDB 2022; UCMP 2022). However, the beds mapped within

American Canyon cannot be confidently assigned to these or any other named geologic unit of the Great Valley Complex. Therefore, sandstone and shale of the Great Valley Complex have undetermined paleontological sensitivity.

Great Valley Complex, Serpentinite (sp)

Serpentinite of the Great Valley Complex underlies parts of eastern American Canyon (Figure 4.8-1). Serpentinite is a metamorphic rock (Graymer et al. 2002), meaning it was formed by the alteration of pre-existing rock by intense heat or pressure. This metamorphic process would destroy any fossils that may have been present within that original rock. Therefore, serpentinite of the Great Valley Complex has no paleontological sensitivity.

Summary of Paleontological Sensitivity

The Planning Area is underlain by 12 distinct geologic units, four of which have high paleontological sensitivity and one of which has undetermined paleontological sensitivity. Table 4.8-1 summarizes the paleontological sensitivity of geologic units in the Planning Area.

Table 4.8-1 Paleontological Sensitivity in the Planning Area

Geologic Unit	Age	Paleontological Sensitivity
Artificial fill (af)	Late Holocene	Low
Quaternary stream channel deposits (Qhc)	Holocene	Low
Bay Mud (Qhbm)	Holocene	Low
Quaternary alluvial fan deposits (Holocene) (Qhf)	Holocene	Low
Quaternary alluvial fan deposits (Pleistocene) (Qpf)	Pleistocene	High
Huichica Formation (QTh)	Pleistocene to Pliocene	Low
Cierbo Sandstone, intercalated basalt (Tv)	Miocene	None
Markley Sandstone (Tmk)	Eocene	High
Markley Sandstone, Jameson Shale Member (Tmjk)	Eocene	High
Domengine Sandstone (Td)	Paleocene	High
Great Valley Complex, sandstone and shale (Ku)	Late Cretaceous	Undetermined
Great Valley Complex, serpentinite (sp)	Jurassic	None

4.8.2 Regulatory Setting

a. Federal

The following federal regulations would apply for projects that receive federal funding, are located on federal lands, or are subject to the National Environmental Policy Act.

National Historic Preservation Act of 1966

The National Historic Preservation Act applies to paleontological resources that are found in culturally-related contexts; such related materials qualify as cultural resources. Consequently, recovery and treatment protocols included in the project-specific Cultural Resources Management Plan should be followed for discoveries of paleontological resources in culturally-related contexts.

Paleontological Resources Preservation Act of 2009

The Paleontological Resources Preservation Act (PRPA) is part of the Omnibus Public Land Management Act of 2009 (PL 111-011 Subtitle D). This act directs the Secretary of the Interior or the Secretary of Agriculture to manage and protect paleontological resources on federal land and to develop plans for inventorying, monitoring, and deriving the scientific and educational use of such resources. It prohibits the removal of paleontological resources from federal land without a permit issued under this act, establishes penalties for violation of this act, and creates a program to increase public awareness about these resources. A paleontological resource use permit is required to collect paleontological resources of scientific interest. The act requires that paleontological resources collected under a permit remain United States property, preserved for the public in an approved repository, and available for scientific research and public education. The act also requires that the nature and location of paleontological resources on public lands remain confidential as a means of protecting the resources from theft and vandalism. Section 6301 of the PRPA and Departmental Proposed Rule at 43 CFR Part 49 define a paleontological resource as:

> Any fossilized remains, traces, or imprints of organisms, preserved in or on the earth's crust, that are of paleontological interest and that provide information about the history of life on earth, except that the term does not include— (A) any materials associated with an archaeological resource… (B) any cultural item… (3) Resources determined in writing by the authorized officer to lack paleontological interest or not provide information about the history of life on earth, based on scientific and other management considerations.

Consistent with the definition of a paleontological resource under the PRPA, those paleontological resources that lack scientific interest (e.g., resources that are ubiquitous or do not provide information about the history of life on earth) are considered scientifically non-significant fossils.

b. State

California Public Resources Code

Section 5097.5 of the Public Resources Code states the following:

> No person shall knowingly and willfully excavate upon, or remove, destroy, injure or deface any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site, including fossilized footprints, inscriptions made by human agency, or any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over such lands. Violation of this section is a misdemeanor.

The term "public lands" means those owned by, or under the jurisdiction of, the state or any city, county, district, authority, or public corporation, or any agency thereof. Consequently, public agencies are required to comply with Public Resources Code Section 5097.5 for their own activities, including construction and maintenance, and for permit actions (e.g., encroachment permits) undertaken by others.

c. Local

There are no local regulations related to paleontological resources.

4.8.3 Impact Analysis

a. Significance Thresholds and Methodology

Significance Thresholds

According to Appendix G of the CEQA Guidelines, impacts related to paleontological resources from implementation of the project would be significant if it would:

1. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Methodology

The paleontological sensitivity of the geologic units that underlie the Planning Area were evaluated to assess the project's potential for significant impacts to scientifically important paleontological resources. The analysis was based on the results of a review of existing information in the scientific literature regarding known fossils within geologic units mapped in the Planning Area. According to the SVP (2010) classification system, geologic units can be assigned a high, low, undetermined, or no potential for containing scientifically significant nonrenewable paleontological resources. Following the literature review, a paleontological sensitivity classification was assigned to each geologic unit mapped within the Planning Area. This criterion is based on rock units within which vertebrate or significant invertebrate fossils have been determined by previous studies to be present or likely to be present. The potential for impacts to significant paleontological resources is based on the potential for ground disturbance to directly impact paleontologically sensitive geologic units.

a. Project Impacts and Mitigation Measures

Threshold 1:	Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Impact PAL-1 THE PROJECT HAS THE POTENTIAL TO RESULT IN IMPACTS TO PALEONTOLOGICAL RESOURCES. IMPACTS WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED.

Ground disturbance in previously undisturbed portions of the Planning Area underlain by geologic units with high paleontological sensitivity may result in potentially significant impacts to paleontological resources. The 2040 General Plan contains the following proposed policy related to reducing impacts to paleontological resources.

- **Policy ENV-5.1: Preservation.** Protect areas containing significant historic, archaeological, and paleontological resources, as defined by the California Public Resources Code.

Although this proposed policy would reduce impacts, potentially significant impacts to paleontological resources can only be determined once a specific project has been proposed. The potential effects of a project on paleontological resources are highly dependent on both the individual project site conditions (e.g., presence and depth of disturbed sediments or artificial fill) and the characteristics of the proposed ground-disturbing activity (i.e., depth of ground disturbance and construction activity). Therefore, ground disturbing construction activities in disturbed or developed areas may impact paleontological resources if previously undisturbed, high-sensitivity sediments are encountered below the surface.

Ground disturbing activities associated with construction facilitated by the project have the potential to damage or destroy paleontological resources that may be present on or below the ground surface in areas of high paleontological sensitivity. Consequently, damage to or destruction of fossils could occur due to development facilitated by the project. Impacts would be potentially significant. Mitigation Measure PAL-1 would require future projects be assessed for their potential to significantly impact paleontological resources.

Mitigation Measure

PAL-1 Retention of Qualified Professional Paleontologist

Prior to submittal of a discretionary development application in areas underlain by high or undetermined sensitivity geologic units (i.e., Pleistocene alluvial fan deposits; Markley Sandstone; Jameson Shale Member of Markley Sandstone; Domengine Sandstone; and sandstone and shale of the Great Valley Complex), the City shall require a Qualified Professional Paleontologist [as defined by the Society of Vertebrate Paleontology (SVP) (2010)] be retained to determine the project's potential to significantly impact paleontological resources according to SVP (2010) standards. If necessary, the Qualified Professional Paleontologist shall recommend mitigation measures to reduce potential impacts to paleontological resources to a less than significant level. The City shall review and approve the Qualified Professional Paleontologist's findings and recommendation. All recommendations shall be incorporated into the project plans prior to issuance of a grading permit.

Significance After Mitigation

Implementation of Mitigation Measure PAL-1 would reduce adverse effects to paleontological resources and impacts would be less than significant with mitigation.

4.9 Population and Housing

This section summarizes existing and projected population and housing in the Planning Area and analyzes the impacts on population and housing due to the project.

4.9.1 Setting

a. Population

The City of American Canyon was incorporated in 1992. American Canyon was developed following World War II, with the McKnight Acres subdivision in the 1940s and Rancho Del Mar in the 1950s (City of American Canyon 2022). In 1992, when American Canyon was incorporated, the population was 8,341 (California Department of Finance [DOF] 2000). By the year 2000, the population grew approximately 17 percent to 9,774 (DOF 2000). From 2000 to 2010, the City experienced a rapid population growth and population increased approximately 99 percent to 19,454 (DOF 2010b). Growth after 2010 slowed and experienced an approximately seven percent population increase from 2010 to 2020 (DOF 2020a). From 2020 to 2024, the City's population continued to slowly increase from 21,544 residents in 2020 to 21,758 residents in January 2024, representing an approximately one percent increase (DOF 2024).

b. Housing

A household is defined as a group of people who occupy a housing unit (U.S. Census Bureau 2021). A household differs from a dwelling unit because the number of dwelling units includes both occupied and vacant dwelling units. Typically, not all the population in a given area lives in households. A portion of the population lives in group quarters, such as board and care facilities, while others are homeless.

Housing Units

Table 4.9-1 shows the growth in number of housing units in the City, County, and State between 2010 and 2024. As shown in Table 4.9-1, between 2010 and 2024, 643 units were added to the City's housing inventory resulting in an overall growth of 10.2 percent during this period. Between 2010 and 2024, the County grew at a slower rate of 2.6 percent. The State also grew at a slower rate of 8.1 percent.

Table 4.9-1 Housing Inventory in the City, County, and State

	American Canyon		Napa County		California	
	2010	2024	2010	2024	2010	2024
Total Housing Units	5,982	6,625	54,759	56,181	13,670,304	14,824,827
Occupied	5,657	6,473	48,876	50,544	12,568,167	13,880,371
Vacancy Rate	5.4%	2.3%	10.7%	10%	8.1%	6.4%
Percent Change in Total Housing Units from 2010 to 2024	10.2%		2.6%		8.1%	

Note: The number of housing units added to American Canyon exceeds that of the total number of housing units added to Napa County. This can be attributed to the removal of housing units in Napa County between 2010-2022.
Source: DOF 2010a (for 2010 data) and DOF 2024 (for 2024 data)

In January 2024, approximately 5,174 of the housing units in the City were single-family detached homes, approximately 51 units were single-family attached homes, approximately 572 units were multi-family units (buildings of at least two units), and approximately 828 units were mobile homes (DOF 2024).

Household Size

Small households (one to two persons per household [pph]) traditionally occupy units with zero to two bedrooms; family households (three to four pph) normally occupy units with three to four bedrooms. Large households (five or more pph) typically occupy units with four or more bedrooms. The number of units in relation to the household size may reflect preference and economics. Many small households obtain larger units, and some large households live in small units, for economic reasons. Table 4.9-2 compares the size of households in the City, County, and State in 2010 and 2024.

Table 4.9-2 Household Size in the City, County, and State

	American Canyon		Napa County		California	
	2010	2024	2010	2024	2010	2024
Household Size (pph)	3.43	3.35	2.69	2.55	2.90	275
Percent Change from 2010 to 2022	2.4%		5.3%		5.4%	

Source: DOF 2020b (for 2010 data) and DOF 2024 (for 2024 data)

As shown in Table 4.9-2 the average household size in American Canyon decreased from 3.43 pph in 2010 to 3.35 in 2024. Over the same period, household size in the County decreased from 2.69 to 2.55, a decrease of approximately 5.3 percent. Household size in the State decreased from 2.90 to 2.75, a decrease of approximately 5.4 percent. Between 2010 and 2024, the City maintained a higher average household size in comparison to the County and State average household sizes.

c. Jobs Housing Ratio

Information on the jobs-housing ratio is provided for informational purposes only. The jobs-household ratio in a jurisdiction is an overall indicator of jobs availability within the area. A balance of jobs and housing can give residents an opportunity to work locally and avoid employment commutes to other places in the region. DOF estimates that American Canyon has a ratio of 0.95 jobs per dwelling unit. The Association of Bay Area Governments' (ABAG) regional map depicting projected household and job growth also illustrates a 1 percent job growth in south Napa County, including American Canyon, as a share of the regional job growth (ABAG 2021). That amounts to more than one job per household, which means that workers do not have to travel to other communities to find employment. Most households have more than one worker; therefore, a ratio of jobs to housing should be above 1:1 to have a balance of jobs to households.

d. Projections

Table 4.9-3 presents population, dwelling units, and employment projections by DOF and ABAG through 2040 for American Canyon. It is estimated the population of American Canyon will grow approximately 15 percent between 2024 and 2040 (DOF 2024, ABAG 2019). This translates to an estimated 3,522 new residents by 2040. The available data shows dwelling units decreasing in American Canyon; however, this is unlikely the case because the American Canyon Regional Housing Needs Allocation (RHNA) is 622 residential units and the city anticipates 1,055 new dwelling units in

the next 8 years. The City's Housing Element is the 6th Cycle State requirements for the 2023-2031 planning horizon. The City's Housing Element will help facilitate the development of housing. Jobs are expected to increase 31 percent between 2021 and 2040. American Canyon's jobs-housing ratio would increase by approximately 0.32. However, these projections included within this Setting do not represent the projections that the City of American Canyon anticipates from implementation of its updated General Plan. A discussion of the City's anticipated projections is included within Section 2, *Project Description*, and discussed in Impact POP-1.

Table 4.9-3 American Canyon Estimated Population, Dwelling Units, and Employment

American Canyon	2022	2040	Change 2022 to 2040	Percent Change 2022 to 2040
Population	21,758	25,280	3,522	15%
Dwelling Units	6,625	6,420	-205	-3.1%
Jobs	6,210[1]	8,165	1,955	31%
Jobs-Housing Ratio	0.95	1.27	0.32	14%

Source: ABAG 2019, DOF 2024

[1] Data is from most recent projections for the year 2020 (ABAG 2019)

4.9.2 Regulatory Setting

a. Federal Regulations

There are no federal regulations that would be applicable to the project.

b. State Regulations

California Relocation Assistance Act

The California Relocation Assistance Act of 1971 (Government Code Section 7260 et seq.) applies to State and local program that receive State funding. This Act requires notification, counseling, social services, and financial assistance for persons displaced by transportation and land redevelopment projects. These procedural protections and benefits apply when the project causing the displacement has received State funding during any phase of the program or project.

Housing Element Law

First enacted in 1969, housing element law (Government Code Sections 65580–65589.8) mandates that local governments adequately plan to meet the existing and projected housing needs of all economic segments of the community. The law acknowledges that in order for the private market to adequately address housing needs and demand, local governments must adopt land use plans and regulatory systems that provide opportunities for, and do not unduly constrain, housing development. As a result, housing policy in the State rests largely upon the effective implementation of local general plans and, in particular, local housing elements. Housing element law also requires the California Department of Housing and Community Development (HCD) to review local housing elements for compliance with State law and to report its written findings to the local government.

California Government Code Section 65583 specifies the State Housing Element requirements. The Housing Element is one of the State-mandated elements of the General Plan and is updated every eight years. HCD is responsible for reviewing Housing Elements to ensure compliance with State law.

Senate Bill 375

Senate Bill 375 (SB 375) is summarized in Section 4.6, *Land Use and Planning.*

c. Regional and Local Regulations

City of American Canyon Housing Element

The Housing Element is one of the seven State-mandated elements of the General Plan (Government Code Sections 65300 through 65303.4). The Housing Element serves as a tool to identify and provide for the housing needs of the community. It identifies recent demographic and employment trends that may affect existing and future housing demand and supply. California law requires the Housing Element to establish policies and programs that will support the provision of an adequate housing supply for citizens of all income levels. The Housing Element is the only element that requires review by the State. The element addresses the city's ability to meet the regional housing needs as determined by the State of California. American Canyon's 6th cycle Housing Element was adopted on January 31, 2023 and certified by the State Department of Housing and Community Development (HCD) on June 30, 2023.

4.9.3 Impact Analysis

a. Significance Thresholds and Methodology

Significance Thresholds

Based on Appendix G of the CEQA Guidelines a project may be deemed to have a significant impact on population and housing if it would:

1. Induce substantial unplanned population growth in an area either directly or indirectly; or
2. Displace substantial number of existing people or housing, necessitating the construction of replacement housing elsewhere.

For purposes of this analysis, substantial population growth is defined as growth exceeding ABAG population forecasts for American Canyon. Substantial displacement would occur if implementation of the project would displace more residences than would be accommodated through growth accommodated by the project.

Methodology

Population and housing trends in the City were evaluated by reviewing the most current data available from the DOF, ABAG, and the City's Housing Element. Impacts related to population are generally social or economic in nature. Under CEQA, a social or economic change generally is not considered a significant effect on the environment unless the changes are directly linked to a physical change.

b. Project Impacts and Mitigation Measures

Threshold 1:	Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Impact POP-1 IMPLEMENTATION OF THE PROJECT WOULD FACILITATE THE CONSTRUCTION OF NEW HOUSING IN AMERICAN CANYON AND WOULD INCREASE POPULATION. THE 2040 GENERAL PLAN WOULD ACCOMMODATE AND PLAN FOR POPULATION GROWTH AND INCLUDES POLICIES TO MANAGE GROWTH AND DEVELOPMENT. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

This EIR identifies a maximum buildout for the project and is a conservative assumption developed for this analysis, not meant to be a predictor of future growth. Overall, maximum buildout will be dependent on multiple factors, including local economic conditions, market demand, and other financing considerations. The maximum buildout scenario for this EIR is estimated to be approximately 3,204 net new residential units by the year 2040 (see Section 2, *Project Description*). According to the California Department of Finance's population estimates, the average persons per household in American Canyon was 3.35 in 2022 (DOF 2024). Assuming 3.35 persons per household, the 3,204 additional residential units could generate approximately 10,734residents. According to Plan Bay Area 2040[1], the population of American Canyon is expected to increase to 25,280 residents by the year 2040 (ABAG 2019). As described in Section 4.9.1, *Setting*, the population of the City of American Canyon in January 2024 was approximately 21,758 residents. Therefore, the addition of roughly 10,734 residents by the year 2040 would exceed ABAG projections by roughly 7,212 residents or 25 percent.

However, the population growth associated with the project would not be considered unplanned for several reasons. Buildout under the General Plan consists of projected growth facilitated by several approved plans and projects including the Broadway District Specific Plan, Watson Ranch Specific Plan, and Oat Hill Residential General Plan Amendment. These projects have undergone separate CEQA review and have been approved by the City of American Canyon. Cumulatively, these planned projects result in most of the projected growth. Furthermore, the State requires that all local governments adequately plan to meet the housing needs of their communities. Given that the State is currently in an ongoing housing crisis due to an insufficient housing supply, the additional residential units under the project would further assist in addressing the existing crisis and meeting the housing needs of the City's communities.

Finally, the following policies from the 6th Cycle Housing Element support the goals to direct future development to minimize the impacts of growth by emphasizing the intensification and reuse of already developed areas and redevelopment to infill areas:

- **Policy H-1.1: Sufficient Lower-Income Capacity.** Designate sufficient vacant land and underutilized sites with maximum densities to facilitate housing development affordable to lower-income households.
- **Policy H-1.3: Existing Residential Capacity.** Protect residentially designated sites from reclassification to nonresidential designations or downzoning to lower densities.

[1] Plan Bay Area 2040 population estimates were used instead of Plan Bay Area 2050 because the latter did not include population estimates at the city level.

- **Policy H-2.1: Diversity of Housing Types.** Promote a diversity of housing types, including large-lot development, single family detached and attached residences, mobile homes, manufactured homes, townhomes, multi-family rental and ownership units, accessory dwelling units, and units combined with nonresidential uses.
- **Policy H-2.2: Housing Type Flexibility.** Allow flexibility in the type of units developed on vacant, residentially designated properties in master-planned communities and other planned developments.
- **Policy H-2.6: Mixed Use Development.** Encourage development of residential uses in association with compatible nonresidential uses in commercial zones.

Therefore, because the project is designed for planned and orderly growth, as mandated by the State, development in accordance with the project would not indirectly induce growth in the City. Impacts would be less than significant.

In addition, the Mobility Element for the 2040 General Plan identifies major street improvements that the City has proposed. The street improvements include extension of roadways, such as Newell Drive and new pedestrian overcrossing. The roadway extensions would serve the existing population of American Canyon, as well as development that has already been planned and would not induce unplanned growth. For example, the Newell Drive Extension would serve the planned development for both the Watson Ranch Specific Plan and the Watson Lane Annexation Project. As such, the roadway improvement associated with the project would serve already planned growth. Impacts on indirect population growth due to roadway infrastructure would be less than significant.

Mitigation Measures

No mitigation measures would be required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

Threshold 2:	Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

Impact POP-2 IMPLEMENTATION OF THE PROJECT WOULD NOT RESULT IN THE DISPLACEMENT OF SUBSTANTIAL NUMBERS OF HOUSING OR PEOPLE. THE PROJECT WOULD FACILITATE THE DEVELOPMENT OF NEW HOUSING IN ACCORDANCE WITH STATE AND LOCAL HOUSING REQUIREMENTS, WHILE PRESERVING EXISTING RESIDENTIAL NEIGHBORHOODS. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

As described in Impact POP-1, the conservative estimate of the maximum residential buildout for the project is an additional 3,204 housing units. In addition, as described in Chapter 2, *Project Description*, the conservative estimate of the maximum non-residential buildout (i.e., commercial, retail, hotel, industrial, warehouse, and research and development uses) is 5,704,000 square feet. It is not currently known whether future development projects would result in the displacement of housing. Nonetheless, the Housing Element includes the following proposed policies to minimize displacement of housing:

- **Policy H-1.3: Existing Residential Capacity.** Protect residentially designated sites from reclassification to nonresidential designations or downzoning to lower densities.

- **Policy H-2.9: Missing Middle Housing.** Encourage development of missing middle and workforce housing appropriate for households with incomes between 80 and 140 percent of the median household income.
- **Policy H-3.4: Older Neighborhood Infrastructure.** Through the Capital Improvement Program, as a social justice program measure maintain infrastructure of older neighborhoods in good condition.
- **Policy H-4.2: Neighborhood Rehabilitation.** Support rehabilitation in older residential neighborhoods and low resource areas.
- **Policy H-4.6 Housing Balance**. Promote a balance of rental and affordable ownership housing.
- **Policy H-6.3 Affordable Unit Replacement.** Require applicants to replace housing as a condition of development approval when discretionary development applications convert or remove housing units occupied by, and are affordable to, very low- or low-income households.
- **Policy H-6.5 Mobile Home Park Protection.** Protect mobile home park residents from involuntary displacement and unreasonable rent increases.

Overall, the Housing Element would promote infill development; the redevelopment of abandoned, obsolete, or underutilized properties; and the adaptation of existing residential units to support multi-family use. These development patterns would minimize displacement. Additionally, the Housing Element includes policies, such as those above, which would reduce the impacts of future development on existing neighborhoods and residents within the city. Furthermore, the California Relocation Assistance Act of 1971 would apply to potential future development facilitated by the General Plan and requires notification, counseling, social services, and financial assistance for persons displaced by transportation and land redevelopment projects. These procedural protections and benefits apply when the project causing the displacement has received State funding during any phase of the program or project. Through this program as well as the project objectives and policies stated above, the General Plan would not result in the net loss or displacement of housing and would not require the construction of replacement housing elsewhere. Impacts would be less than significant.

Mitigation Measures

No mitigation measures would be required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

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4.10 Public Services and Recreation

This section summarizes the public services, including recreational resources in the Planning Area and analyzes the potential effects on public services and recreation related to implementation of the project.

4.10.1 Setting

a. Fire Protection

Fire protection, emergency medical services, and technical rescue services in the City of American Canyon are provided by the American Canyon Fire Protection District (ACFPD). The ACFD provides a wide range of programs, including fire suppression, training, emergency medical services, hazardous materials cleanup, public education, and urban search and rescue. The ACFD provides a response to an approximately 15 square mile area that includes the city limits of the City of American Canyon and nearby unincorporated areas of southern Napa County (ACFD 2020). ACFPD is a subsidiary special District of the City of American Canyon, with the elected City Council members serving as the ex-officio Board of Directors. ACFPD is funded primarily through property taxes and voter approved special taxes, ACFPD's budget is separate and distinct from the City of American Canyon.

Personnel, Facilities, and Equipment

The ACFPD currently employs 23 career fire personnel (City of American Canyon 2022a) and is staffed daily with a minimum of six personnel, of which a minimum of two firefighters are Paramedics. Staffing is accomplished by having twenty-one career firefighters assigned to three platoons referred to as "A," "B," and "C" shift. All sworn ACFPD employees are trained to the level of Emergency Medical Technician or as an Emergency Medical Technician-Paramedic. ACFPD employees are able to provide advanced live support. In 2021, the ACFPD responded to 1,689 incidents in their jurisdiction, as well as 98 incidents in Napa County and 61 incidents in Vallejo (ACFPD 2022a). The typical response time by the ACFPD is approximately 5 minutes or less (ACFPD 2022a).

The ACFPD operates out of two stations located at 225 James Road and 911 Donaldson Way East, both located centrally within the City. Across the two locations, the AFCD is equipped with firefighting apparatuses and support vehicles. A fire engine is staffed by at least one firefighter who is also a licensed paramedic on a 24-7 basis. The ACFPD and American Medical Response (AMR) have established a public- private partnership that enhances the emergency medical system in Napa County and are working together to provide shorter response times. Table 4.10-1 details ACFPD equipment (ACFPD 2022a).

Table 4.10-1 ACFPD Equipment

Equipment	Equipment Features
Engine 211	▪ Spartan Cab and Chassis ▪ 1,500 Gallons Per Minute Single Stage Pump ▪ 500 Gallon Water Tank ▪ 20 Gallon of Class A Foam Tank ▪ Advanced Life Support

Equipment	Equipment Features
Engine 411	▪ 500 Gallon Water Tank ▪ 750 Gallon Per Minute Darley Pump
Truck 11	▪ 1,500 Gallon Per Minute Single Stage Pump ▪ 500 Gallon Water Tank ▪ 20 Gallons of Class A & B Foam
Rescue 11	▪ 25 Kilowatt Power Take Off Generator ▪ LED Telescopic Lighting System ▪ Cascade Self Contained Breathing Apparatus Breathing Air Fill System
Brush 11	▪ 350 Gallon Water Tank ▪ 10 Gallon Class A Foam ▪ 180 Gallon Per Minute Darley Pump ▪ Advanced Life Support
Engine 11	▪ 2018 Pierce Enforcer Cab and Chassis ▪ 1,500 Gallon per minute single stage pump ▪ 500 gallon water tank ▪ 20 gallon class A foam tank ▪ Advanced Life Support

Source: City of American Canyon 2022b

Services Provided

The Fire District provides emergency operations, fire suppression, advanced life support emergency medical care, and rescue in a public-private partnership with American Medical Response. Other services and functions include fire prevention, public education, business fire safety inspections, plan review, construction site inspection, code enforcement, fire investigation, public education outreach programs, disaster preparedness, emergency operations plan development, emergency operations center operations, and coordination of disaster preparedness training. The Fire District is also recognized by California Emergency Management Agency as a Type 1 (heavy) rescue single resource.

Aid Agreements

The ACFPD participates in the Napa Interagency Hazard Team which responds to hazardous materials incidents that occur within the County (ACFPD 2022a). The ACFPD also participates in the Napa Interagency Rescue Team which is a joint search and rescue team comprised of fire department personnel from other agencies within Napa County (ACFPD 2022a). The ACFPD also participates in both mutual aid and automatic aid agreements to multiple agencies in Napa and Solano Counties (City of American Canyon 2022a).

Incidents and Response Times

ACFPD responded to 1,868 incidents in 2021 (ACFPD 2022a). Rescues and emergency services accounted for 63 percent of the incidents (ACFPD 2022a). ACFPD has an established response time standard of first unit arrival within 5 minutes (total travel time) for 90 percent of all incidents (ACFPD 2022a).

Insurance Services Office Rating

ACFPD has an Insurance Services Office (ISO) rating of Class 2 on a scale of 1 to 10, with 1 being the best (City of American Canyon 2022a). An ISO rating accounts for factors such as emergency communication systems, personnel, training, equipment, and water supply.

b. Police Protection

The American Canyon Police Department (ACPD) provides police protection services within the City through a contract with the Napa County Sheriff's Office. As a result of this contract, the ACPD is staffed by Napa County Sheriff's Office personnel who wear ACPD uniforms. ACFPD officers serve a variety of roles including patrol, K-9, D.A.R.E., investigations, communications, and School Resource Officers.

The ACPD operates out of one station located at 911 Donaldson Way East. For the Fiscal Year 2021/2022 the ACPD was staffed with 24 sworn officers, two police technicians, and one administrative clerk (ACPD 2022). At a minimum, there are three officers on duty 24 hours a day, 7 days a week and the ACDP ratio is 1.1 offers per 1,000 residents (County of Napa 2022a). Sworn staffing was comprised of the following: 1 chief; 4 sergeants; 2 traffic officers; 2 k-9 handlers; 2 school resource officers; 1 community resource officer; and 12 patrol officers. Between 2014 and 2021, ACPD responded to between 15,903 and 18,698 calls for service annually (ACPD 2022).

c. Schools

Napa Valley Unified School District (NVUSD) provides elementary school (Kindergarten through 12th grade), Transitional Kindergarten, independent study, and one adult education program that serve the residents of the City. There are 27 schools in NVUSD, five of which are in the City: American Canyon High, American Canyon Middle, Canyon Oaks Elementary, Donaldson Way Elementary, and Napa Junction Elementary (National Center for Education Statistics [NCES] 2022a). Table 4.10-2 shows enrollment trends for these five schools. As shown in Table 4.10-2, enrollment at all middle and elementary schools has decreased and enrollment at American Canyon High school has increased between the 2017-2018 and 2020-2021 school years.

Table 4.10-2 Enrollment Trends for NVUSD Schools in American Canyon

School Name	Grades	2017-2018	2018-2019	2019-2020	2020-2021	Percent Change 2017-2018 to 2020-2021
American Canyon High	9-12	1,572	1,617	1,670	1,707	8.6%
American Canyon Middle	6-8	1,041	1,013	1,025	1,011	-2.9%
Canyon Oaks Elementary	K-5	682	682	681	674	-1.2%
Donaldson Way Elementary	K-5	602	591	574	524	-13.0%
Napa Junction Elementary	K-5	446	409	417	420	-5.8%

Source: California Department of Education [CDE] 2022; NCES 2022b, 2022c, 2022d, 2022e, 2022f

d. Parks and Recreation

American Canyon has multiple recreational opportunities. The Planning Area has three mini-parks[1], fifteen neighborhood parks[2],and five community parks[3]. These 23 parks total approximately 102 acres and are identified in Table 4.10-3. Amenities at these parks include picnic areas, diamond baseball fields, rectangle fields, outdoor basketball multi-use courts, tennis courts, playgrounds, dog parks/off leash areas, skate parks, swimming pool, and trails.

The City of American Canyon's Parks and Recreation Department is responsible for the maintenance of park land and City recreation facilities as well as planning all City-sponsored recreation classes, programs, and special events. The City also jointly manages 10 miles of the Napa River Bay Trail with the California Department of Fish and Wildlife, and the Napa County Parks and Open Space District (City of American Canyon 2022c). Additionally, the Newell Open Space Preserve includes 642 acres of open space east of the City and is connected via Newell Creek (City of American Canyon 2022d). In addition, American Canyon also has Wetlands Edge Park, which provides trails and offers opportunities to view marshland and the Napa River. Furthermore, the Napa County Regional Parks and Open Space District is in the process of acquiring the Suscol Ridge Regional Park, which totals 711 acres. According to the Bay Area Open Space Council, there are almost 1.4 million acres of regional trails and open space areas that are currently provided in the Bay Area (Bay Area Open Space Council 2014). By 2027, the Bay Open Space Council predicts that 2 million acres of regional trails and open space areas would be available for users.

There are also several additional nearby open space areas, including Lynch Canyon Open Space, Napa-Sonoma Marshes Wildlife Area, Fagan Marsh Ecological Reserve, and Bull Island. Beyond the nearby open space areas and trails provided in Napa and Solano Counties, there are also other nearby regional parks in Sonoma and Marin counties, as well as park and open space amenities provided through the East Bay Regional Parks District, California State Parks system, and the National Parks Service lands.

In December 2015, the City published a Parks and Recreation Needs Assessment that compared the City's park system to other similar cities nearby and determined the City ranks higher in terms of total park acreage, but ranks lower in terms of total park and facility sites due to its lack of indoor facilities (City of American Canyon 2015). The assessment determined that residents of the City have an unmet need for outdoor exercise and fitness areas, covered picnic areas, adventure areas, Napa River access, mountain biking trails, sports complexes, off-leash dog parks, community gardens, and community center space. Specifically, the assessment concluded that by 2030 the City should develop 77 additional acres of community parkland, four adult softball diamonds, three basketball multi-use outdoor courts, two off-leash dog parks, 23,305 square feet of indoor recreation space, and 3,927 square feet of indoor recreation space dedicated to senior citizens (City of American Canyon 2015).

[1] As identified in the Environment, Parks and Recreation Element of the 2040 General Plan, mini-parks are not designed for active recreational uses but do provide passive open space.
[2] As identified in the Environment, Parks and Recreation Element of the 2040 General Plan, neighborhood Parks are usually two and a half to five acres in size and primarily planned for children five to fourteen years of age.
[3] As identified in the Environment, Parks and Recreation Element of the 2040 General Plan, community Parks are designed to serve several neighborhoods and parks are planned for youths and adults and provide for a wider range of activities than the neighborhood park or playground.

Table 4.10-3 Parks in the Planning Area

Name	Address/Location	Acreage
Mini Parks		
Bedford & Kensington	323 Bedford Lane	0.14
Nottingham & Bently	270 Nottingham Lane	0.10
Danrose Sports Court	785 Danrose Drive	1.24
Neighborhood Parks		
Banbury Park	100 Banbury Way	8.83
Elliott Park	2234 Elliott Drive	2.83
Gadwall Park	161 Gadwall Street	2.0
Linwood Park	285 Linwood Lane	1.32
Main Street Park	5050 Main Street	3.0
Melvin Park	19 Melvin Road	1.3
Montecarlo Park	54 Montecarlo Way	2.75
Northampton Park	243 Northampton Drive	4.0
Pelleria Park	54 Pelleria Drive	1.0
Quarry Park (Proposed)	N/A	7.1
Shenandoah Park	100 Sonoma Creek Way	6.0
Silver Oak Park	485 Silver Oak Drive	5.0
Via Bellagio Park	100 Via Bellagio	1.0
Watson Ranch Center Park (Proposed)	Marcus Road	3.8
Watson Ranch Newell Park (Proposed)	Newell Drive	7.4
Community Parks		
Community Park I	1400 Rio Grande Drive	8.0
Community Park II	20 Benton Way	6.3
Kimberly Park	600 Kimberly Way	10.0
Little League Complex	280 Napa Junction Road	10.0
Veterans Memorial Park	2801 Broadway	9.0

e. Library Services

Library services in the City are provided by the Napa County Library system at the American Canyon Library. This library, located at 300 Crawford Way, is part of the four libraries within the Napa County Library system. The library consists of a 55,550-piece collection (books, DVDs, music CDs, audiobooks, magazines, and subscriptions to area newspapers), a group study area that can accommodate 18 people, 28 computers, and a meeting room, which can seat up to 100 people for a total of 16,000 sf of usable space. During fiscal year 2017/2018, the library had approximately 8,669 registered users (County of Napa 2022b).

4.10.2 Regulatory Setting

a. Federal Regulations

There are no federal regulations that would be applicable to the project.

b. State Regulations

Fire Protection

California Fire and Building Codes

The State of California provides minimum standards for building design through the California Building Code (CBC), which is located in Part 2 of Title 24, California Building Standards Code, of the California Code of Regulations. The CBC is based on the International Building Code but has been amended for California conditions. It is generally adopted on a jurisdiction-by-jurisdiction basis, subject to further modification based on local conditions. Commercial and residential buildings are plan-checked by local building officials for compliance with the CBC. Typical fire safety requirements of the CBC include: the installation of sprinklers in all high-rise buildings; the establishment of fire resistance standards for fire doors, building materials, and particular types of construction; and the clearance of debris and vegetation within a prescribed distance from occupied structures in wildfire hazard areas.

California Code of Regulations

The California Code of Regulations, Title 5 Education Code, governs all aspects of education within the State. California State Assembly Bill 2926 (AB 2926) – School Facilities Act of 1986 – was enacted by the State of California in 1986 and added to the California Government Code (Section 65995). It authorizes school districts to collect development fees, based on demonstrated need, and generate revenue for school districts for capital acquisitions and improvements. It also established that the maximum fees which may be collected under this and any other school fee authorization are $1.50 per square foot for residential development and $0.25 per square foot for commercial and industrial development. AB 2926 was expanded and revised in 1987 through the passage of AB 1600, which added Section 66000 et seq. of the Government code. Under this statute, payment of statutory fees by developers serves as total mitigation under CEQA to satisfy the impact of development on school facilities. However, subsequent legislative actions have alternatively expanded and contracted the limits placed on school fees by AB 2926.

California Senate Bill 50

As part of the further refinement of the legislation enacted under AB 2926, the passage of SB 50 in 1998 defined the Needs Analysis process in government Code Sections 65995.5-65998. Under the provisions of SB 50, school districts may collect fees to offset the costs associated with increasing school capacity as a result of development. SB 50 generally provides for a 50/50 State and local school facilities match. SB 50 also provides for three levels of statutory impact fees. The application level depends on whether State funding is available; whether the school district is eligible for State funding; and whether the school district meets certain additional criteria involving bonding capacity, year-round schools, and the percentage of moveable classrooms in use.

California Government Code sections 65995-65998 sets forth provisions to implement SB 50. Specifically, in accordance with section 65995(h), the payment of statutory fees is “deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization…on the provision of adequate school facilities.” The school district is responsible for implementing the specific methods for mitigating school impacts under the Government Code.

Pursuant to Government Code section 65995(i), "A State or local agency may not deny or refuse to approve a legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization as defined in section 56021 or 56073 on the basis of a person's refusal to provide school facilities mitigation that exceeds the amounts authorized pursuant to this section or pursuant to section 65995.5 or 65995.7, as applicable."

California Education Code section 17620(a)(1) states that the governing board of any school district is authorized to levy a fee, charge, dedication, or other requirement against any construction within the boundaries of the district, for the purpose of funding the construction or reconstruction of school facilities. NVUSD has developed an impact fee schedule with requires a payment of $0.66 per square foot of commercial and industrial development.

Quimby Act

The Quimby Act (California Government Code Section 66477) establishes guidelines for developers' exactions and in-lieu fees that may be used for parkland development. The act authorizes local governments to establish ordinances requiring developers of new subdivisions to dedicate land for parks, pay an in-lieu fee, or perform a combination of the two. The Quimby Act provides two standards for the dedication of land for use as parkland (1) if the existing area of parkland in a community is three acres or more per 1,000 persons, then the community may require dedication based on a standard of 5 acres per 1,000 persons residing in the subdivision, (2) if the existing amount of parkland in a community is less than three acres per 1,000 persons, then the community may require dedication based on a standard of only three acres per 1,000 persons residing in the subdivision. The Quimby Act also requires a city or county to adopt standards for recreational facilities in its general plan recreation element if it is to adopt a parkland dedication/fee ordinance. The amount of land dedicated, or fees paid, shall be based upon the residential density, determined based on the approved or conditionally approved tentative map or parcel map and the average number of persons per household.

c. Local Regulations

City of American Canyon General Plan

The City's Public Services and Facilities Element of the General Plan include the following policies (City of American Canyon 1994):

- **Policy 6.3.1:** Require that City planning staff work closely with Fire District officials to ensure that fire facilities and personnel are expanded commensurably to serve the needs of the City's growing population and development base.
- **Policy 6.3.3:** Continue to respond to 90% of all calls within five minutes or less.
- **Policy 6.7.1:** Periodically evaluate population growth, development characteristics, level of service (response time and staffing), and incidence of crime in the City to ensure that an adequate level of police protection is maintained.
- **Policy 6.8.1:** Annually monitor the adequacy of policing services to ensure that they are commensurate with the needs of the City, as judged by response times, types and quality of service, personnel skills, the crime rate and other relevant criteria.

American Canyon Fire Protection District Long-Range Master Plan

The ACFPD Long-Range Master Plan, (LRMP) guides the efficient future growth and development of the Fire District to provide the community of American Canyon with the highest possible level of service balanced with long term financial sustainability. Adopted in October 2022, (Resolution 2022-26) the LRMP identifies recommendations to improve long-range planning and delivery of fire and emergency services to the community (ACFPD 2022b).

The Plan recommendations relate to operations, procedures, and community involvement to deliver desired levels of service at the most efficient cost. To maintain long-range service levels, the LRMP recommends construction of a new relocated Fire Station 211.

City of American Canyon Impact Fees

Measure B, 1980 and Resolution 83-4 as amended by Resolution 2022-11

In 1980, voters approved Measure B, a special tax assessment to maintain levels of fire protection services in American Canyon. All property and mobile homeowners in American Canyon are required to pay this fee. The fee is calculated based on the physical building characteristics of a project, its use, and its immediate surroundings, to determine the gallons per minute that would be utilized to put out the most serious fire likely to occur near the development. Currently, single-family residential pays $0.2585 per square foot, multi-family residential pays $0.3154 per square foot, commercial uses pay $0.4731 per square foot, and industrial uses pay $0.5738 per square foot.

American Canyon Municipal Code Chapter 15.08

Chapter 15.08 of the American Canyon Municipal Code establishes the Civic Facility and Park Impact Fee for all residential, accessory dwelling unit, commercial, office, and industrial developments. The fee is calculated by unit or by square foot depending on the type of development. The Civic Facility and Park Impact Fees collected are utilized for the expansion of City Hall, provision of additional support for the police station, support for the Aquatic Center offices, construction of the City library, corporate yard expansion, public parks, park facilities, and other offsite improvements.

4.10.3 Impact Analysis

a. Significance Thresholds and Methodology

Significance Thresholds

Based on Appendix G of the CEQA Guidelines a project may be deemed to have a significant impact on public services and recreation if it would:

1. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:
    a. Fire protection;
    b. Police protection;
    c. Schools;

d. Parks;

e. Other public facilities.

2. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated;
3. Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

Methodology

The assessment of potential environmental impacts related to public services and recreation is based on a review of existing services within the Planning Area. As a programmatic document, this Program EIR presents a City-wide assessment of the project. Because the Program EIR is a long-term document intended to guide actions for many years into the future, this analysis relies on program-level and primarily qualitative evaluation.

Threshold 1a:	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities, or the need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?
Threshold 1b:	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered police protection facilities, or the need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?
Threshold 1e:	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered public facilities, or the need for new or physically altered public facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

Impact PS-1 DEVELOPMENT FACILITATED BY THE PROJECT WOULD INCREASE THE POPULATION IN THE PLANNING AREA, WHICH WOULD RESULT IN AN INCREASE IN DEMAND FOR FIRE, POLICE, AND LIBRARIES. COMPLIANCE WITH PROPOSED POLICIES IN THE 2040 GENERAL PLAN AND CONTINUED ENVIRONMENTAL REVIEW WOULD MINIMIZE ADVERSE ENVIRONMENTAL EFFECTS ASSOCIATED WITH THE PROVISION OF NEW OR PHYSICALLY ALTERED FIRE, POLICE, OR LIBRARY FACILITIES. THESE IMPACTS WOULD BE LESS THAN SIGNIFICANT.

Future development facilitated by the project would result in an increase in the Planning Area's population, which would result in an incremental increase in demand for fire protection, police protection, and other public services such as libraries.

The Planning Area would be served with fire protection and emergency medical services provided by ACFPD. As future buildout occurs in accordance with the project, the City would evaluate operations and deployment of fire protection services. Future development would be required to meet the standard fire code safety and access requirements administered by the City of American Canyon Building Division and specified by the California Building Code. In accordance with standard practices, ACFPD would review project plans before permits are issued to ensure compliance with all applicable fire and building code standards and ensure adequate emergency access is provided to

the site. The project would be required to pay two separate special assessments to fund fire protection and emergency medical services. The first is the "Fire Mitigation Fee," a one-time assessment to all new development. The second is the "Fire Service Fee" and an annual assessment for each parcel based on a formula that includes structure construction type, the fire flow area (square feet), proximity of other structures, the type of occupancy, and the presence of fire protection devices. In addition, the Public Services and Facilities Element includes policies 6.3.1 and 6.3.3, which requires that planning staff work closely with Fire District officials to ensure that fire facilities and personnel are expanded commensurably to serve the needs of the City's growing population and development base and that 90 percent of calls are responded to within five minutes or less.

The Planning would be served with police protection provided by the ACPD. The Police Department is staffed by the Napa County Sheriff's Office, which provides law enforcement services on a contract basis to the City of American Canyon. Development facilitated by the project would increase the number of annual incidents. The Police Department will have the opportunity to review and comment on security measures during the plan check review process for future development. In addition, the Public Services and Facilities Element includes policies 6.7.1 and 6.8.1, which required periodically evaluating population growth, development characteristics, level of service (response time and staffing), and incidence of crime in the City to ensure that an adequate level of police protection is maintained and annually monitoring the adequacy of policing services to ensure that they are commensurate with the needs of the City.

Future development facilitated by the project would result in an increase in population which could result in an increased demand for library services. Pursuant to the City's 2022 Civic Facilities Fees, future development would be required to pay fees that are collected and used to fund expanded library services in the City.

The City has identified the requirements for additional personnel and equipment as functions of fees implemented through Resolution 2022-11 and American Canyon Municipal Code Chapter 15.08. New development is required to pay impact fees and contribute their fair share to the cost of funding fire protection, police protection, and library services in American Canyon. The 2040 General Plan Land Use Element provides the following proposed policy that would ensure adequate fire and police protection is provided in American Canyon:

- **Policy LU-1.8: Infrastructure Coordination.** Ensure that new development consistent with the Land Use Plan is coordinated with the provision of adequate public infrastructure (e.g., transportation facilities, capital improvements, wastewater collection and treatment, water supply, electrical, natural gas, telecommunications, solid waste disposal, and storm drainage) and public services (e.g., governmental administrative, police, fire, recreation)

Given the demand for fire, police, and library services in the City, fire and police staffing needs in American Canyon are likely to increase, which could require the construction of new facilities. Future facilities could be located within the Planning Area but would require adherence to all applicable building and zoning codes and additional CEQA review to analyze project and location specific impacts. It is not possible to identify the specific nature, extent, and significance of physical impacts on the environment that could result from the construction and operation of future fire facilities without knowing the size and nature of the facility, or its location. For example, future facilities could feasibly be housed in an existing building, which would have less of a physical impact on the environment than the construction of a new facility. As such, impacts related to fire, police, and library services would be less than significant.

Mitigation Measures

No mitigation measures would be required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

Threshold 1c:	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered schools, or the need for new or physically altered schools, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?

Impact PS-2 FUTURE DEVELOPMENT FACILITATED BY THE PROJECT WOULD BE REQUIRED TO PAY IMPACT FEES THAT WOULD PROVIDE FUNDING FOR THE PROVISION OR EXPANSION OF NEW SCHOOL FACILITIES, PURSUANT TO GOVERNMENT CODE SECTION 65995(B). IMPACTS FROM THE PROJECT WOULD BE OFFSET BY THE PAYMENT OF IMPACT FEES AND IMPACTS WOULD BE LESS THAN SIGNIFICANT.

Future development facilitated by the project would result in an increase in population in the Planning Area, which would contribute to an increase in students who would be served by NVUSD. Future residential, commercial, and industrial development in American Canyon would be required to pay state-mandated impact mitigation fees to provide funding for additional schools to serve the area, pursuant to Senate Bill 50. Pursuant to Section 65995(h) of the California Government Code the payment of statutory fees "… is deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization." The mandatory payment of impact mitigation fees would serve as full and complete mitigation for future development. Therefore, future development facilitated by the project would not result in substantial adverse physical impacts associate with the provision of or need for new or physically altered schools, the construction of which could cause significant environmental impacts. This impact would be less than significant.

Mitigation Measures

No mitigation measures would be required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

Threshold 1d:	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered parks, or the need for new or physically altered parks, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?
Threshold 2:	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
Threshold 3:	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Impact PS-3 DEVELOPMENT FACILITATED BY THE PROJECT WOULD INCREASE THE POPULATION IN THE PLANNING AREA, WHICH WOULD INCREASE THE USE OF PARKS AND RECREATIONAL FACILITIES. ADHERENCE TO AMERICAN CANYON MUNICIPAL CODE REGULATIONS AND PROPOSED 2040 GENERAL PLAN POLICIES WOULD ENSURE IMPACTS RELATED TO PARKS AND RECREATIONAL FACILITIES WOULD BE LESS THAN SIGNIFICANT.

Future development facilitated by the project would result in an increase to the Planning Area's population, which would result in an incremental increase in demand on existing public parks or other recreational facilities. The City's existing service ratio is approximately 34.4 acres per 1,000 residents for the existing population of 21,758.[4] With the project, the addition of a maximum of 10,734 residents would decrease the service ratio to 22.9 acres per 1,000 residents.[5] Although there would be a reduction, this would still be consistent with the City's proposed goal of 5 acres of parkland per 1,000 residents (see proposed Policy ENV-6.1 below). The population growth associated with the project would not require the need for new recreational facilities.

The 2040 General Plan provides the following proposed policies that would ensure adequate park and recreation facilities are provided in the Planning Area:

- **Policy LU-1.8: Infrastructure Coordination.** Ensure that new development consistent with the Land Use Plan is coordinated with the provision of adequate public infrastructure (e.g., transportation facilities, capital improvements, wastewater collection and treatment, water supply, electrical, natural gas, telecommunications, solid waste disposal, and storm drainage) and public services (e.g., governmental administrative, police, fire, recreation).
- **Policy ENV-6.1: Park Standards.** Provide a variety of mini, neighborhood, community, and regional park facilities to achieve a minimum standard of 5 acres of parkland per 1,000 residents.
- **Policy ENV-6.3: Parks System**. Work toward the establishment of a of public parks system interconnected by off-street trails or bicycle lanes.
- **Policy ENV-6.9: Broadway District Specific Plan Parks.** Evaluate feasible locations for public parks to serve residents in the Broadway District Specific Plan area.
- **Policy ENV-6.10: Watson Ranch Specific Plan.** Incorporate by reference the Watson Ranch Specific Plan recreation program which includes private recreation facilities, public parks, trails, and community center and plaza.
- **Policy ENV-6.12: Park Dedications.** Review the Subdivision Ordinance as necessary to ensure park dedication requirements remain consistent with the Subdivision Map Act.

[4] 34.4 acres per 1,000 residents = (744 acres of parks / 21,758 persons) * 1,000 persons
[5] 22.4 acres per 1,000 residents = (744 acres of parks / 32,492 persons) * 1,000 persons

- **Policy ENV-6.14: Park Fee Revenue.** Periodically review the parks and recreation fee structure to ensure it is meeting established cost-recovery objectives without placing an excessive financial burden on residents. (Source: Existing Policy 7.8.5 modified)
- **Policy ENV-6.15: Park Impact Fee.** The City shall update, as needed and appropriate, the park in-lieu fee assessed to all new development.
- **Policy ENV-6.26: Park Maintenance.** Rehabilitate existing American Canyon parks based on such measures as increased public access, lower maintenance costs and increased service delivery.

In addition, pursuant to Chapter 15.08 of the American Canyon Municipal Code, future development facilitated by the project would be required to pay impact fees, which would promote the maintenance and expansion of public parks. The project does not include any specific development proposals for parks or recreational facilities; however, any future development proposals for parks and/or recreational facilities would be subject to City review, including environmental analysis pursuant to CEQA. Therefore, development facilitated by the project would not result in substantial adverse physical impacts associated with the provision of or need for new or physically altered parks or result in substantial adverse impacts due to the construction or expansion of recreational facilities. These impacts would be less than significant.

Mitigation Measures

No mitigation measures would be required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

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4.11 Transportation

This section summarizes the transportation network that serves the Planning Area and analyzes the impacts on transportation due to the project.

4.11.1 Setting

a. Streets and Highways

The City of American Canyon is located in southern Napa County, approximately 35 miles northeast of San Francisco. Adjacent and south of the City limits is the City of Vallejo in Solano County. North of the City limits, a succession of cities in Napa County are located along State Route (SR) 29, which serves the main commercial corridor through the center of American Canyon. SR 29 is a main route to wine country destinations. These cities include Napa, Yountville, St. Helena, and Calistoga. As with American Canyon, these cities are bisected by SR 29.

The transportation network serving the area includes a network of city and county-maintained streets and state-maintained highways. SR 29 bisects the City at grade with one bridge over the Union Paciific Railroad. SR-29 serves as a main thoroughfare for local and pass-through traffic to regional connections and access to local properties . In addition, the City of American Canyon streets serve a variety of users, including pedestrians, bicyclists, transit riders, passenger cars, and heavy trucks for freight with a mix of local, recreational, and regional trips. American Canyon Road is a major east-west arterial street that connects with the Interstate (I-) 80 freeway to the east. The City lies generally northwest of the I-80/ SR 37 interchange.

b. Pedestrian and Bicycle Facilities

The Highway Design Manual, published by the California Department of Transportation (Caltrans), classifies bikeways into four categories:

- Class I Multiuse Path: a completely separated right-of-way for the exclusive use of bicycles and pedestrians with cross flows of motorized traffic minimized.
- Class II Bike Lane: a striped and signed lane for one-way bike travel on a street or highway.
- Class III Bike Route: signing only for shared use with motor vehicles within the same travel lane on a street or highway.
- Class IV Bikeway: also known as a separated bikeway, a Class IV Bikeway is for the exclusive use of bicycles and includes a separation between the bikeway and the motor vehicle traffic lane. The separation may include, but is not limited to, grade separation, flexible posts, inflexible physical barriers, or on-street parking.

There are currently over 13 miles of bicycle network within the City of American Canyon, including over 8 miles of Class I multiuse paths, 2.8 miles of Class II bike lanes, and over 2 miles of Class III designated bicycle routes on public roadways. While most of the City has sidewalks, , several older neighborhoods of the City have limited or lack pedestrian infrastructure. There is minimal sidewalk infrastructure along SR 29.

c. Transit Services

Public transportation within the City is provided by American Canyon Transit, which is a part of the Napa Valley Transportation Authority (NVTA) Vine Transit system. American Canyon Transit is a fixed route and on-demand, door-to-door, transit service within specific areas of the city. Vine Transit's Route 29 (Napa-BART) Express connects the BART Station in El Cerrito to the Redwood Park-n-Ride in the City of Napa and stops in American Canyon at the Post Office on Crawford Way.

d. Taxi and On-demand Ride-hailing

On-demand private taxi services are available in the project site 24 hours a day. Taxis can be used for trips within the Planning Area and farther destinations, including nearby airports. Other ride-hailing applications are also available in the Planning Area and provide transportation throughout the Bay Area.

e. Rail Transportation

Rail transportation in the City is currently limited to freight service only. No commuter rail service exists in the City or County. The main rail line in the City is owned by Union Pacific Railroad Company and enters the City parallel to and on the east side of SR 29 at the Solano County line.

f. Aviation

The Napa County Airport is northwest of the City limits in unincorporated lands. It is a General Aviation airport with charter flights available, but no scheduled commercial flights. The airport can accommodate most private aircraft including jets, up to 120,000 pounds. The airport was built by the United States Army Air Force in 1942 and was deeded to Napa County after World War II for civilian use. In 1971 International Air Services Company opened a flight training school at the airport.

4.11.2 Regulatory Setting

a. Federal Regulations

Americans with Disabilities Act of 1990

The Americans with Disabilities Act (ADA) of 1990 provides comprehensive rights and protections to individuals with disabilities. The goal of the ADA is to assure equality of opportunity, full participation, independent living, and economic self-sufficiency for people with disabilities. To implement this goal, the United States Access Board, an independent Federal agency created in 1973 to ensure accessibility for people with disabilities, has created accessibility guidelines for public rights-of-way. While these guidelines have not been formally adopted, they have been widely followed by jurisdictions and agencies nationwide in the last decade. The guidelines, last revised in July 2011, address various issues, including roadway design practices, slope and terrain issues, pedestrian access to streets, sidewalks, curb ramps, street furnishings, pedestrian signals, parking, and other components of public rights-of-way. The guidelines apply to all proposed roadways in the City.

Federal Highway Administration

The Federal Highway Administration (FHWA) is the agency of the U.S. Department of Transportation (DOT) responsible for the federally funded roadway system, including the interstate highway network and portions of the primary state highway network. FHWA funding is provided through the Moving Ahead for Progress in the 21st Century Act (MAP-21). MAP-21 can be used to fund local transportation improvement projects, such as projects to improve the efficiency of existing roadways, traffic signal coordination, bikeways, and transit system upgrades.

b. State Regulations

California Department of Transportation

Caltrans is responsible for planning, designing, constructing, and maintaining all state highways. The jurisdictional interest of Caltrans includes state highways and facilities and extends to improvements to roadways at the interchange ramps serving area freeways. Any federally funded transportation improvements would be subject to review by Caltrans staff and the California Transportation Commission.

Circulation Element

California law mandates the development of a Circulation Element as part of General Plans (often titled as the "Transportation Element" or "Mobility Element"). The Circulation Element must contain the "general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, any military airports and ports, and other local public utilities and facilities," all correlated with the land use element of the General Plan per Government Code Section 65302 (b). In addition, the General Plan must incorporate "Complete Streets" policies, as described in the section below.

Complete Streets Act

The California Complete Streets Act (AB 1358) adopted in 2008, requires that cities and other public agencies incorporate "Complete Street" policies when updating their General Plan Circulation Element. The term "Complete Streets" refers to a balanced, multimodal transportation network that meets the needs of all users of streets, including bicyclists, children, persons with disabilities, motorists, movers of commercial goods, pedestrians, public transportation, and seniors. A "Complete Street" is one that provides safe and convenient travel in a manner that is suitable to the local context. Complete Streets make travel safe for all users, including bicyclists, pedestrians, motorists, transit vehicles, and people of all ages and abilities. Each street does not need to provide dedicated space to all users, but the network must accommodate the needs of all users.

Capital Improvement Programs

California Government Code Section 65401 specifies that public works projects must be in conformity with the General Plan. In practice, this requires that the City, during each adoption of the Five-Year Capital Improvement Program (CIP), make findings that the proposed City of American Canyon Five-Year CIP is in conformance with the General Plan, including the Mobility Element.

California Public Utilities Commission

The California Public Utilities Commission (CPUC) is the State agency responsible for rail safety. The CPUC's jurisdiction includes railroad interlocking plants and public highway grade crossings. CPUC approval is required to modify a railroad interlocking plant (including construction of a new spur track) or modification to an existing public railroad grade crossing. Completion and submittal of a General Order 33-B is required for any proposed work to a railroad interlocking plant (e.g., spur track), and a General Order 88-B is required for any proposed work to a public highway grade crossing.

Senate Bill 743

California Senate Bill (SB) 743, passed in 2013, addresses a range of topics and aims to better promote statewide policies that (a) combat climate change by reducing greenhouse gas emissions and particulates; (b) encourage infill development and a diversity of uses instead of sprawl; and (c) promote multi-modal transportation networks, providing clean, efficient access to destinations and improving public health through active transportation.

SB 743 changed the way transportation impact analyses are conducted as part of compliance with the California Environmental Quality Act (CEQA). These changes eliminated automobile delay, level of service (LOS), and other similar measures of vehicular capacity or traffic congestion as a basis for determining significant impacts under CEQA. Prior rules treated automobile delay and congestion as an environmental impact. SB 743 required the CEQA Guidelines to prescribe an analysis that better accounts for transit and reducing greenhouse gas emissions. In December 2018, Office of Planning and Research (OPR) released the final update to CEQA Guidelines consistent with SB 743 that went into effect statewide on July 1, 2020, which state that vehicle miles traveled (VMT) is "generally" the most appropriate metric of transportation impacts to align local environmental review under CEQA with California's long-term greenhouse gas emissions reduction goals. At the same time as the release of the updated CEQA Guidelines, OPR also released a non-binding *Technical Advisory on Evaluating Transportation Impacts in CEQA*, which outlines potential VMT analysis methodologies and thresholds of significance for use by agencies in California based on substantial evidence developed by OPR related to achievement of the State's greenhouse gas emissions reductions targets.

Although OPR provides recommendations for adopting new impact analysis guidelines, lead agencies have the final say in designing their methodology, provided that the selected analysis methodology aligns with the SB 743 goals to promote infill development, reduce greenhouse gases, and reduce VMT. The City's approved methodology and thresholds for transportation impacts consistent with SB 743 are described in Section 4.11.3, *Impact Analysis*.

c. Regional Transportation Plans

Plan Bay Area 2050

The Regional Transportation Plan and Sustainable Community Strategy (RTP/SCS) for the San Francisco Bay Area, named Plan Bay Area 2050 was jointly produced and adopted by the Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG) on October 21, 2021. Plan Bay Area 2050 is the strategic update to Plan Bay Area 2040, and it connects the elements of housing, the economy, transportation, and the environment through 35 strategies that will make the Bay Area more equitable for all residents and more resilient in the face

of unexpected challenges. It is a roadmap to help Bay Area cities and counties preserve the character of our diverse communities while adapting to the challenges of future population growth. The SR 29 corridor has been designated by MTC and ABAG as a Priority Development Area (PDA), meaning that it is recognized as an area with substantial opportunity for infill development near transit. PDAs play a critical role in accommodating future growth in the regional agencies' SCS plans.

Countywide Transportation Plan

The NVTA oversees the countywide transportation plan for Napa County. The countywide transportation plan outlines priorities for the NVTA and Napa County's transportation system to relieve congestion, improve traffic safety, create more active transportation infrastructure, provide more reliable and frequent bus service, and maintain and repair the existing transportation system. Local planning efforts led by NVTA have resulted in the development of preliminary concepts for SR 29 that have been presented to the public through workshops for input and comment. Some of these initial concepts were evaluated in more detail through the regional NVTA study and subsequent public workshops. Options already discussed with the community include creative intersection capacity enhancements, including roundabout options.

d. Local Regulations

American Canyon Bicycle Plan

The City of American Canyon updated the Bicycle Plan in February 2020. The Bicycle Plan was prepared in accordance with the California Bicycle Transportation Act as part of the Napa Countywide Bicycle Plan and was coordinated with existing City and Regional Plans at the time of its adoption. The Bicycle Plan adoption was one of several City actions implementing SB 375, the Sustainable Communities Strategy Act (City of American Canyon 2020).

American Canyon Pedestrian Plan

The City of American Canyon adopted a Pedestrian Plan in June 2017. Together with the Bicycle Plan, the Pedestrian Plan creates an Active Transportation Plan that will position American Canyon to effectively compete for project funding. This plan follows the Caltrans Active Transportation Program (ATP) Guidelines, which outline statewide requirements for what should be included in active transportation plans (City of American Canyon 2017).

American Canyon Vehicle Miles Travelled Policy

SB 743 also requires local jurisdictions to reduce automobile travel by replacing LOS from transportation analysis under CEQA with Vehicle Miles Traveled ("VMT"), or another measure that "promote(s) greenhouse gas emissions reduction, development of multimodal transportation networks, and a diversity of land uses." In August 2023, the City of American Canyon adopted a Vehicle Miles Travelled (VMT) policy (Resolution 2023-72).

The City's Traffic Model calculates the existing rate of residential VMT per capita to be 16.6 miles and the existing daily rate of VMT per employee is estimated to be 34.1 miles. The VMT policy requires new development to improve the existing citywide VMT rate by 19 percent, consistent with the California Air Resources Board (CARB) 19 percent reduction target in per capita greenhouse gas emissions from passenger vehicles by 2035, when compared to 2005 for the nine-county San Francisco Bay Area region. The VMT threshold standard applies to all General Plan amendments, long-range plans, discretionary development applications, and transportation projects.

4.11.3 Impact Analysis

a. Significance Thresholds and Methodology

Significance Thresholds

Based on Appendix G of the CEQA Guidelines a project may be deemed to have a significant impact on transportation if it would:

1. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities;
2. Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b);
3. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment); or
4. Result in inadequate emergency access

Methodology

The methodology for assessing impacts under thresholds 1, 3 and 4 is qualitative in nature and considers the existing regulations in place that would minimize potential impacts related to transit, roadway, bicycle and pedestrian facilities; geometric design features; and emergency access.

Impact TRA-2 evaluates whether the project would conflict or be inconsistent with CEQA Guidelines Section 15064.3(b), which describes specific considerations for analyzing transportation impacts as amended on July 1, 2020 pursuant to SB 375. CEQA Guidelines Section 15064.3(b) states that VMT is "generally" the most appropriate measure of transportation impacts. No particular methodology or metric is mandated by Section 15064.3(b) and the methodology or metric is left to the lead agency, bearing in mind the criteria the legislature had in mind for determining the significance of transportation impacts in SB-743. These were expressed in Public Resource Code section 21099(b)(1), which states: "[t]hose criteria shall promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses."

The assessment of VMT impacts for this EIR under Impact TRA-2 was determined by utilizing the American Canyon travel demand model to forecast the typical daily weekday rates of VMT per capita attributable to the residential population of American Canyon, and VMT per employee attributable to jobs in American Canyon. The American Canyon travel demand model is a trip-based model and identifies the following estimates:

- Residential VMT per capita was estimated based on the VMT attributable to home-based trip productions, to and from residences in American Canyon.
- VMT per employee was estimated based on the VMT associated with home-based work (HBW) trips, to and from places of employment in American Canyon.

VMT impacts would be considered potentially significant if the forecasted rate of residential VMT per capita or VMT per employee for the project were to exceed 81 percent of the existing rate of VMT in each category for American Canyon, based on the American Canyon travel demand model.

Table 4.11-1 summarizes the existing weekday daily rates of VMT and corresponding significance thresholds. There are an estimated 22,959 residents[1] and 4,442 jobs in American Canyon under existing conditions according to the City's Traffic Model (based on U.S. Census Bureau estimates for the years 2017 and 2018, which were adjusted to reflect land use changes since 2018). The existing rate of residential VMT per capita is estimated to be 16.6 miles and the existing daily rate of VMT per employee is estimated to be 34.1 miles per employee. VMT impacts resulting from the proposed 2040 General Plan would therefore be considered significant if the forecasted year 2040 rate of residential VMT per capita under the proposed General Plan were to exceed 13.4 miles, or if the forecasted year 2040 rate of VMT per employee were to exceed 27.6 miles.

Table 4.11-1 VMT Impact Thresholds

Scenario	Residential VMT per Capita	VMT per Employee
Existing Conditions	16.6	34.1
Significant Impact Threshold (81 percent of Existing rate)	**13.4**	**27.6**

Source: American Canyon Travel Demand Model, GHD, December 2022

b. Project Impacts and Mitigation Measures

Threshold 1: Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Impact TRA-1 THE PROJECT WOULD NOT CONFLICT WITH A PROGRAM, PLAN, ORDINANCE OR POLICY ADDRESSING THE CIRCULATION SYSTEM AND IMPACTS WOULD BE LESS THAN SIGNIFICANT.

The 2040 General Plan would be consistent with the California Complete Streets Act (AB 1358), which requires that cities and other public agencies incorporate "Complete Street" policies when updating their General Plan Circulation Element. Complete Streets make travel safe for all users, including bicyclists, pedestrians, motorists, transit vehicles, and people of all ages and abilities. The Mobility Element incorporates the recommendations of the American Canyon Bicycle Plan and American Canyon Pedestrian Plan. The circulation network plan identified in the Mobility Element is consistent with recent regional planning efforts for SR 29 that would maintain its current 4-lane configuration. The proposed Mobility Element includes the following proposed policies that are relevant to ensuring consistency with other applicable programs and plans that emphasize multi-modal transportation, including the Complete Streets Act, American Canyon Bicycle Plan, and American Canyon Pedestrian Plan:

- **MOB-1.1: Complete Streets.** Maintain and update street standards that that serves not just automobile operations, but also multi-modal movement and adjacent land uses, including pedestrians, motorists, bicyclists, and transit riders of all ages and abilities, in a form that is compatible with and complementary to adjacent land uses, and promotes connectivity between uses and areas.
- **MOB-1.4: Development Review**. Evaluate new development to ensure that the safety, comfort, and convenience of pedestrians, bicyclists and transit users are given equal level of consideration to motor vehicle operators.

[1] These estimates are based on the City's Traffic Model, which included some properties outside the City limits. For this reason, this population number does not match the population number identified in other sections of this environmental impact report. Nonetheless, both estimates are similar.

- **MOB-1.6: Transportation Facility Construction and Modification.** When constructing or modifying transportation facilities, strive to provide for the movement of vehicles, commercial trucks, alternative and low energy vehicles, transit, bicyclists, and pedestrians appropriate for the road classification and adjacent land use.
- **MOB-1.7: Promote Walking and Bicycling.** Promote walking and bicycling for transportation, recreation, and improvement of public health.
- **MOB-1.9: SR 29 Mobility.** Work with regional partners, including Caltrans, NVTA, and other agencies to explore a complete streets approach that will expand the travel capacity of SR 29.
- **MOB-1.16: Agency Coordination.** Coordinate with State, Regional, County, and neighboring agencies to ensure highway improvements (i.e.: SR-12, SR-29, and SR-37) appropriately consider impacts to American Canyon.
- **MOB-1.17: Reduce Vehicle Miles Traveled.** Through layout of land uses, improved alternate travel modes, and provision of more direct routes, strive to reduce the total vehicle miles traveled by city and non-residents traveling to American Canyon to work or shop.
- **MOB-1.20: Bicycle Plan Funding.** Include funding for the City's Bicycle Plan updates and bikeway improvements consistent with the Bicycle Plan in the City's transportation financing program and TIF, recognizing the multi-modal travel needs of the City.
- **MOB-1.21: Address Mobility Needs.** Recognize and meet the mobility needs of persons using wheelchairs and those with other mobility limitations.
- **MOB-1.22: Non-motorized Circulation System.** Provide safe and direct pedestrian routes and bikeways between places.
- **MOB-1.23: Pedestrian Connections to Employment Destinations**. Encourage the development of a network of continuous walkways within new commercial, town center, public, and industrial uses to improve workers' ability to walk safely around, to, and from their workplaces. Where possible, route pedestrians to grade separated crossings over State Route 29.
- **MOB-1.24: Bicycle Facilities.** Bicycle facilities shall be provided to complete a continuous bikeway system, consistent with state standards, as shown on the Bikeway Plan Map. In cases where existing right of way constraints limit development of Class II or Class IV facilities, Class Ill signage and demarcation may be permitted at the discretion of the City Engineer. Deviations from these standards and from the routing shown on the diagram shall be permitted with the approval of the City Engineer.
- **MOB-1.26: Universal Design.** Provide pedestrian facilities that are accessible to persons with disabilities and ensure that roadway improvement projects address accessibility by using universal design concepts such as bus pullouts and shelters, street lighting, and curbside management features such as pickup/drop-off locations for shared ride/ transit network companies and spaces for delivery vehicles to park safely for short durations. *(Source: Modified Existing Policy 2.7)*
- **MOB-1.28: Coordination with Adjacent Jurisdictions**. Coordinate with adjacent jurisdictions to ensure connected and consistent non-vehicular facilities, including bridges, grade-separate crossings, as appropriate.

Compliance with these proposed policies would ensure that the project is consistent with other applicable programs and plans that emphasize multi-modal transportation and impacts would be less than significant.

Mitigation Measures

No mitigation measures would be required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

Threshold 2:	Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

Impact TRA-2 The future (2040) citywide rate of Residential VMT per Capita with the proposed 2040 General Plan would be higher than the significance threshold. The project would therefore conflict with or be inconsistent with CEQA Guidelines 15064.3(b) and impacts would be significant.

As described in the Methodology subsection of Section 4.15.3, *Impact Analysis,* VMT impacts from the project were analyzed using the City of American Canyon travel demand model. VMT impacts would be considered potentially significant if the forecasted rate of VMT per employee for the project exceed 27.6 miles or the rate of residential VMT per capita of the project exceeded 13.4 mile.

Currently, the existing rate of residential VMT per capita exceeds the significance thresholds for both VMT per Resident and VMT per Employee. Overall, future development is anticipated to add significant employment opportunities to an area that currently has fewer jobs than employed residents. As such, a larger share of future residents of American Canyon and adjacent communities would be able to reduce their work commute distance by being employed closer to their residence, supporting regional efforts to reduce VMT. Table 4.11-2 compares the model-forecasted rates of residential VMT per capita and VMT per employee under both Existing and Future (Year 2040) conditions. As shown the citywide rate of residential VMT per capita would be reduced by more than four percent from Existing/Baseline Conditions but would continue to exceed the significance threshold. VMT per employee would be reduced by more than 24 percent from Existing/Baseline Conditions and would be below the significance threshold. Therefore, transportation impacts associated with VMT would be potentially significant since the forecasted rate of 15.9 VMT per resident would exceed the significance threshold of 13.4.

Table 4.11-2 Project VMT

Scenario	VMT per Resident	VMT per Employee
Existing/Baseline Conditions	16.6	34.1
Future (2040) Conditions	15.9	25.7
Significance Threshold	13.4	27.6
Impact Finding	**Significant**	Less than Significant

Source: American Canyon Travel Demand Model, GHD, July 2024.

The 2040 General Plan also includes the following proposed policies that are potentially self-mitigation by increasing the use of multi-modal transportation which would reduce VMT:

- **MOB-1.1: Complete Streets.** Maintain and update street standards that that serves not just automobile operations, but also multi-modal movement and adjacent land uses, including

pedestrians, motorists, bicyclists, and transit riders of all ages and abilities, in a form that is compatible with and complementary to adjacent land uses, and promotes connectivity between uses and areas.

- **MOB-1.4: Development Review.** Evaluate new development to ensure that the safety, comfort, and convenience of pedestrians, bicyclists and transit users are given equal level of consideration to motor vehicle operators.
- **MOB-1.6: Transportation Facility Construction and Modification.** When constructing or modifying transportation facilities, strive to provide for the movement of vehicles, commercial trucks, alternative and low energy vehicles, transit, bicyclists, and pedestrians appropriate for the road classification and adjacent land use.
- **MOB-1.7: Promote Walking and Bicycling.** Promote walking and bicycling for transportation, recreation, and improvement of public health.
- **MOB-1.9: SR 29 Mobility.** Work with regional partners, including Caltrans, NVTA, and other agencies to explore a complete streets approach that will expand the travel capacity of SR 29.
- **MOB-1.16: Agency Coordination.** Coordinate with State, Regional, County, and neighboring agencies to ensure highway improvements (i.e.: SR-12, SR-29, and SR-37) appropriately consider impacts to American Canyon.
- **MOB-1.17: Reduce Vehicle Miles Traveled.** Through layout of land uses, improved alternate travel modes, and provision of more direct routes, strive to reduce the total vehicle miles traveled by city and non-residents traveling to American Canyon to work or shop.
- **MOB-1.20: Bicycle Plan Funding.** Include funding for the City's Bicycle Plan updates and bikeway improvements consistent with the Bicycle Plan in the City's transportation financing program and TIF, recognizing the multi-modal travel needs of the City.
- **MOB-1.21: Address Mobility Needs.** Recognize and meet the mobility needs of persons using wheelchairs and those with other mobility limitations.
- **MOB-1.22: Non-motorized Circulation System.** Provide safe and direct pedestrian routes and bikeways between places.
- **MOB-1.23: Pedestrian Connections to Employment Destinations.** Encourage the development of a network of continuous walkways within new commercial, town center, public, and industrial uses to improve workers' ability to walk safely around, to, and from their workplaces. Where possible, route pedestrians to grade separated crossings over State Route 29.
- **MOB-1.24: Bicycle Facilities.** Bicycle facilities shall be provided to complete a continuous bikeway system, consistent with state standards, as shown on the Bikeway Plan Map. In cases where existing right of way constraints limit development of Class II or Class IV facilities, Class Ill signage and demarcation may be permitted at the discretion of the City Engineer. Deviations from these standards and from the routing shown on the diagram shall be permitted with the approval of the City Engineer.
- **MOB-1.26: Universal Design.** Provide pedestrian facilities that are accessible to persons with disabilities and ensure that roadway improvement projects address accessibility by using universal design concepts such as bus pullouts and shelters, street lighting, and

curbside management features such as pickup/drop-off locations for shared ride/ transit network companies and spaces for delivery vehicles to park safely for short durations. (Source: Modified Existing Policy 2.7)

- **MOB-1.28: Coordination with Adjacent Jurisdictions**. Coordinate with adjacent jurisdictions to ensure connected and consistent non-vehicular facilities, including bridges, grade-separate crossings, as appropriate.

Compliance with these proposed policies combined with the increased provision of jobs in American Canyon would support efforts to reduce VMT. However, VMT would still exceed the significance threshold of 13.4. Typical VMT mitigation would require the implementation of transportation demand management (TDM) programs as a condition of approval for new residential development projects to achieve specific reductions in VMT. However, most successful TDM programs focus on employment sites rather than residential development. TDM programs are intended to maximize travel choices, while focusing on trip reduction and parking needs. These types of VMT reduction programs, when focused on residential development are challenging to implement and monitor. Further, the General Plan policies identified above already encompass those policies and programs that may have some likelihood of success that would otherwise be incorporated into a TDM.

As discussed above, VMT per employee would be below the significance threshold but VMT per resident would exceed the significance threshold by 2.5. As such, it is unlikely that such measures would be effective in lowering the citywide rate of VMT per resident below the applicable threshold. "an EIR need not analyze every imaginable alternative or mitigation measure, its concern is with feasible means of reducing environmental effects." *League to Save Lake Tahoe Mountain etc. v. County of Placer* (2022) 75 Cal.App.5th 63, 159–161. Here, there are no additional known policies or mitigations measures that could feasibly be implemented that would further reduce the citywide rate of VMT per resident, more than it has already been reduced, to a less than significant level.

Mitigation Measures

Potentially self-mitigating measures are included within the 2040 General Plan which would increase the use of multi-modal transportation and could reduce VMT. However, measures to reduce specific VMT per resident are challenging to implement and monitor in a meaningful way. Other than the self-mitigating measures and policies outlined above, there is no known additional feasible mitigation that is likely to further reduce the citywide rate of VMT per resident.

Significance After Mitigation

The 2040 General Plan includes policies which would reduce VMT. However, because there is no specific mitigation to reduce VMT per resident and the General Plan policies cannot realistically enforce mitigation programs or policies that might reduce VMT below the threshold, impacts would remain significant and unavoidable.

Threshold 3:	Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?

Impact TRA-3 THE PROJECT WOULD NOT SUBSTANTIALLY INCREASE HAZARDS DUE TO A GEOMETRIC DESIGN FEATURE AND IMPACTS WOULD BE LESS THAN SIGNIFICANT.

The project is a program-level planning effort which does not directly address geometric design features. The 2040 General Plan includes proposed polices that would ensure efficient circulation and adequate access are provided in the city, which would minimize hazards.

Future development would be required to comply with street design standards, Manual of Uniform Traffic Control Devices (MUTCD) requirements, fire code requirements and zoning regulations, ensuring that the adoption of the 2040 General Plan would minimize design hazards. In addition, the Mobility Element includes Vision Zero goals and policies. Vision Zero aims to eliminate all traffic fatalities and severe injuries, while increasing safe, healthy, and equitable mobility for all. The proposed Mobility Element includes the following key policies focusing on safety:

- **MOB-2.1: Vision Zero.** Strive for the elimination of all traffic fatalities and severe injuries while increasing safe, healthy, and equitable mobility for all.
- **MOB-2.2: Context Sensitive Design.** Improve multimodal transportation safety by expanding the City's non-motorized transportation infrastructure using context sensitive design.
- **MOB-2.3: Bicycle Safety.** Increase the safety of those traveling by bicycle by sweeping debris from and repairing bicycle paths and lanes.
- **MOB-2.4: Improved Bikeway Visibility.** Use visual cues, such as brightly colored paint on bike lanes or a one-foot painted buffer strip, along bicycle routes to provide a visual signal to drivers to watch out for bicyclists and nurture a "share the lane" ethic, prioritizing bikeways with recent automobile-bicycle collisions.
- **MOB-2.5: Speeds on Residential and Arterial Streets**. Explore innovative ways to reduce vehicular speeds through residential neighborhoods to posted speed limits, such as implementing traffic calming strategies such as: enhanced cross walks, lighted crosswalks, reducing lane widths, and others).
- **MOB-2.6: Site Designs and Safety**. Ensure, through the development review process, that development projects follow best design practices to reduce conflicts between multiple travel modes.

Compliance with these proposed policies, as well as compliance with existing design standards, MUTCD requirements, fire code requirements, and zoning regulations, would ensure that implementation of the project would not substantially increase hazards due to a geometric design feature or incompatible use. Impacts would be less than significant.

Mitigation Measures

No mitigation measures would be required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

Threshold 4: Would the project result in inadequate emergency access?

Impact TRA-4 THE PROJECT WOULD NOT RESULT IN INADEQUATE EMERGENCY ACCESS AND IMPACTS WOULD BE LESS THAN SIGNIFICANT.

Implementation of the project would result in increased development and facilitate population growth, which would increase the number of users on the City's transportation system. The existing street and highway system (including SR 29, American Canyon Road, and streets connecting to

Vallejo streets) has sufficient capacity to ensure adequate emergency access provisions to accommodate increased population and growth. Future development would be required to comply with existing regulations, including fire code, building code, street design standards, and zoning regulations that address site-specific provisions related to emergency access. This will further ensure that the adoption of the proposed General Plan would minimize impacts on emergency access. In addition, the proposed Mobility Element includes the following policies to support a key goal of ensuring adequate evacuation routes in the event of an emergency:

- **MOB 3.1: Parallel North-South Roadway**. Prioritize construction of roadways that provide alternate vehicle access parallel to Highway 29 through American Canyon and coordinate continuation of parallel routes outside the City with Regional Agencies.
- **MOB-3.2: Evacuation Routes.** Identify important roadways that would serve as evacuation routes in the event of an emergency.
- **MOB-3.3: Natural Hazard Awareness Week.** Coordinate with the American Canyon Fire Protection District to conduct outreach to the community on emergency evacuation routes in our community.
- **MOB-3.4: Evacuation Route Obstacles.** Evaluate potential physical conditions that could impede an evaluation route. Examples include overhead utility poles, dead/ dying trees, aging infrastructure.

Compliance with these proposed policies, as well as compliance with existing regulations (i.e., fire code, building code, street design standards, and zoning regulations) that address site-specific provisions related to emergency access, would ensure that implementation of the project would not result in inadequate emergency access. Impacts would be less than significant.

Mitigation Measures

No mitigation measures would be required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

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4.12 Tribal Cultural Resources

This section summarizes the potential tribal cultural resources in the Planning Area and analyzes the impacts on tribal cultural resources due to the project.

4.12.1 Setting

a. Ethnographic Overview

The Planning Area is in the traditional tribal territory of the Patwin, members of the larger Wintun Tribe. Patwin territory extends from Clear Lake to the San Pablo and Suisun bays. The Patwin may be further separated into River Patwin along Sacramento River, as well as in the Sacramento and Suisun valleys towards the San Pablo and Suisun bays; and the Hill Patwin along the northern Coast Ranges, closer to Clear Lake Basin (Elliott 2011). Patwin language is a subgroup of the Penutian language family along with Wintun (Johnson 1978). Historically, the southern Patwin were distinguished from the northern Wintun, based on the linguistically distinct words for people: Win-tun or Win-tu in the north and Pat-win in the south (Kroeber 1925). For this discussion, Patwin refers to both Patwin and Wintun peoples.

Political organization consists of small tribelets and several satellite settlements. A male chief would head each tribelet and direct activities. Their main purpose was to govern ceremonial and economic activities of the village. His administration included tree grove and fishing ownership, how food would be distributed among the villagers, and what ceremonies would be held and who would be invited to join (McKern 1922, Johnson 1978). This position typically passed down patrilineally. Yet, the village could determine a chief to be incompetent and village elders would then elect a new Chief based on qualifications (McKern 1922).

The Patwin family unit had three levels. The first is the paternal family, which includes the extended family following male blood relations. The second is the family social group that dictated marital matrilocality, with the husband moving to the area of his wife. On the third level, the household of the nuclear family would situate in proximity of the family social group. Other types of family-like units would take part in specific activities. Paternal families participated in one of four practices that passed down secret medicines and charms. Trade families engaged in producing or consolidating resources, such as hunted animals or musical instruments for distribution. Shamanistic families utilized supernatural powers to influence the spirits. Official families held one individual that served in an official capacity, such as ceremonial song leader or hesi dance fire tender (McKern 1922). Additionally, a series of ceremonial dances took place from October to May related to the Kuksu Cult. These dances would take place in a small and secret ceremonial dance hall with an earth-covered roof (Kroeber 1925).

Patwin residential structures were typically elliptical or circular shaped and earth-covered or semi-subterranean. The earth covering was imported from outside the villages. Villages consisted of family homes, a ceremonial dance house, menstrual hut, and a sweat lodge.

Patwin subsistence practices centered on the use of acorns and other seeds as a primary food source. River Patwin would process these foods with wooden log mortars, while Hill Patwin preferred flat stone slab-and-basket hopper mortars (Elliott 2011). Both groups engaged in hunting of deer, tule elk, antelope, bear, turtles, and various species of waterfowl. Hunting was done typically with a sinew-backed bow and arrow. Fishing was a particularly important activity for the Patwin, using gates and pens to catch salmon and sturgeon, while pike, steelhead, trout, and smaller

salmon were caught with nets. Additionally, tobacco was collected from along the river and dried for smoking but not cultivated (Johnson 1978).

The Patwin made both twined and coiled basketry, usually from willow and redbud. Baskets were an important tool in their daily lives for transporting, preparing, and storing foods and burial remains. They utilized animal hides for bedding, floor mats, skirts, burial robes, and tobacco sacks. Tule balsa rafts were crafted and used to navigate rivers. Bone, mussel shell, and stone tools were used as knives (Johnson 1978).

4.12.2 Regulatory Setting

a. Federal Regulations

Archaeological Resources Protection Act

The Archaeological Resources Protection Act (ARPA) amended the Antiquities Act of 1906 (16 United States Code [USC] 431–433) and set a broad policy that archaeological resources are important to the nation and should be protected, and required special permits before the excavation or removal of archaeological resources from public or Indian lands. The purpose of the ARPA was to secure, for the present and future benefit of the American people, the protection of archaeological resources and sites that are on public lands and Indian lands, and to foster increased cooperation and exchange of information between governmental authorities, the professional archaeological community, and private individuals having collections of archaeological resources and data that were obtained before October 31, 1979.

American Indian Religious Freedom Act

The American Indian Religious Freedom Act (AIRFA) established federal policy to protect and preserve the inherent rights of freedom for Native groups to believe, express, and exercise their traditional religions. These rights include but are not limited to access to sites, use and possession of sacred objects, and freedom to worship through ceremonials and traditional rites.

Native American Graves Protection and Repatriation Act

The Native American Graves Protection and Repatriation Act of 1990 sets provisions for the intentional removal and inadvertent discovery of human remains and other cultural items from federal and tribal lands. It clarifies the ownership of human remains and sets forth a process for repatriation of human remains and associated funerary objects and sacred religious objects to the Native American groups claiming to be lineal descendants or culturally affiliated with the remains or objects. It requires any federally-funded institution housing Native American remains or artifacts to compile an inventory of all cultural items within the museum or with its agency and to provide a summary to any Native American tribe claiming affiliation.

b. State Regulations

Assembly Bill 52

As of July 1, 2015, California Assembly Bill 52 of 2014 (AB 52) was enacted and expands the California Environmental Quality Act (CEQA) by defining a new resource category, “tribal cultural resources.” AB 52 establishes that “a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect

on the environment" (Public Resources Code [PRC] Section 21084.2). AB 52 further states when feasible, the lead agency shall establish measures to avoid impacts that would alter the significant characteristics of a tribal cultural resource (PRC Section 21084.3). PRC Section 21074 (a)(1)(A) and (B) defines tribal cultural resources as "sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe," and meets either of the following criteria:

a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC Section 5020.1(k).
b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1. In applying the criteria set forth in subdivision (c) of PRC Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

In recognition of California Native American tribal sovereignty and the unique relationship of California local governments and public agencies with California Native American tribal governments and with respect to the interests and roles of project proponents, it is the intent AB 52 to accomplish all the following:

1. Recognize that California Native American prehistoric, historic, archaeological, cultural, and sacred places are essential elements in tribal cultural traditions, heritages, and identities.
2. Establish a new category of resources in CEQA called "Tribal Cultural Resources" that considers the tribal cultural values in addition to the scientific and archaeological values when determining impacts and mitigation.
3. Establish examples of mitigation measures for tribal cultural resources that uphold the existing mitigation preference for historical and archaeological resources of preservation in place, if feasible.
4. Recognize that California Native American tribes may have expertise with regard to their tribal history and practices, which concern the tribal cultural resources with which they are traditionally and culturally affiliated (because CEQA calls for a sufficient degree of analysis, tribal knowledge about the land and tribal cultural resources at issue should be included in environmental assessments for projects that may have a significant impact on those resources).
5. In recognition of their governmental status, establish a meaningful consultation process between California Native American tribal governments and lead agencies, respecting the interests and roles of all California Native American tribes and project proponents, and the level of required confidentiality concerning tribal cultural resources, early in the CEQA environmental review process, so that tribal cultural resources can be identified, and culturally appropriate mitigation and mitigation monitoring programs can be considered by the decision-making body of the lead agency.
6. Recognize the unique history of California Native American tribes and uphold existing rights of all California Native American tribes to participate in, and contribute their knowledge to, the environmental review process pursuant to CEQA.
7. Ensure that local and tribal governments, public agencies, and project proponents have information available, early in CEQA environmental review process, for purposes of identifying and addressing potential adverse impacts to tribal cultural resources and to reduce the potential for delay and conflicts in the environmental review process.

8. Enable California Native American tribes to manage and accept conveyances of, and act as caretakers of, tribal cultural resources.
9. Establish that a substantial adverse change to a tribal cultural resource has a significant effect on the environment.

AB 52 also establishes a formal consultation process for California tribes regarding those resources. The consultation process must be completed before a CEQA document can be certified or adopted. AB 52 requires that lead agencies "begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project." Native American tribes to be included in the process are those that have requested notice of projects proposed in the jurisdiction of the lead agency.

Senate Bill 18

California Government Code Section 65352.3 (adopted pursuant to the requirements of Senate Bill [SB] 18) requires local governments to contact, refer plans to and consult with tribal organizations prior to making a decision to adopt or amend a general or specific plan. The tribal organizations eligible to consult have traditional lands in a local government's jurisdiction and are identified, upon request, by the Native American Heritage Commission (NAHC). As noted in the California Office of Planning and Research's Tribal Consultation Guidelines (2005), "The intent of SB 18 is to provide California Native American tribes an opportunity to participate in local land use decisions at an early planning stage, for the purpose of protecting, or mitigating impacts to, cultural places."

CEQA Guidelines 15064.5(c)—Effects on Archaeological Resources

CEQA Guidelines state that a resource need not be listed on any register to be found historically significant. CEQA Guidelines direct lead agencies to evaluate archaeological sites to determine whether they meet the criteria for listing in the CRHR. If an archaeological site is a historical resource, in that it is listed or eligible for listing in the CRHR, potential adverse impacts to it must be considered. If an archaeological site is considered not to be a historical resource but meets the definition of a "unique archaeological resource" as defined in PRC Section 21083.2, then it would be treated in accordance with the provisions of that section.

CEQA Guidelines Section 15064.5(d)—Effects on Human Remains

Native American human remains and associated burial items may be significant to descendant communities and/or may be scientifically important for their informational value. They may be significant to descendant communities for patrimonial, cultural, lineage, and religious reasons. Human remains may also be important to the scientific community, such as prehistorians, epidemiologists, and physical anthropologists. The specific stake of some descendant groups in ancestral burials is a matter of law for some groups, such as Native Americans (CEQA Guidelines Section 15064.5(d); PRC Section 5097.98). CEQA and other State regulations regarding Native American human remains provide the following procedural requirements to assist in avoiding potential adverse effects on human remains within the contexts of their value to both descendant communities and the scientific community:

- When an initial study identifies the existence or probable likelihood that a project would affect Native American human remains, the lead agency is to contact and work with the appropriate Native American representatives identified through the NAHC to develop an agreement for the

treatment and disposal of the human remains and any associated burial items (CEQA Guidelines Section 15064.5(d); PRC Section 5097.98).

- If human remains are accidentally discovered, the County Coroner must be contacted. If the County Coroner determines that the human remains are Native American, the Coroner must contact the NAHC within 24 hours. The NAHC must identify the Most Likely Descendant (MLD) to provide for the opportunity to make recommendations for the treatment and disposal of the human remains and associated burial items.
- If the MLD fails to make recommendations within 24 hours of notification or the project applicant rejects the recommendations of the MLD, the Native American human remains and associated burial items must be reburied in a location not subject to future disturbance within the project site (PRC Section 5097.98).

c. Local Regulations

City of American Canyon General Plan

The City's Housing Element of the General Plan includes the following policy(City of American Canyon 2023):

- **H-8.12 Yocha Dehe Wintun Nation Treatment Protocol.** In the event any Native American human remains, grave goods, ceremonial items, and items of cultural patrimony are found in conjunction with development, including archaeological studies, excavation, geotechnical investigations, grading, and any ground disturbing activity, the "Yocha Dehe Wintun Nation Treatment Protocol for Handling Human Remains and Cultural Items Affiliated with the Yocha Dehe Wintun Nation" shall be implemented as included as Appendix A to the Housing Element Background Report.

4.12.3 Impact Analysis

a. Significance Thresholds and Methodology

Significance Thresholds

Appendix G of the CEQA Guidelines identifies the following criteria for determining whether a project's impacts would have a significant impact to tribal cultural resources:

1. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
    a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
    b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Methodology

The presence and significance of a potential tribal cultural resource is determined through consultation between lead agencies and local California Native Americans. Impacts to tribal cultural resources are highly dependent on the nature of the resource but, in general, could occur if there is destruction or alteration of the resource and its surroundings, access restrictions to the resource, or other disturbances.

b. Project Impacts and Mitigation Measures

Threshold 1a:	Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074 that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?
Threshold 1b:	Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074 that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1?

Impact TCR-1 THE PROJECT COULD ADVERSELY IMPACT TRIBAL CULTURAL RESOURCES. IMPACTS WOULD BE LESS THAN SIGNIFICANT THROUGH CONSULTATION CONDUCTED PURSUANT TO AB 52.

On August 16, 2022 the City mailed and emailed out letters to the Cortina Band of Indians, Federated Indians of Graton Rancheria, and Yocha Dehe Wintun Nation to inform them of the proposed General Plan Update. To date, one response dated September 14, 2022 was received on from the Yocha Dehe Wintun Nation which stated that the project is within the aboriginal territories of the Yocha Dehe Wintun Nation. The Tribe requested formal consultation with the lead agency, a project timeline, detailed project information, and the latest cultural study conducted for the project. On November 16, 2022; December 9, 2022; and December 12, 2022, the City communicated with the Tribe to coordinate a date and time to meet regarding the General Plan Update. A consultation meeting was held on January 12, 2023 between City staff and representatives of the Yocha Dehe Wintun Nation. During the consultation meeting, the representatives of the Yocha Dehe Wintun Nation identified their want to take a proactive approach related to tribal cultural resources, considering that the area around American Canyon is sensitive and tribal cultural resource finds have occur. City staff identified that the 2040 General Plan would include a policy to follow the Yocha Dehe Wintun Nation Treatment Protocol in the event tribal cultural resources are found. On January 13, 2023, City staff emailed the Yocha Dehe Wintun Nation with the policies that are proposed in the 2040 General Plan to minimize impacts on tribal cultural resources.

The Environment Element of the 2040 General Plan contains the following proposed goals and policies, which would minimize impacts to tribal cultural resources within the City of American Canyon:

Goal ENV-4: Protect cultural and tribal resources.

- **Policy ENV-4.1: Preservation.** Protect areas containing significant historic, archaeological, and paleontological resources, as defined by the California Public Resources Code.

- **Policy ENV-4.2: Development.** Ensure that human remains are treated with sensitivity and dignity and ensure compliance with the provisions of California Health and Safety Code Section 7050.5 and California Public Resources Code Section 5097.98.
- **Policy ENV-4.3: Yocha Dehe Wintun Nation Treatment Protocol**. In the event any Native American human remains, grave goods, ceremonial items, and items of cultural patrimony are found in conjunction with development, including archaeological studies, excavation, geotechnical investigations, grading, and any ground disturbing activity, the "Yocha Dehe Wintun Nation Treatment Protocol for Handling Human Remains and Cultural Items Affiliated with the Yocha Dehe Wintun Nation" shall be implemented as included as Appendix A to the Housing Element.

It remains a possibility that tribal cultural resources may be present within geographic areas affiliated with tribal organizations. In compliance with AB 52, a determination of whether project-specific substantial adverse effects on tribal cultural resources would occur, along with identification of appropriate project-specific avoidance, minimization, or mitigation measures. Due to the programmatic nature of the environmental analysis, it is not possible to fully determine impacts on tribal cultural resources. The project would have a less than significant impact to tribal cultural resources because project-specific tribal cultural resource consultation would occur when specific projects are implemented and because the approved 2023 Housing Element and proposed 2040 General Plan includes policies to comply with the Yocha Dehe Wintun Nation Treatment Protocol (Policy ENV-4.3).

Mitigation Measures

No mitigation measures would be required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

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4.13 Utilities and Service Systems

This section analyzes the potential effects on utilities and service system related to implementation of the project.

4.13.1 Setting

a. Water Supply and Delivery

The City of American Canyon supplies water service to residential, commercial, and industrial users within the City and its sphere of influence (SOI). The City's potable water service area is approximately 30 square miles. The City water supply is provided from purchased or imported water sources, mainly State Water Project (SWP) water and the City of Vallejo, in addition to supplemental imported water sources. Table 4.13-1 identifies the City's current sources of water, which are discussed in detail after the table.

Table 4.13-1 Current and Projected Sources of Water Supply

Source		Contracted Volume/Capacity (Acre feet/Year)
State Water Project (Table A Allotment) [a]		5,200
Vallejo Permit Water [b]		500
Vallejo Treated Water	2011-2015	2,074
	2016-2021	2,640
	2021-Onward	3,206
Vallejo Emergency Water [c]		500
Groundwater [d]		0
American Canyon Recycled Water [e]		1,241
Napa Sanitation District-Produced Recycled		591

Notes:
[a] Includes allotment for American Canyon and additional supply from Kern County Water Agency
[b] Raw Water delivered pursuant to Vallejo's appropriative right (License 007848), provided pursuant to Addendum 2 dated June 4, 1998.
[c] Available only in dry years
[d] No groundwater is used for citywide supply
[e] As reported 2020 Urban Water Management Plan (UWMP), approximately 1,241 AFY of recycled water are projected by 2035. Maximum capacity of the City's recycled water treatment system by 2035.

Source: City of American Canyon 2023

State Water Project

A significant portion of the City's water supply is obtained through various indirect contracts for water from the SWP. The Napa County Flood Control and Water Conservation District is the State Water Contractor with the California Department of Water Resources (DWR), and the City receives its water through subcontracts with the Napa County Flood Control and Water Conservation District.

Table A Allocation

In January 1967, the American Canyon County Water Agency[1] entered into an agreement with the Napa Flood Control and Water Conservation District for water supply from the North Bay Aqueduct. In 2010, the agreement allowed for the delivery of up to 5,200 acre-feet of water per year.[2] This contract runs through 2035 with provisions for extension. The actual amount of SWP water available to the City under the "Table A" allocation process (the method used by the DWR to allocate water in the SWP system) varies from year-to-year due to hydrologic conditions, water demands of other contractors, SWP facility capacity, and environmental/regulatory requirements. Deliveries have varied between 5 percent (in 2014) and 100 percent (last occurring in 2006) of the contracted amount.

City of Vallejo

In 1996, the City of American Canyon entered into an agreement with the City of Vallejo to allow the purchase of additional water supply. Vallejo receives its water from a variety of sources, including SWP water and an appropriative water right.

Licensed Vallejo Water (Raw)

The City of Vallejo holds an appropriative right for Sacramento Bay-Delta water from the California State Water Resources Control Board (State Water Board) that pre-dates the construction of the SWP (License 7848). The City of American Canyon has an agreement with the City of Vallejo for delivery of up to 500 acre-feet of water per year under this permit. This source of water is more reliable than the City's Table A supply, but the agreement with Vallejo still allows for reductions. Addendum 2 to the 1996 Vallejo Agreement states that "[i]n the event the State Water Resources Control Board, or any other agency, restricts Vallejo's diversion of water [under the appropriative pre-SWP permit] for any reason whatsoever, American Canyon's diversions will be reduced in the same proportion." As such, curtailment of this supply occurs less often than reductions of the City's Table A supply due to environmental or other constraints. Nevertheless, it is possible that the City may not receive its full allotment under this agreement during dry years.[3]

Vallejo Treated Water (Potable)

In 1996, the City of American Canyon entered into an agreement with the City of Vallejo to purchase up to 629 acre-feet per year of potable treated water supply.[4] This agreement included the option for additional (cumulative) purchases in 5-year increments through 2021. Ultimately, this results in a total of 3,206 acre-feet of treated water available for purchase each year by the City from Vallejo for 2021-2040. Under certain conditions, the maximum delivery of this supply may be "reduced in the same proportions as any reduction to Vallejo customers inside the Vallejo city limits."[5]

[1] A predecessor local agency to the City of American Canyon, which was not incorporated until 1992.
[2] A total of 500 acre-feet of this water was obtained through a purchase of water, by the Napa Sanitation District, from Kern County Water Agency in 2000.
[3] For example, Vallejo Permit Water delivery was curtailed in both 2014 and 2015 as well as in 2021 and 2022.
[4] The 1996 Vallejo Agreement is currently the subject of litigation pending in Sacramento Superior Court (Case No. 34-2022-00327471-CU-CO-GDS). While it is speculative to discuss any potential outcome from the litigation, it should be noted that neither party seeks recission of the underlying agreement.
[5] Vallejo Water Service Agreement. May 1, 1996 (Page 7-7 in the 2015 American Canyon UWMP).

Vallejo Emergency Water (Raw)

When the City's Table A water allotment is curtailed, the City of American Canyon has the option to purchase up to 500 acre-feet of emergency raw water supply from Vallejo under an addendum to the 1996 Vallejo Agreement. The 2020 Urban Water Management Program (UWMP) assumes that this water would be available under dry year and multiple dry year scenarios but not during a normal year. During consecutive dry years 3 to 5, the 2020 UWMP assumes a reduction to 400 AF.

Groundwater

The City of American Canyon does not currently rely on groundwater as a source of water, though the 2020 UWMP states that the City remains open to the possibility and will consider potential supply opportunities as they present themselves.

Other Sources of Potable Supply

Dry Year Water Bank

In 2009, the City of American Canyon (along with other SWP contractors) entered into an agreement with DWR to obtain emergency supplies if rice farmers in the Sacramento Valley are willing to make their supplies available. The year-to-year availability of this supply is not known.

Turn-Back Water Pool Program

DWR has a program for interested SWP contractors called the Turn-back Water Pool Program. SWP contractors may choose to sell Table A water or purchase turn-back pool water that is available through the program. The amount of pool water available to the City of American Canyon is not a significant amount. For example, during 2010 the City purchased 17 acre-feet, and in 2012 it purchased 64 acre-feet. The City of American Canyon has not purchased water through this program since 2016.

Napa Treated Water

The City has an agreement with the City of Napa for the purchase of treated (potable) water under emergency conditions, or when the North Bay Aqueduct system is off-line for maintenance or other reasons. Napa treated water provides operational flexibility (such as providing water to customers even when the City's water treatment plant is off-line for an extended period of time). During 2010, the City purchased 306 acre-feet of treated water when the plant was off-line for maintenance-related issues. Under this informal arrangement, the Napa treated water purchase counts against the City's SWP Table A allotment. The City of American Canyon has not purchased water through this program since 2014.

Dry Year Transfer Program

During dry years, varying amounts of additional water may be made available to SWP contractors through DWR's Dry Year Transfer Program, which allows for transfers through a combination of crop idling, groundwater substitution, and changes in reservoir operation. For example, in 2015 the City of American Canyon purchased 92 acre-feet of additional supply (for that year) through this program. Because this option is available to the City on a per year authorization, the long-term reliability of this supply is not known. The City of American Canyon has not purchased water through this program since 2015.

Single Year Transfers

Single year water transfers, typically between agricultural water users and urban suppliers, are commonly used to supplement municipal supplies during dry years. Such transfers are negotiated between parties and may be subject to State Water Board approval, which is routinely granted. In adopting the most recent amendments to the Bay Delta Water Quality Control Plan, the State Water Board assumed such transfers would be employed to meet municipal demand during times of shortage.

Yuba Accord

In 2008, the DWR adopted the Lower Yuba River Accord, an agreement to settle issues related to instream flows in the Yuba River and fisheries habitat. As part of that agreement, the DWR is able to purchase water from the Yuba River Water Agency to, in part, offer to participating SWP contractors as a transfer during dry years. The Napa County Flood Control and Water Conservation District has authorized the execution of Yuba Accord Dry-year Water Purchase Agreement, and the City of American Canyon has the option to purchase water through this agreement in dry years, though at a cost that is considerably higher than under normal conditions. In 2015, the City authorized the purchase of 124 acre-feet through this program to cover projected water supply shortfalls during the drought. The City of American Canyon has not purchased water through this program since 2015.

Recycled Water

American Canyon Recycled Water

The City of American Canyon completed the first phase of its Recycled Water Distribution System Project in 2010, which included a 1-million-gallon reservoir, distribution piping, and associated improvements at the City's water treatment plant. Initially, 13 users were connected to the system and 73 acre-feet of water was delivered in 2010. The Recycled Water Master Plan projected over 1,200 acre-feet of water demand at buildout in 2035 for landscaping and agricultural irrigation (City of American Canyon 2016a). However, utilization of this supply is dependent on connection of additional users and completion of additional distribution pipe segments. Currently, the City produces recycled water to meet demand on an as needed basis. The 2020 UWMP identifies 1,241 acre-feet per year (AFY) as the full system capacity by 2035. In 2022, the Recycled Water Delivery Program allowed American Canyon to conserve more than 3-million gallons of potable water during emergency drought conditions (City of American Canyon 2024). However, due to plentiful rain and increased Sierra snowpack during the winter of 2023, the Department of Water Resources announced a 100 percent allocation from the State Water Project this year. As such, American Canyon did not continue the Recycled Water Delivery Program into 2023 or 2024 (City of American Canyon 2024).

Water Treatment Plant

The City owns, maintains, and operates the Water Treatment Plant (WTP), which has a maximum capacity of 5.5 million gallons per day (mgd) with an average daily demand of approximately 3 mgd. Treated water is delivered by gravity to the 2.5-million-gallon (MG) water storage tank located at the WTP and flows from the tank to the distribution system. The potable water distribution system consists of approximately 102 miles of water mains, 3 storage tanks, and 2 booster pump stations.

The total demand (potable and non-potable) in 2020 was approximately 2,613 acre-feet (AF) (City of American Canyon 2023). Residential demands account for 1,454 AF (56 percent) of the total demand; while commercial, industrial, and institutional demands account for 763 AF (29 percent); and landscape irrigation demands account for 139 AF (5 percent) (City of American Canyon 2023). Raw water for agricultural irrigation was 63 AF (2 percent). The remaining balance is attributed to other uses (fire hydrants, construction) at 73 AF (3 percent) and water loss of 121 AF (5 percent) (American Canyon 2023). The per capita water demand was 116 gallons per capita per day in 2020.

b. Wastewater

Introduction

The City and NapaSan provide municipal wastewater and recycled water services within the City's water service area. The City's wastewater collection system consists of gravity pipelines, two force mains (the Main and Industrial Basins from the southern and northern ends of the City, respectively) and a series of pump stations. The wastewater is conveyed to the City's Water Reclamation Facility (WRF) for treatment. Wastewater collected in the NapaSan systems is conveyed to NapaSan's Soscol Water Recycling Facility, which produces treated wastewater and recycled water. The City's recycled water distribution system includes approximately 13 miles of pipeline, a pump station, and two storage tanks with capacities of 1 million gallons and 1.5 million gallons. The City's and relevant portions of the NapaSan's sewer/recycled water service area is shown in Figure 4.13-1.

Water Reclamation Facility

The City owns, maintains, and operates the Water Reclamation Facility (WRF) located near the Napa River. The WRF treats both domestic and industrial wastewater flows and is a secondary/tertiary treatment plant. It began operations in 2002 and employs a Membrane Bio Reactor and ultraviolet light disinfection. Treated wastewater discharges are regulated under National Pollutant Discharge Elimination System (NPDES) Waste Discharge Requirements Order No. R2-2022-2019. The WRF has a total wastewater treatment capacity of 2.5 mgd at average dry weather flow conditions and 5.0 mgd at peak wet weather flow conditions. In 2020, the City treated 1,625 AF of wastewater, which is equivalent to 1.45 mgd (City of American Canyon 2023).[6] In 2020, there was 1.05 mgd of remaining capacity for wastewater treatment.

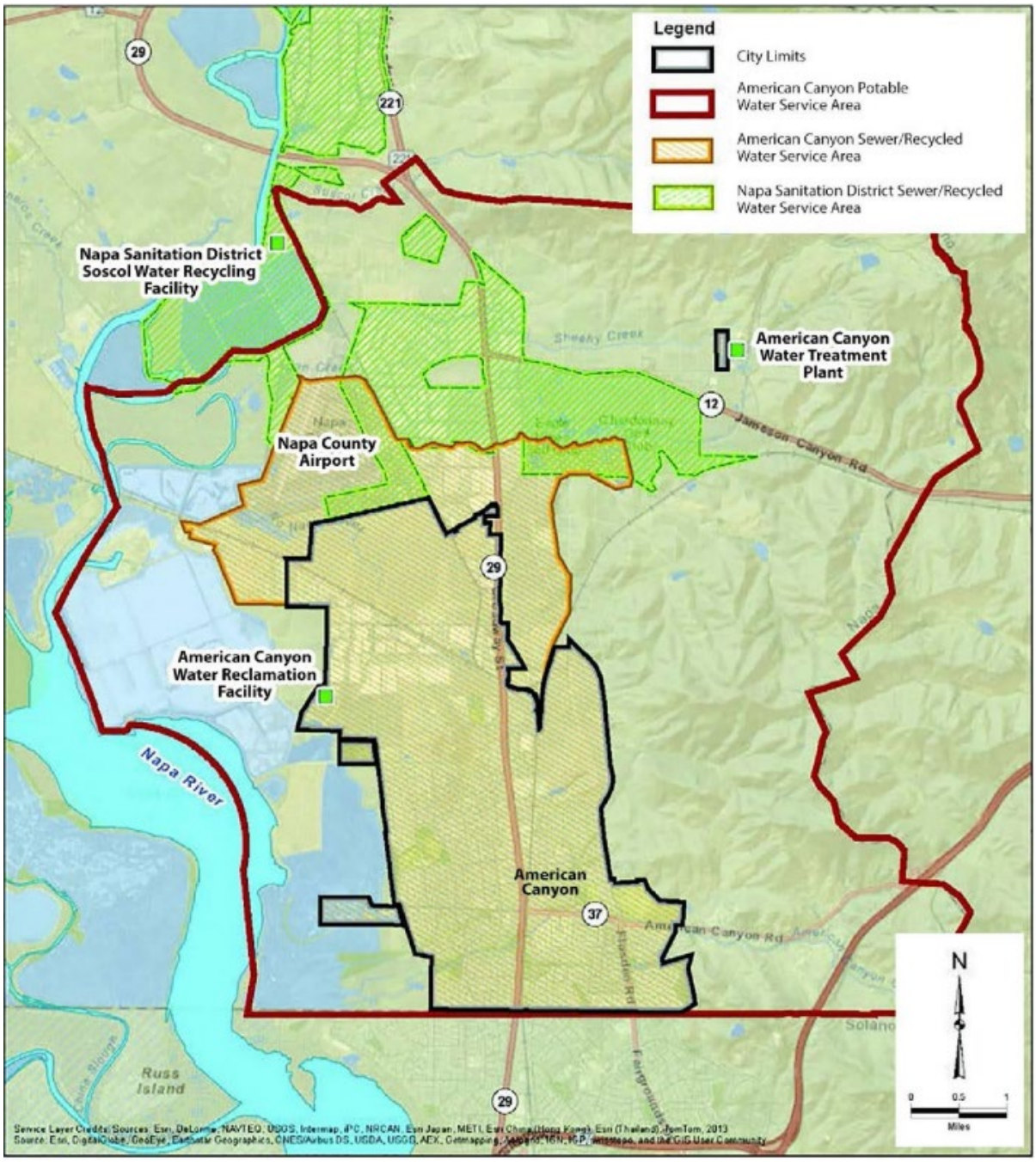
Approximately 17 percent of total influent inflow received at the WRF becomes recycled water. In 2019, 282 acre-feet of recycled water were delivered to various users for non-potable use. The remaining effluent is treated and discharged to the Napa River.

Collection System

The City's wastewater collection system consists of gravity pipelines (53 miles), force mains (5 miles), and five pump stations that convey wastewater to the City's WRF. The City's system operates its collection system to segregate domestic water from high strength industrial wastewater flows. The Kimberly Pump Station and the Sunset Meadows Pump Station collect wastewater from residential areas and deliver 75 percent of the flow to the wastewater treatment plant. The Tower Road and Green Island Sewer Pump Stations transport wastewater from industrial areas in the northern part of the City. These two stations discharge a combination of domestic and industrial wastewater to a common force main and deliver the remaining 25 percent of the flow to the WRF.

[6] 1.45 mgd = [1,625 AF * (325,851 gallons pe 1 acre foot) / 1,000,000 gallons] / 365 days per year

Figure 4.13-1 Water Service Area



a. Storm Drainage

The City of American Canyon is located along the alluvial marshlands of the east bank on the Napa River and the lower slopes of the Sulphur Springs Mountain Range. The watersheds within the City include tributary areas of five creeks. The creeks all drain in a westerly direction from the rolling hills in the east to the Napa River on the west. The existing drainage system in the City consists of natural creeks in the hilly areas, with improved channels in the upland areas and levied channels and sloughs in the lower marshlands near the Napa River.

Developed subdivisions in the City are served by piped drainage facilities that discharge into the creek channels. Watershed boundaries follow ridgelines in the upper elevations, and follow levees, roadways, and other manmade obstructions in the upland and lower watershed areas. The watershed drainages of the five primary creeks in the City are American Canyon Creek, Walsh Creek, North Slough, Fagan Creek, and Sheehy Creek.

An overview of the natural drainage systems and man-made drainage systems are provided in Section 4.15, *Effects Found To Be Less Than Significant* (see subsection 4.15.5). Major storm drainage infrastructure within the City is owned and operated by the City of American Canyon and maintained by the City's Department of Public Works. Storm drainage infrastructure includes drainpipes, concrete channels, culverts, and swales, which convey storm drainage to Rio Del Mar Creek, American Canyon Creek or North Slough before joining Napa River in the west, and then to San Francisco Bay.

The City maintains a Storm Drainage Master Plan and engineering standards that guide the development of the municipal storm drainage system (City of American Canyon 1996). The City requires stormwater discharges to comply with San Francisco Bay Regional Water Quality Control Board (San Francisco Bay RWQCB) permit requirements and establishes non-point source pollution control measures as required by federal and State law. Stormwater pollution prevention measures for new development projects, such as bioswales, detention ponds, erosion, and sedimentation control, are incorporated in the planning, design, construction, and operation of projects with the potential to create pollutants in stormwater runoff.

b. Solid Waste and Recycling

Residential and commercial trash and recycling services in the City are provided by American Canyon Recology through a franchise waste hauling agreement with the City of American Canyon. Recology transports solid waste from American Canyon to the Devlin Road Recycling & Transfer Facility (DRRTF) where it is loaded into trucks and sent to Potrero Hills Landfill (PHLF) in Suisun (Solano County).

The DRRTF is a 35-acre regional transfer station operated by the Napa-Vallejo Waste Management Authority (NVWMA), a joint powers agency. NVWMA members include the cities of Napa, American Canyon, and Vallejo (in Solano County), and County of Napa. The DRRTF is permitted by the Napa County Local Enforcement Agency as Large Volume Transfer Processing Facility. DRRTF receives solid waste primarily from NVWMA member jurisdictions and a much smaller portion of the waste stream is received from twenty to thirty non-member jurisdictions in the surrounding area. The DRRTF is permitted to receive 1,440 tons of solid waste per day (County of Napa 2008).

According to the Solid Waste Facility Permit for the PHLF, the peak tonnage of incoming waste is not to exceed 4,330 tons per day. The maximum permitted capacity of the landfill is 83.1 million cubic yards or 87.1 million tons. According to the California Department of Resources Recycling and Recovery (CalRecycle), the remaining capacity of the landfill is 13.9 million tons (CalRecycle 2022a).

PHLF is designated as a Class III landfill. This means that the landfill can accept only nonhazardous waste for disposal. The San Francisco Bay RWQCB may also, at its discretion, allow Class III landfills to accept certain types of "designated wastes." Designated waste is defined (in the California Water Code, Section 13173) as either: (1) non-hazardous waste that consists of or contains pollutants that, under ambient environmental conditions at a waste management unit could be released in concentrations exceeding applicable water quality objectives, or that could reasonably be expected to affect beneficial uses of the waters of the state as contained in the appropriate state water quality control plan; or (2) hazardous waste that has been granted a variance from hazardous waste management requirements pursuant to Section 25143 of the Health and Safety Code.

c. Natural Gas/Electricity

Since 2016, the City has been enrolled in the Marin Clean Energy (MCE) Light Green Program, MCE's default energy plan that offers 60 percent renewable energy. Before switching to MCE, the City was enrolled in the Pacific Gas and Electric (PG&E) 29 percent renewable option. MCE is an alternative to PG&E for energy generation. All residents and local businesses are automatically enrolled in the Light Green Program and have the option to opt up to the Deep Green Program, which offers 100 percent renewable energy. In 2021, American Canyon City Council voted to supply the City's facilities with MCE Deep Green 100 percent renewable energy.

Some electrical and all natural gas service in the City of American Canyon is provided by PG&E. The company provides natural gas and electric service to approximately 16 million people throughout a 70,000-square-mile service area in northern and central California. PG&E maintains and services all transmission and distribution lines within the region. These transmission lines traverse the plan area, both underground and above ground. Of particular note are the high-power electrical transmission lines which run northeast by southwest through the plan area. (PG&E 2022a). A natural gas transmission pipeline runs north to south through the eastern part of the Planning Area along Newell Drive and Flosden Road (PG&E 2022b).

d. Telecommunications

Telecommunication utilities, including phone, internet, and television, are mainly a privately owned enterprise and are offered by a variety of companies in the City and its surrounding area. The number of providers offering the service, the type of service available, and the transmission speed of the service all affect the quality of telecommunications. This approach differs from that of most other utilities, which are generally publicly owned or offered by limited or individual service providers in a given area. Telecommunications providers will usually complete infrastructure and other service improvements for an area as the need arises to meet customer demand.

4.13.2 Regulatory Setting

a. Protection of Underground Infrastructure

California Government Code Section 4216

California Government Code Section 4216 et seq. requires that persons planning to conduct any excavation first contact the regional notification center. Section 4216 includes several related

requirements, including requirements for excavations near "high priority utilities,"[7] which include high-pressure natural gas pipelines and other pipelines that are potentially hazardous to workers or the public if damaged or ruptured. Underground Service Alert North (USA North) is the regional notification center for the areas where the project would be located. USA North receives planned excavation reports and transmits the information to all participating members that may have underground facilities at the location of excavation. The USA North members then mark or stake their facility, provide information about the location, or advise the excavator of clearance.

b. Water Supply and Quality

Federal

National Pollutant Discharge Elimination System

Pursuant to Section 402 of the Clean Water Act and the Porter-Cologne Water Quality Control Act, municipal stormwater discharges in American Canyon are regulated under the San Francisco Bay Region Municipal Regional Stormwater National Pollutant Discharge Elimination System (NPDES) Permit, MS4 Order No. 2013-001 (General Permit). In 1987, Congress amended the Clean Water Act to mandate controls on discharges from Municipal Separate Storm Sewer Systems (MS4s). Acting under the federal mandate and the California Water Code, RWQCBs require cities, towns, and counties to regulate activities that can result in pollutants entering their storm drains. All municipalities prohibit non-stormwater discharges to storm drains and require residents and businesses to use Best Management Practices (BMPs) to minimize the amount of pollutants in runoff. The Municipal Regional Permit is overseen by the San Francisco Bay RWQCB. On February 5, 2013, the State Water Board reissued the Phase II Stormwater NPDES Permit for small MS4s. Provision E.12, "Post-Construction Stormwater Management Program," mandates municipalities to require specified features and facilities–to control pollutant sources, to control runoff volumes, rates, and durations, and to treat runoff before discharge from the site–be included in development plans of projects that create or replace 5,000 square feet or more impervious surface as conditions of issuing approvals and permits. The new requirements continue a progression of increasingly stringent requirements since 1989.

Provision E.12 requires all municipal permittees to implement these requirements by June 30, 2015, to the extent allowed by applicable law. This includes projects requiring discretionary approvals that have not been deemed complete for processing and discretionary permit projects without vesting tentative maps that have not requested and received an extension of previously granted approvals. In July of 2014, the Bay Area Stormwater Management Agencies Association (BASMAA), through the BASMAA Phase II Committee, created the BASMAA Manual to assist applicants for development approvals to prepare submittals that demonstrate their project complies with the NPDES permit requirements. Applicants who seek development approvals for applicable projects should follow the manual when preparing their submittals. The manual is designed to ensure compliance with the requirements and promote integrated Low Impact Development (LID) design.

Section E.12.c of the NPDES Permit pertains to LID and how it relates to hydromodification management. This permit provision requires that stormwater discharges not cause an increase in the erosion potential of the receiving stream over the existing condition. Increases in runoff flow

[7] Consistent with California Government Code Section 4216(e), high priority utilities include natural gas pipelines carrying petroleum with normal operating pressures greater than 415kPA (60 pounds per square inch gauge); petroleum pipelines; pressurized sewage pipelines; high voltage electric supply lines, conductors, or cables that have a potential to ground of greater than 60 kilovolt; and hazardous materials pipelines that are potentially hazardous to workers or the public if damaged.

and volume must be managed so that the post-project runoff does not exceed estimated pre-project rates and durations, where such increased flow and/or volume is likely to cause increased potential for erosion of creek beds and banks, silt pollutant generation, or other adverse impacts on beneficial uses due to increased erosive force.

State

Sustainable Groundwater Management Act

In September 2014, the governor signed legislation requiring that California's critical groundwater resources be sustainably managed by local agencies. The Sustainable Groundwater Management Act gives local agencies the power to sustainably manage groundwater and requires groundwater sustainability plans to be developed for medium- and high-priority groundwater basins, as defined by the California Department of Water Resources. American Canyon underlies the Napa Sonoma Lowlands Subbasin, which is classified as a Very Low Priority basin by the DWR (DWR 2022).

California Water Code

The California Water Code contains regulations including, but not limited to water supply, safe drinking water, clean water, and water quality. More specifically, Division 24, Chapter 6, contains provisions for water supply reliability through water conservation and groundwater recharge, local projects, feasibility projects, management of Sacramento Valley water and habitat protection measures, and implementation of the river parkway program.

California Plumbing Code

The California Plumbing Code is codified in Title 24, California Code of Regulations, Part 5. The Plumbing Code contains regulations including, but not limited to, plumbing materials, fixtures, water heaters, water supply and distribution, ventilation, and drainage. More specifically, Part 5, Chapter 4, contains provisions requiring the installation of low flow fixtures and toilets. Existing development will also be required to reduce its wastewater generation by retrofitting existing structures with water efficient fixtures (Senate Bill [SB] 407 [2009] Civil Code Sections 1101.1 et seq.).

Urban Water Management Planning Act

In 1983, the California Legislature enacted the Urban Water Management Planning Act (Water Code, Section 10610 et seq.), which requires urban water suppliers to develop water management plans to actively pursue the efficient use of available supplies. Every five years, water suppliers are required to develop Urban Water Management Plans to identify short-term and long-term water demand management measures to meet growing water demands.

In preparing a UWMP, an urban water supplier must describe or identify the following, among other things (as set forth in Water Code Section 10631):

- "The service area of the supplier, including current and projected population, climate, and other demographic factors affecting the supplier's water management planning."
- "Projected population estimates" based on "data from the State, regional, or local service agency population projections within the service area," in "five-year increments to 20 years or as far as data is available."
- "Past and current water use" and "projected water use."

- "Existing and planned sources of water" for each five-year increment of the 20-year planning period.
- Specific detailed information about groundwater where it is identified as "an existing or planned source of water available to the supplier."
- "All water supply projects and water supply programs" that may be undertaken to meet "total projected water use," including "specific projects" and the "increase in water supply" expected from each project.
- An estimate of "the implementation timeline for each project or program."
- "Plans to supplement or replace" any "water source that may not be available at a consistent level of use, given specific legal, environmental, water quality, or climatic factors" with "alternative sources or water demand management measures, to the extent practicable."
- "The reliability of the water supply and vulnerability to seasonal or climatic shortage, to the extent practicable," for (i) an "average water year," (ii) a "single dry water year," and (iii) "[m]ultiple dry water years."
- "Opportunities for exchanges or transfers of water on a short-term or long-term basis."
- "Opportunities for development of desalinated water, including, but not limited to, ocean water, brackish water, and groundwater, as a long-term supply."
- "Water demand management measures."

Senate Bill 610: Water Supply Assessments

As revised by Senate Bill (SB) 610 (Stats. 2002, ch. 643), Section 10910, *et seq*. of the California Water Code set forth the circumstances in which California Environmental Quality Act (CEQA) lead agencies must seek preparation of, or prepare themselves, "water supply assessments" for defined proposed "projects." At the time a lead agency determines that a proposed project requires an Environmental Impact Report (EIR), the lead agency shall identify any "public water system" that would serve the project site and shall request that any such entity prepare a WSA for the project. In the absence of such a public water system, the city or county lead agency must prepare its own WSA. SB 610 functions together with CEQA, in that a WSA must be included in "any environmental document" for any "project" subject to SB 610 (Water Code Section 10911(b); see also State CEQA Guidelines Section 15155(e); see also *Id*. Section 15361 [defines "environmental documents" to include "Negative Declarations…[and] draft and final EIRs"]).

One of the fundamental tasks of a WSA is to determine whether "total projected water supplies available during normal, single dry, and multiple dry water years during a 20-year projection will meet the projected water demand associated with the proposed project, in addition to the public water system's existing and planned future uses, including agricultural and manufacturing uses" (Water Code Section 10910 (c)(3), (c)(4)). In making such a determination, the authors of the WSA must address several factors. Specifically, the WSA must contain information regarding existing water supplies, projected water demand, and dry year supply and demand. In *Vineyard Area Citizens for Responsible Growth v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 433 ("*Vineyard*"), the California Supreme Court briefly summarized the key content requirements as follows:

> With regard to *existing* supply entitlements and rights, a water supply assessment must include assurances such as written contracts, capital outlay programs and regulatory approvals for facilities construction . . . but as to additional *future* supplies needed to serve the project, the assessment need include only the public water system's plans for acquiring the additional

> supplies, including cost and time estimates and regulatory approvals the system anticipates needing (Water Code §§ 10910, subd. (d)(2), and 10911, subd. (a)). (Original italics.)

"Existing" water supplies can be based on different kinds of legal rights or arrangements, including entitlements, water rights, and water service contracts. In many cases, these supplies are likely already described in detail in the supplier's UWMP (Water Code Section 10631(b)). Suppliers are expressly permitted to rely on information contained in the most recently adopted UWMPs, provided that the water needed for proposed development project was accounted for therein (Water Code Section 10910(c)(2)).

In preparing a WSA, the public water system must disclose and document the quantity of water received from these various sources. Such supplies must be demonstrated by providing the following:

- Written contracts or other proof of entitlement to an identified water supply.
- Copies of a capital outlay program for financing the delivery of a water supply that has been adopted by the public water system.
- Federal, State, and local permits for construction of necessary infrastructure associated with delivering the water supply.
- Any necessary regulatory approvals that are required in order to be able to convey or deliver the water supply.

A finding of insufficiency in a WSA does not require a city or county to deny or downsize a proposed development project. Rather, after identifying a shortfall, the public water system must provide its plans for acquiring "additional supplies" (or what the California Supreme Court called "future" supplies) (Water Code Section 10911(a)). These plans should include information concerning the following:

1. The estimated total costs, and the proposed method of financing the costs, associated with acquiring the additional water supplies.
2. All federal, State, and local permits, approvals, or entitlements that are anticipated to be required in order to acquire and develop the additional water supplies.
3. Based on the considerations set forth in bullet points (1) and (2), the estimated timeframes within which the public water system, or the city and county . . . expects to be able to acquire additional water supplies.

These particular Water Code requirements for assessments are action-forcing, in that they require the public water system to lay out a roadmap for obtaining new water supplies once it becomes aware that existing supplies are insufficient for the proposed project together with other foreseeable planned growth.

Regardless of the information provided to a city or county in a WSA, SB 610 stops short of preventing cities and counties from approving the "projects" at issue absent "sufficient" water supplies. But where "existing water supply entitlements, water rights, or water service contracts" are "insufficient" to serve proposed projects, SB 610 does require that, in approving projects in the face of insufficient supplies, cities and counties must "include" in their "findings for the project[s]" their "determination[s]" regarding water supply insufficiency. SB 610 functions together with CEQA, in that a water supply assessment must be included in "any environmental document" for any "project" subject to SB 610. (*Id*. subd. (b); Guidelines, Section 15155, subd. (e); see also id. Section

15361 [defines "environmental documents" to include "Negative Declarations. . . [and] draft and final EIRs"]).

When a project is proposed in the Planning Area, the applicant may need to submit a WSA per SB 610 depending on the size of the project.

Recycled Water Policy

On February 3, 2009, by Resolution No. 2009-0011, the State Water Board adopted a Recycled Water Policy in an effort to move toward a sustainable water future. The Recycled Water Policy states "we declare our independence from relying on the vagaries of annual precipitation and move toward sustainable management of surface waters and groundwater, together with enhanced water conservation, water reuse and the use of stormwater." The following goals were included in the Recycled Water Policy:

- Increase use of recycled water over 2002 levels by at least 1 million AFY by 2020 and at least 2 million AFY by 2030.
- Increase the use of stormwater over use in 2007 by at least 500,000 AFY by 2020 and at least 1 million AFY by 2030.
- Increase the amount of water conserved in urban and industrial areas by comparison to 2007 by at least 20 percent by 2020.
- Included in these goals is the substitution of as much recycled water for potable water as possible by 2030.

The Recycled Water Policy provides direction to the RWQCBs regarding issuing permits for recycled water projects, addresses the benefits of recycled water, addresses a mandate for use of recycled water and indicates the State Water Board will exercise its authority to the fullest extent possible to encourage the use of recycled water.

The Recycled Water Policy also indicates that some groundwater basins contain salts and nutrients that exceed or threaten to exceed water quality objectives established in basin plans and states that it is the intent of this Recycled Water Policy that all salts and nutrients be managed on a basin-wide or watershed-wide basis through development of regional or subregional management plans. Finally, the Recycled Water Policy addresses the control of incidental runoff from landscape irrigation projects, recycled water groundwater recharge projects, anti-degradation, control of emerging constituents and chemicals of emerging concern and incentives for use of recycled water.

In accordance with the provisions of the Recycled Water Policy, a Constituents of Emerging Concerns Advisory Panel was established to address questions about regulating constituents of concern (COCs) with respect to the use of recycled water. The Advisory Panel's primary charge was to provide guidance for developing monitoring programs that assess potential COC threats from various water recycling practices, including groundwater recharge/reuse and urban landscape irrigation. On June 25, 2010, the Advisory Panel provided recommendations to the State Water Board and California Department of Public Health in their Final Report "Monitoring Strategies for Chemicals of Emerging Concern in Recycled Water – Recommendations of a Scientific Advisory Panel". The State Water Board used those recommendations to amend the Recycled Water Policy in 2013 (State Water Board Resolution No. 2013-003).

The April 2013 amendment provides direction to the RWQCBs on monitoring requirements for COCs in recycled water. The monitoring requirements pertain to the production and use of recycled water

for groundwater recharge reuse by surface and subsurface application methods, and for landscape irrigation. The amendment identifies three classes of constituents to monitor:

- Human health-based COCs: COCs of toxicological relevance to human health.
- Performance indicator COCs: An individual COC used for evaluating removal through treatment of a family of COCs with similar physicochemical or biodegradable characteristics.
- Surrogates: A measurable physical or chemical property, such as chlorine residual or electrical conductivity, that provides a direct correlation with the concentration of an indicator compound. Surrogates are used to monitor the efficiency of COC treatment.

Only groundwater recharge reuse facilities would be required to monitor for COCs and surrogates. Surface application and subsurface application facilities would have different mandatory COCs and a different monitoring schedule. Monitoring is not required for recycled water used for landscape irrigation projects that qualify for streamlined permitting unless monitoring is required under the adopted salt and nutrient management plan. Streamlined permitting projects must meet the criteria specified in the Policy including compliance with Title 22, application at agronomic rates, compliance with any applicable salt and nutrient management plan, and appropriate use of fertilizers.

Water Conservation Act of 2009

Requirements regarding per capita water use targets are defined in the Water Conservation Act of 2009, which was signed into law in November 2009 as part of a comprehensive water legislation package. Known as SB X7-7, the legislation sets a goal of achieving a 20 percent reduction in urban per capita water use Statewide by 2020. SB X7-7 requires that retail water suppliers define in their 2010 UWMPs the gallons per capita per day targets for 2020, with an interim 2015 target.

Assembly Bill 1881

Assembly Bill (AB) 1881 expanded previous legislation related to landscape water use efficiency. AB 1881, the Water Conservation in Landscaping Act of 2006, enacted landscape efficiency recommendations of the California Urban Water Conservation Council for improving the efficiency of water use in new and existing urban irrigated landscapes in California. AB 1881 required the DWR to update the existing Model Local Water Efficient Landscape Ordinance and local agencies to adopt the updated model ordinance or an equivalent. The law also requires the California Energy Commission (CEC) to adopt performance standards and labeling requirements for landscape irrigation equipment, including irrigation controllers, moisture sensors, emission devices, and valves to reduce the wasteful, uneconomic, inefficient, or unnecessary consumption of energy or water.

Assembly Bill 2882

AB 2882 was passed in 2008 and encourages public water agencies throughout California to adopt conservation rate structures that reward consumers who conserve water. AB 2882 clarifies the allocation-based rate structures and establishes standards that protect consumers by ensuring a lower base rate for those who conserve water.

Local

American Canyon Municipal Code

Section 13.06.090 of American Canyon Municipal Code establishes that at the time of submission of an application for a building permit for connection to the city water system, an applicant shall be required to pay a water capacity fee, in proportion to the new connection's impact on the water system.

Section 13.10 of the American Canyon Municipal Code limits new industrial water users within the City's water service area to a net use of 650 gallons per acre per day (GPAD) and requires dual-plumbing with purple pipe.[8] For use greater than 650 GPAD, offset options include, but are not limited to, retrofit of existing residences with low flow fixtures, purchase of otherwise developable land as permanent open space, or acquisition of other water supply resources as provided for by a water supply analysis that follows the Zero Water Footprint (ZWF) methodology (see below).

American Canyon 2020 Urban Water Management Plan

The City's 2020 Urban Water Management Plan identifies the following policies that would apply to the project:

- ZWF Policy: This policy has a goal of no loss in reliability or increase in water rates for existing water service customers due to new demand for water within the City's water service area. Developers must ensure that all new developments offset the amount of increased potable water that will be consumed by their project on a one-to-one basis. Developers are required to minimize their demand for new potable water by using water efficient fixtures, consuming recycled water for non-potable uses when available, dual plumbing buildings, installing water wise landscaping and irrigation, and other appropriate measures. Methods for offsetting the increase in potable water consumption might include contributing to the City's existing conservation programs, converting an existing public use of potable water to recycled water, contributing to projects that reduce potable water demand, increase capacity to produce recycled water, or expand the reclaimed water system, or acquiring water supply from another source.

c. Wastewater

Federal

Federal Clean Water Act

In 1972, the 1948 Federal Water Pollution Control Act was amended to require that the discharge of pollutants into waters of the U.S. from any point source be effectively prohibited unless the discharge follows a National Pollutant Discharge Elimination System (NPDES) permit. This amendment became the basis for what was by 1977 referred to as the Clean Water Act (CWA). In 1987, the CWA was again amended to require that the USEPA establish regulations for the permitting of stormwater discharges (as a point source) by municipal and industrial facilities and construction activities under the NPDES permit program. The regulations require that discharges to

[8] Purple pipe allows for use of recycled water for landscaping.

surface waters from municipal separate storm sewer system (MS4)[9] be regulated by an NPDES permit.

Regulations on storm water discharges from MS4s were implemented with a two-phased program. Phase I, promulgated by USEPA in November 1990, requires NPDES permits for storm water discharges from MS4s serving populations of 100,000 or greater, construction sites disturbing greater than 5 acres of land, and ten categories of industrial activities. The USEPA recognized that smaller construction projects (disturbing less than 5 acres) and small MS4s (serving populations smaller than 100,000) were also contributing substantially to pollutant discharges nationwide. Therefore, to further improve storm water quality, the USEPA promulgated the NPDES Phase II program (*Federal Register* Vol. 64, No. 235, December 8, 1999). The Phase II regulations became effective on February 7, 2000, and require NPDES permits for storm water discharges from regulated small MS4s and for construction sites disturbing between 1 acre and 5 acres of land.

State and Regional

Standards for wastewater treatment plant effluent are established using State and federal water quality regulations. After treatment, wastewater effluent is either disposed of or reused as recycled water. The Regional Water Quality Control Board (RWQCBs) set the specific requirements for community and individual wastewater treatment and disposal and reuse facilities through the issuance of Waste Discharge Requirements, required for wastewater treatment facilities under the California Water Code Section 13260.

The California Code of Regulations Title 22, Division 4, Chapter 3, Sections 60301 through 60355 are used to regulate recycled wastewater and are administered by the RWQCBs. Title 22 contains effluent requirements for four levels of wastewater treatment, from un-disinfected secondary recycled water to disinfected tertiary recycled water. Higher levels of treatment have higher effluent standards, allowing for a greater number of uses under Title 22, including irrigation of freeway landscaping, pasture for milk animals, parks and playgrounds, and vineyards and orchards for disinfected tertiary recycled water.

Local

American Canyon Municipal Code

Section 14.06.020 establishes that at the time of submission of application for building permit for connection to the city wastewater collection system, an applicant shall pay a wastewater capacity fee in proportion to use of the capacity of the wastewater system.

d. Stormwater

Federal

Federal Clean Water Act

The federal Clean Water Act is described above.

[9] An MS4 is a conveyance or system of conveyances designed or used to collect or convey stormwater (e.g., storm drains, pipes, ditches) that are that owned by a state, city, town, or other public entity and discharge to waters of the United States.

State

General Construction Activity Storm Water Permit

The *General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities*, Order No. 2009-0009-DWQ, NPDES No. CAS000002, as amended by Order Nos. 2010-0014-DWQ and 2012-0006-DWQ (Construction General Permit), adopted by the State Water Board, regulates construction activity that includes clearing, grading, and excavation resulting in soil disturbance of at least one acre of total land area. The Construction General Permit authorizes the discharge of stormwater to surface waters from construction activities. The Construction General Permit requires that all developers of land where construction activities will occur over more than 1 acre do the following:

- Complete a Risk Assessment to determine pollution prevention requirements pursuant to the three risk levels established in the General Permit;
- Eliminate or reduce non-stormwater discharges to storm sewer systems and other waters of the United States;
- Develop and implement a construction Storm Water Pollution Prevention Plan (SWPPP) that specifies Best Management Practices (BMPs) that will reduce pollution in stormwater discharges to the Best Available Technology/ Economically Achievable/Best Conventional Pollutant Control Technology standards;
- Perform inspections and maintenance of all BMPs; and
- Conduct stormwater sampling, if required based on risk level.

To obtain coverage under the Construction General Permit, a project applicant must electronically file all permit registration documents with the State Water Board prior to the start of construction. Permit registration documents must include a:

- Notice of Intent (NOI),
- Risk Assessment,
- Site map,
- Construction SWPPP,
- Annual fee, and
- Signed certification statement.

Typical BMPs contained in construction SWPPPs are designed to minimize erosion during construction, stabilize construction areas, control sediment, and control pollutants from construction materials. The construction SWPPP must also include a discussion of the program to inspect and maintain all BMPs.

Local

American Canyon Municipal Code

Section 14.28.082 of the American Canyon Municipal Code identifies that the City may establish volume and rate of stormwater controls from new developments and redevelopment as may be appropriate to minimize peak flows or total runoff volume, and to mimic the pre-development site

hydrology. This section also includes the requirement that qualifying projects prepare a SCP that meets the criteria in the BASMAA Post Construction Manual.

e. Solid Waste

Federal

Title 40 of the Code of Federal Regulations

Title 40 of the Code of Federal Regulations, Part 258 (Resource Conservation and Recovery Act, Subtitle D), contains regulations for municipal solid waste landfills and requires states to implement their own permitting programs incorporating the Federal landfill criteria.

State

California Code of Regulations Tile 14

The California Code of Regulations Title 14, Division 7, outlines current CalRecycle regulations pertaining to non-hazardous waste management in California, which includes minimum standards for solid waste handling and disposal; compostable materials handling operations and facilities regulatory requirements; standards for handling and disposal of asbestos containing waste; resource conservation programs; enforcement of solid waste standards and administration of solid waste facility permits; special waste standards; used oil recycling program; electronic waste recovery and recycling; mandatory commercial recycling; and short-lived climate pollutants.

Assembly Bill 341

The purpose of Assembly Bill (AB) 341 of 2011 (Public Resource Code [PRC] Chapter 476, Statutes of 2011) is to reduce greenhouse gas emissions by diverting commercial solid waste to recycling efforts and to expand the opportunity for additional recycling services and recycling manufacturing facilities in California. In addition to Mandatory Commercial Recycling, AB 341 sets a statewide goal for 75 percent disposal reduction by the year 2020.

Senate Bill 1383

SB 1383 of 2016 (PRC Chapter 395, Statutes of 2016) established the following goals: a 50-percent reduction in the level of the statewide disposal of organic waste from 2014 levels by 2020, and a 75-percent reduction in the level of the statewide disposal of organic waste from 2014 levels by 2025. This bill also authorized CalRecycle to adopt regulations, to take effect on or after January 1, 2022, to achieve these targets.

Assembly Bill 939

AB 939 (PRC 41780) requires cities and counties to prepare integrated waste management plans and to divert 50 percent of solid waste from landfills beginning in calendar year 2000 and each year thereafter. AB 939 also requires cities and counties to prepare source reduction and recycling elements as part of the integrated waste management plans. These elements are designed to develop recycling services to achieve diversion goals, stimulate local recycling in manufacturing, and stimulate the purchase of recycled products.

Assembly Bill 1826

AB 1826 of 2014 (PRC Chapter 727, Statutes of 2014) requires businesses that generate a specified amount of organic waste per week to arrange for recycling services for that waste, and that jurisdictions implement a recycling program to divert organic waste from businesses subject to the law. The jurisdictions must report to CalRecycle on their progress in implementing an organic waste recycling program. As of January 1, 2017, businesses that generate four cubic yards or more of organic waste per week shall arrange for organic waste recycling services.

Senate Bill 1016

SB 1016 requires that the 50 percent solid waste diversion requirement established by AB 939 be expressed in pounds per person per day. SB 1016 changed the CalRecycle review process for each municipality's integrated waste management plan. After an initial determination of diversion requirements in 2006 and establishing diversion rates for subsequent calendar years, the Board reviews a jurisdiction's diversion rate compliance in accordance with a specified schedule. Since January 1, 2018, the Board is required to review a jurisdiction's source reduction and recycling element and hazardous waste element once every two years.

Local

American Canyon Municipal Code

Section 8.20 of the American Canyon Municipal Code includes requirements for mandatory municipal solid waste, recycling, and composting material disposal reductions. Section 8.20.030 includes the requirements for commercial businesses, which would apply to the project. Section 8.20.100 requires new buildings to comply with California Green Building Standards (CALGreen), including the requirements for new commercial buildings to provide readily accessible areas identified for blue container and green container material storage and collection, consistent with the three-container collection program offered by the city, as well as compliance with CALGreen requirements for diverting construction and demolition debris.

f. Electric Power and Natural Gas

State

California Energy Commission

As the State's primary energy policy and planning agency, the CEC collaborates with State and federal agencies, utilities, and other stakeholders to develop and implement State energy policies. Since 1975, the CEC has been responsible for reducing the State's electricity and natural gas demand, primarily by adopting new Building and Appliance Energy Efficiency Standards that have contributed to keeping California's per capita electricity consumption relatively low. The CEC is also responsible for the certification and compliance of thermal power plants 50 megawatts and larger, including all project-related facilities in California (CEC 2022).

California Public Utilities Commission

The California Public Utilities Commission (CPUC) regulates investor-owned electric and natural gas utilities operating in California. The energy work responsibilities of the CPUC are derived from the California State Constitution, specifically Article XII, Section 3 and other sections more generally, numerous State legislative enactments and various Federal statutory and administrative

requirements. The CPUC regulates natural gas utility service for approximately 10.8 million customers that receive natural gas from PG&E and other natural gas utilities across California (CPUC 2022a).

Local

American Canyon Municipal Code

Section 18.40.120 of the American Canyon Municipal Code requires that all utilities be installed underground in accordance with the provisions of the American Canyon Municipal Code. It also requires that all underground utilities be installed before preparation of subgrade for paving or any other site improvements that may affect the orderly installation of the underground utilities.

4.13.3 Impact Analysis

a. Significance Thresholds and Methodology

Based on Appendix G of the CEQA Guidelines a project may be deemed to have a significant impact on utilities and service systems if it would:

1. Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects;
2. Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years;
3. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments;
4. Generate solid waste in excess of State or local standards or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals; or
5. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

Methodology

This analysis considers the existing capacity of utilities serving the City, estimates qualitatively and quantitively the potential additional demand on utilities, and identifies whether the existing system can serve the demand of the existing demand plus the project's estimated demand.

b. Project Impacts and Mitigation Measures

Threshold 1:	Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

IMPACT UTL-1 DEVELOPMENT FACILITATED BY THE PROJECT WOULD INCREASE DEMAND FOR WATER, WASTEWATER, ELECTRIC POWER, TELECOMMUNICATIONS, AND STORMWATER DRAINAGE; HOWEVER, NO ADDITIONAL RELOCATION OR CONSTRUCTION OF UTILITY SERVICES WOULD BE REQUIRED TO SERVICE THE PROJECT BEYOND CONNECTIONS TO EXISTING UTILITIES. THE PROJECT WOULD RESULT IN A MINIMAL INCREASE IN NATURAL GAS DEMAND. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

Water and Wastewater

Growth and development facilitated by the 2040 General Plan would create additional demand for water. Development facilitated by the 2040 General Plan would occur within developed areas of the City, generally as infill development or redevelopment. Therefore, water infrastructure exists and is available for new development. Water infrastructure, such as pipelines, could require upgrades for future development. Installation of upgraded infrastructure would result in ground disturbance. Generally, this ground disturbance would occur in previously disturbed or developed areas, reducing the potential for environmental impacts. Such facilities would be installed during individual project construction and generally within the disturbance area of such projects or the rights-of-way of previously disturbed roadways; therefore, the construction of these infrastructure improvements would not substantially increase the project's disturbance area or otherwise cause significant environmental effects beyond those already identified throughout this EIR.

In addition, the City of American Canyon has several policies to address and minimize additional water demand, as well as wastewater. Sections 13.06.090 and 14.06.020 of the American Canyon Municipal Code require any applicants for development within the City or its sphere of influence that will be served by the City to pay a water capacity fee and wastewater capacity fee, respectively in proportion to the new connection's impact on the water and wastewater system. The payment of this fee will help ensure that the City has sufficient capacity within its water and wastewater system to accommodate the project. In addition, and as described in further detail in Impact UTL-2, all projects must implement the ZWF policy to have a net zero water demand. Furthermore, the 2040 General Plan includes the following proposed policies related to water and wastewater facilities:

Goal U-1: Water Reliability. Establish and maintain a secure water supply and treatment, distribution, and storage system to serve the land uses proposed under the general plan.

- **Policy U-1.2: Facility Upgrades.** Require construction of upgraded and expanded, distribution, storage, and treatment facilities to support existing and new development.
- **Policy U-1.3: Upgrade Responsibilities.** Ensure that improvements to the existing water supply, distribution, storage, and treatment facilities are borne by project proponent in proportion to benefit; either through the payment of fees, or by the actual construction of the improvements.
- **Policy U-1.5: Adequate Supply Prior to Occupancy.** Implement a Will Serve Process to ensure adequate water supply, distribution, storage, and treatment facilities is available to serve a project prior to the issuance of certificates of occupancy.

Goal U-2: Water Conservation. Establish policies that make the most efficient use of our water resources to for a variety of public benefits, such as: improve water reliability, reduce greenhouse gas emissions, and minimize environmental impacts from drawing water from the environment.

- **Policy U-2.1: Zero Water Footprint.** Ensure new development offsets potable water demand by funding or constructing potable water conservation efforts elsewhere in the water delivery system.
- **Policy U-2.2: City Facilities Retrofits.** Improve water use efficiency at City facilities through retrofits, recycled water usage, and employee education.
- **Policy U-2.3: Retrofits Existing Buildings.** Promote existing buildings upgrades to support water conservation by encouraging owners of residential, commercial, and industrial properties to replace inefficient plumbing fixtures, install drought-tolerant and water-wise landscaping, and harvest rainwater for landscaping and other household uses.

Goal U-3: Wastewater Treatment Capacity. Establish and maintain adequate planning, construction, maintenance, and funding for wastewater collection and treatment facilities to support land uses; upgrading existing deficient systems, and expanding, where necessary, in the City's service area.

- **Policy U-3.1: Demand Requirements for Facilities.** Through the Capital Improvement Plan process, ensure wastewater collection and treatment facilities are installed, maintained, and upgraded in a timely manner to meet usage requirements and maximize cost efficiency.
- **Policy U-3.2: Capacity Demand.** Require all new development to evaluate sewer capacity demand during the discretionary review process.

Implementation of the 2040 General Plan would result in new connections to the existing water and wastewater system but would not create a substantial water demand (due to implementation of the American Canyon Municipal Code and policies), such that new or expanded water or wastewater facilities would be needed. The water connections associated with the project would not cause significant environmental effects beyond those already identified throughout this EIR. As such, impacts related to potential new water and wastewater facilities would be less than significant.

Stormwater

As discussed in Section 4.15, *Effects Found To Be Less Than Significant*, runoff associated with future development and mobility improvements would be regulated by Section 14.28 of the American Canyon Municipal Code, which ensure compliance with the Phase II MS4 Permit. Compliance with these regulations would ensure that future development facilitated by the 2040 General Plan would mimic the pre-development site hydrology, which would ensure that there is proper stormwater drainage on the project site and would minimize any operational impacts related to water quality or flooding. The project would not require any new or expanded stormwater facilities, beyond what would be installed pursuant to the regulatory requirements in Section 14.28 of the American Canyon Municipal Code. Furthermore, the 2040 General Plan includes the following proposed policies related to stormwater facilities:

Goal U-4: Flood Control. Establish and maintain adequate planning, construction, maintenance, and funding for storm drain and flood control facilities to support permitted land uses and preserve public safety.

- **Policy U-4.1: Storm Drainage Maintenance.** Maintain existing public storm drains and flood control facilities and construct upgraded and expanded storm drain and flood control facilities, where necessary, to protect existing and accommodate new permitted development.

- **Policy U-4.3: Financial Obligations.** Ensure new storm drain and flood control facility costs are borne by the project proponent in proportion to benefit; either through the payment of fees, or by constructing new improvements.
- **Policy U-4.9: Floodwater Diversions.** Implement engineering standards that prevent new development from increasing historical stormwater flows onto neighboring properties.

Goal U-5: Stormwater Quality. Maintain the quality of surface and subsurface water resources within the City of American Canyon and its Planning Area.

- **Policy U-5.1: Passive Treatment Systems.** Consistent with engineering standards and water quality regulations, reduce pollutant loading through passive treatment systems such as vegetated filter strips, grass swales, and infiltration/sedimentation areas in suitable open space areas and incorporated into landscaping adjacent to parking lots and streets.
- **Policy U-5.2: Water Detention Facilities.** Consistent with engineering standards and water quality regulations, require new and existing development to include drainage detention facilities that enhance the quality of water discharges from the facility.
- **Policy U-5.4: Storm Water Permitting.** Require industrial operations to obtain coverage under the State Storm Water Permit For Industrial Activities, and comply with provisions of the Permit, through notification and educational activities.

These policies would ensure current and future development in the City of American Canyon would comply with stormwater facilities. Therefore, impacts related to potential new stormwater facilities would be less than significant.

Electricity/Natural Gas

The project would require connections to existing electrical transmission and distribution systems in the City to serve development facilitated by the project. This service would be provided in accordance with the rules and regulations of both MCE and PG&E and under the authority of the CPUC. Based on the availability of existing electrical infrastructure, it is not anticipated that the construction of new electrical transmission and distribution lines would be required, and all sites would be able to connect to existing infrastructure. Furthermore, the 2040 General Plan includes the following proposed policies related to electrical facilities:

Goal U-9: Energy Resilience and Conversation. Improve energy system resilience with energy conservation and access to renewable energy sources.

- **Policy U-9.2: Electric Energy Systems.** Coordinate with Pacific Gas and Electric Company (PG&E) to ensure that electrical energy systems do not adversely impact land uses and population in the City of American Canyon.
- **Policy U-9.3: Resilient Grid.** Cooperate with PG&E to obtain applicable City permit approvals that improve electric grid resilience to natural hazards (seismic events, flooding, wildfires, extreme wind events).
- **Policy U-9.4: Overhead Utility Undergrounding**. Develop a comprehensive strategy to underground existing overhead utilities.

These policies would ensure current and future development in the City of American Canyon would lessen impacts on electrical facilities. In addition, as required by proposed Policy U-9.4, future

development would be subject to review for utility undergrounding which would further reduce impacts such as wildfire. Therefore, there would be adequate electrical facilities to serve development facilitated by the project. Impacts related to potential new electrical facilities would be less than significant.

The following proposed policy from the Utilities element would reduce demand on natural gas:

- **Policy U-9.1: Reach Building Code.** Reduce energy use in new development by considering a local amendment that requires a 15% energy efficient standard improvement over the California Building Code.

If future development requires natural gas, then development facilitated by the project would connect to existing natural gas infrastructure to meet the needs of residents and tenants. Based on the availability of existing natural gas infrastructure, construction of new natural gas pipelines would not be required, and development would be able to connect to existing infrastructure. Therefore, there would be adequate natural gas facilities to serve the development facilitated by the project and impacts related to potential new natural gas facilities would be less than significant.

Telecommunications

Implementation of the project would require connections to existing utility infrastructure to meet the needs of future development. Based on the availability of existing telecommunications infrastructure, construction of new telephone and cable lines would not be required, and all sites would be able to connect to existing infrastructure. Development facilitated by the project would be required to adhere to applicable laws and regulations related to the connection to existing telecommunication infrastructure. Therefore, there would be adequate telecommunications facilities to serve the development facilitated by the project and impacts related to potential new telecommunications facilities would be less than significant.

Conflicts with Existing Utilities

Existing underground utilities are located within the Planning Area. Because development facilitated by the project would require excavation, construction could result in conflicts to underground utilities. As required by Government Code Section 4216, applicants for development would be required to contact USA North to avoid underground utilities during construction. As such, impacts on underground utilities would be less than significant.

Mitigation Measure

No mitigation measures would be required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

Threshold 2: Would the project have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?

IMPACT UTL-2 THE PROJECT WOULD INCREASE DEMAND FOR WATER. WATER SUPPLY FOR THE PROJECT WOULD BE PROVIDED BY THE CITY OF AMERICAN CANYON FROM EXISTING AND PLANNED SUPPLY SOURCES INCLUDING IMPORTED WATER AND SUPPLEMENTAL WATER PURCHASED FROM THE CITY OF VALLEJO AS WELL AS LOCALLY DEVELOPED RECYCLED WATER. POTENTIAL IMPACTS WOULD BE LESS THAN SIGNIFICANT.

Development facilitated by the project would create additional demand for water. The water demand for the project was estimated using water demand rates for land use types identified in the American Canyon Potable Water Master Plan and the Broadway District Specific Plan EIR (City of American Canyon 2016, 2019). Each development type has its own associated water use factor by unit, which were used to calculate projected water demand volumes for each type of development. Table 4.13-2 summarizes the estimated water demand from the project. Overall, the project is estimated to increase annual water demand by 0.18 mgd or 207 AFY, in addition to existing demand.

Table 4.13-2 Projected Water Demand

Development Type	Estimated Project Buildout [b]	Water-use factor [c]	Projected Water Demand [a]		
			gpd	mgd	AFY [d]
Residential					
Single-Family	238 units	266 gpd/unit	63,308	0.05	56
Multi-Family [e]	513 units	160 gpd/unit	82,080	0.07	78
Non-Residential					
Office	65,000 sf	0.21 gpd/sf	13,650	0.01	11
Commercial	4 acres [f]	1,445 gpd/acre	5,780	0.005	6
Industrial	99 acres [g]	650 gpd/acre	64,350	0.05	56
Total			**229,168**	**0.18**	**207**

Source: City of American Canyon 2016, 2023

Notes:
a. gpd = gallons per day; sf = square foot; mgd = million gallons per day; AFY = acre feet per year
b. The total estimated project buildout has been revised to exclude two projects previously evaluated in the 2020 UWMP: the Watson Ranch Project and the Broadway District Specific Plan because these two projects were considered within total projects demand and supply for the city through 2040. Therefore, the estimated project buildout reflects the net additional projected water demand of the project.
c. The single-family, multi-family, and office water use factors are from the Broadway District Specific Plan EIR (City of American Canyon 2019). The commercial and industrial water use factors are from the City of American Canyon Potable Water Master Plan (City of American Canyon 2016).
d. AFY Calculated by dividing mgd by 0.000892, which is the amount of mgd that are in 1 AFY.
e. Moderate- and high-density residential water-use rate.
f. The acreage of commercial buildout was calculated by 189,000 sf / 43,560
g. The acreage of industrial buildout was calculated by 4,310,000 sf / 43,560

The City's UWMP identifies the existing and projected supply and water demand for normal, dry, and multiple dry years. These projections are summarized in Table 4.13-3, which accounts for water supply sources including imported SWP water purchased from the City of Vallejo and supplemental water supply purchased from the City of Vallejo (City of American Canyon, 2023).

Table 4.13-3 2020 UWMP Projected Water Supply and Demand

	2025	2030	2035	2040
Normal Years				
Supply Totals (af/yr)	4,959	4,959	5,575	5,575
Demand Totals (af/yr)	3,543	3,785	4,580	4,822
Difference	**1,416**	**1,174**	**994**	**753**
Single-Dry Year				
Supply Totals (af/yr)	1,897	1,897	2.132	2,132
Demand Totals (af/yr)	3,543	3,785	4,580	4,822
Difference	**-1,646**	**-1,888**	**-2,448**	**-2,689**
Multiple Dry Years (First Year)				
Supply Totals (af/yr)	3,359	3,359	3,776	3,776
Demand Totals (af/yr)	3,543	3,785	4,580	4,822
Difference	**-184**	**-426**	**-804**	**-1,046**
Multiple Dry Years (Second Year)				
Supply Totals (af/yr)	3,359	3,359	3,776	3,776
Demand Totals (af/yr)	3,543	3,785	4,580	4,822
Difference	**-184**	**-426**	**-804**	**-1,046**
Multiple Dry Years (Third Year)				
Supply Totals (af/yr)	3,251	3,251	3,655	3,655
Demand Totals (af/yr)	3,543	3,785	4,580	4,822
Difference	**-291**	**-534**	**-925**	-1,167
Multiple Dry Years (Fourth Year)				
Supply Totals (af/yr)	3,251	3,251	3,655	3,655
Demand Totals (af/yr)	3,543	3,785	4,580	4,822
Difference	**-291**	**-534**	**-925**	**-1,167**
Multiple Dry Years (Fifth Year)				
Supply Totals (af/yr)	3,251	3,251	3,655	3,655
Demand Totals (af/yr)	3,543	3,785	4,580	4,822
Difference	**-291**	**-534**	**-925**	**-1,167**

Source: City of American Canyon 2023

As shown in Table 4.13-2, the proposed project would increase water demands projected in the City's UWMP by approximately 207 AFY; as shown in Table 4.13-3, which accounts for imported water and supplemental water purchased from the City of Vallejo, the UWMP projects water supply shortages during single-dry and multiple-dry year conditions. As discussed in Chapter 8 of the UWMP and Municipal Code Chapter 13.14, the City addresses dry-year conditions through implementation of its Water Shortage Contingency Plan (WSCP) to conserve water and reduce demand such that available water supply is sufficient to meet demands.

In addition to purchased water and water savings from conservation, the City also produces recycled water and plans to produce up to 1,000 AFY of recycled water with buildout of 15 capital improvement projects to expand its existing recycled water capabilities. Table 6-2 of the UWMP shows that approximately 1,625 acre-feet of wastewater was collected within the City of American

Canyon in 2020; Table 6-5 of the UWMP shows that 513 acre-feet of recycled water was projected for use in 2020, while only 151 acre-feet of recycled water was used in 2020 (City of American Canyon, 2023). These rates demonstrate there is capacity to expand the existing recycled water system and increase existing rates of recycled water use. This would occur through implementation of recycled water projects listed in Table 6-6 of the UWMP, which would provide up to 988 AFY of additional water supply as recycled water. Recycled water can be used for non potable purposes including landscaping and irrigation, offsetting demands for potable water uses.

As discussed above, the proposed project would increase local water demands by approximately 207 AFY beyond the demands accounted for in the UWMP, which projects water supply shortages during single-dry and multiple-dry years. However, the supply projections shown above do not account for buildout of the City's planned recycled water projects, which would provide approximately 988 AFY of recycled water that can be used to offset potable water demands. In addition, implementation of the City's existing WSCP during dry year conditions reduces water demands through conservation to ensure supply reliability from existing sources including imported water and supplemental water purchased from the City of Vallejo.

Furthermore the City's ZWF Policy requires the potable water demands of new development within the City's service area to be offset on a one-to-one basis, ensuring no net increase of potable water demands. This may be accomplished by using water efficient fixtures, using recycled water for non-potable uses when available, dual plumbing buildings, installing water wise landscaping and irrigation, and other appropriate measures (City of American Canyon 2023). Other methods for offsetting potable water use under the ZWF Policy include contributing to the City's existing conservation programs; converting an existing public use of potable water to recycled water; contributing to projects that reduce potable water demand; increasing capacity to produce recycled water; expanding the reclaimed water system; or acquiring water supply from another source.

In addition, the American Canyon Municipal Code Chapter 13.10 (New Water and Sewer Connections and Services) limits new industrial water users within the City's water service area to a maximum of 650 gallons per acre per day and requires dual plumbing with purple pipe.[10] For use greater than 650 gallons per acre per day, offset options include but are not limited to, retrofit of existing residences with low flow fixtures, purchase of otherwise developable land as permanent open space, or acquisition of other water supply resources as provided for by a water supply analysis that follows the ZWF methodology (City of American Canyon 2023).

The 2040 General Plan also includes the following proposed policies related to water supply:

Goal U-1: Water Reliability. Establish and maintain a secure water supply and treatment, distribution, and storage system to serve the land uses proposed under the general plan.

- **Policy U-1.1: Supplemental Surface Water.** Support efforts to increase water supply from a variety of sources, such as participation in programs with other NBA users to obtain supplemental surface water through a water transfer from another area, investment in the Sites Reservoir, local rainwater capture, and other feasible sources.
- **Policy U-1.4: Urban Water Management Plan.** Prepare a framework for long-term water planning consistent with the State Urban Water Management Planning Act (UWMP Act), by preparing and adopting an Urban Water Management Plan (UWMP) once every five years.

[10] Purple pipe allows for use of recycled water for landscaping.

- **Policy U-1.5: Adequate Supply Prior to Occupancy.** Implement a Will Serve Process to ensure adequate water supply, distribution, storage, and treatment facilities is available to serve a project prior to the issuance of certificates of occupancy.
- **Policy U-1.6: Water Service Priority**. Consistent with State Law, in times of constrained water service expansion capacity, prioritize affordable housing developments as defined in California Government Code 65589.7 or any successor statute. The second priority is provided to water connections and services to residences and businesses located within the city corporate boundaries.

Goal U-2: Water Conservation. Establish policies that make the most efficient use of our water resources for a variety of public benefits, such as: improve water reliability, reduce greenhouse gas emissions, and minimize environmental impacts from drawing water from the environment.

- **Policy U-2.1: Zero Water Footprint.** Ensure new development offsets potable water demand by funding or constructing potable water conservation efforts elsewhere in the water delivery system.
- **Policy U-2.3: Retrofit Existing Buildings.** Promote existing buildings upgrades to support water conservation by encouraging owners of residential, commercial, and industrial properties to replace inefficient plumbing fixtures, install drought-tolerant and water-wise landscaping, and harvest rainwater for landscaping and other household uses.
- **Policy U-2.5: Recycled Water Use.** Subject to State regulations and organizational capacity, consider new ways that recycled water can replace potable water.

As discussed above, the proposed project would increase local water demands by approximately 207 AFY beyond the demands accounted for in the 2020 UWMP, which projects water supply shortages during single-dry and multiple-dry years. However, the supply projections shown above do not account for buildout of the City's planned recycled water projects or implementation of the City's existing WSCP during dry year conditions to reduce dry-year water demands. Further, compliance with the existing ZWF Policy and proposed General Plan policies related to water supply further support reliable water supply availability for the proposed project. In addition to the aforementioned programs, the City is participating in the Sites Reservoir project, a potential future source that would provide an additional 4,000 AFY of supply to the City, which has been approved and funded and is proceeding to obtain required permits. Although not necessary to support development under the project, the successful completion of the Sites project would provide additional water security for the City. Therefore, potential impacts associated with water supply availability would be less than significant.

Mitigation Measures

No mitigation measures would be required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

Threshold 3:	Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that is has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

IMPACT UTL-3 DEVELOPMENT FACILITATED BY THE PROJECT WOULD INCREASE DEMAND FOR WASTEWATER TREATMENT. THE TIMING, INTENSITY, AND LOCATION OF AN EXPANSION OF WASTEWATER TREATMENT FACILITIES IS UNKNOWN AT THIS TIME, BUT AN EXPANSION WOULD REQUIRE ADDITIONAL CEQA REVIEW AND COMPLIANCE WITH EXISTING BUILDING AND ZONING CODES. AS SUCH, IMPACTS RELATED TO EXPANSION OF WASTEWATER TREATMENT FACILITIES AS A RESULT OF THE 2040 GENERAL PLAN WOULD BE LESS THAN SIGNIFICANT.

The amount of wastewater generated by the project was estimated based on the estimated water demand calculated in Impact UTL-2 and the principle that water demand is 120 percent of wastewater generation (due to evaporation and system losses, meaning that not all water that is used ends up going to the wastewater treatment plan). The total wastewater demand due to the project is estimated to be approximately 4.3 mgd.[11] However, this is a conservative calculation that does not account for the reductions in wastewater demand from implementing the ZWF Policy. It is expected that the project's demand on wastewater would be substantially less than 4.3 mgd. Nonetheless, this number is used to provide a conservative analysis.

The WRF had an existing wastewater treatment capacity of 2.5 mgd in 2020 at average dry weather flow conditions. In 2020, the City treated 1,625 AF of wastewater, which is equivalent to 1.45 mgd (City of American Canyon 2015). In 2020 there was 1.05 mgd of remaining capacity for wastewater treatment. As such, there is not currently sufficient capacity in the WRF to accommodate the additional demand from the maximum buildout scenario in the 2040 General Plan.

Nonetheless, the Utilities Element of the 2040 General Plan contains the following proposed goals and associated proposed policies to ensure new development is connected to the existing sanitary sewer system and that wastewater service is adequate.

Goal U-3. Wastewater Treatment Capacity: Establish and maintain adequate planning, construction, maintenance, and funding for wastewater collection and treatment facilities to support land uses; upgrading existing deficient systems, and expanding, where necessary, in the City's service area.

- **Policy U-3.1: Demand Requirements for Facilities.** Through the Capital Improvement Plan process, ensure wastewater collection and treatment facilities are installed, maintained, and upgraded in a timely manner to meet usage requirements and maximize cost efficiency.
- **Policy U-3.2: Capacity Demand.** Require all new development to evaluate sewer capacity demand during the discretionary review process.
- **Policy U-3.3: Fiscal Obligations.** Ensure wastewater infrastructure impact fees reflect the proportional increase in demand from new development.
- **Policy U-3.4: Alternatives Sustainable Approaches.** Consistent with best practices, evaluate environmentally and economically efficient wastewater treatment systems, such as the artificial marshland wastewater treatment system.

[11] 4.3 mgd = 5.24 mgd / 1.2

- **Policy U-3.5: Wastewater Service Priority.** Consistent with State Law, in times of constrained wastewater service expansion capacity, prioritize affordable housing developments as defined in California Government Code 65589.7 or any successor statute. The second priority is provided to sewer connections and services to residences and businesses located within the city corporate boundaries.

As shown through 2040 General Plan proposed Goal U-3 and its corresponding proposed policies, the City would maintain wastewater treatment infrastructure to accommodate additional growth from the 2040 General Plan. However, there are no new facilities proposed at this time. Generally, it is anticipated that construction of new facilities would result in similar physical impacts discussed throughout this EIR (i.e., impacts to biological resources, water quality and hydrology, air quality, etc.), but impacts could also be reduced depending on location and intensity. As such, it is not possible to identify the specific nature, extent, and significance of physical impacts on the environment that could result from the construction and operation of an expanded WRF without knowing the size and nature of the facility, or its location. Regardless, new facilities would require adherence to all applicable building and zoning codes, and additional CEQA review to analyze project and location specific impacts. As such, impacts related to wastewater facilities would be less than significant.

Mitigation Measure

No mitigation measures would be required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

Threshold 4:	Would the General Plan generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?
Threshold 5:	Would the General Plan comply with federal, State, and local management and reduction statutes and regulations related to solid waste?

IMPACT UTL-4 THE PROJECT WOULD NOT GENERATE SOLID WASTE IN EXCESS OF STATE OR LOCAL STANDARDS, WOULD NOT EXCEED THE CAPACITY OF LOCAL INFRASTRUCTURE, AND WOULD NOT IMPAIR THE ATTAINMENT OF SOLID WASTE REDUCTION GOALS. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

Implementation of the project would generate additional solid waste. Construction of future development would create construction debris, such as scrap lumber and flooring materials. Operation of future development would create typical household wastes associated with residential, office, and commercial uses. Future industrial development would also generate solid waste.

As described in Section 4.13.1, *Setting*, the DRRTF is permitted to receive 1,440 tons of solid waste per day (County of Napa 2008). Between 2020 and 2021, the City of American Canyon disposed a total of approximately 17,128 tons (CalRecycle 2022d). Per capita waste disposal averaged averages 4.40 pounds per person per day (CalRecycle 2022e). As described in Section 4.9, *Population and Housing,* the project is expected to generate 3,204 net new residential units and result in approximately 10,734 new residents by the year 2040. The total additional waste generation, based

on the number of residents, would be approximately 23.6[12] tons per day, which would represent approximately 1.6 percent of the permitted daily solid waste allowed at the DRRTF.[13] While it is anticipated that the project would increase solid waste generation, it is expected that solid waste facilities would have enough capacity.

AB 939 requires the City to divert 50 percent of solid waste from landfills, and SB 1383 would require the City to reduce organic waste disposal by 75 percent by 2025. New development would be required to comply with Section 8.20 of the American Canyon Municipal Code, which includes requirements for mandatory municipal solid waste, recycling, and composting material disposal reductions, as well as compliance with CALGreen requirements for diverting construction and demolition debris.

Furthermore, the 2040 General Plan includes proposed goals and policies to support the provision of adequate service, reduction, and diversion of waste from landfills, and expansion of recycling programs for residents and businesses. Although the DRRTF currently has sufficient landfill capacity for the growth facilitated by the project, the policies in the 2040 General Plan are consistent with American Canyon's desire to promote sustainability and reduce the need for landfills. These proposed policies are provided in the Utilities Element of the 2040 General Plan and are listed below:

Goal U-7. Solid Waste Collection: Maximize source reduction, recycling, and composting in the solid waste disposal programs.

- **Policy U-7.1: Waste Management Services.** Continue waste management service contracts to provide quality and cost-effective solid waste removal throughout the city and require all residents and businesses to comply with solid waste collection and recycling service requirements.
- **Policy U-7.2: Levels of Service.** Conduct monitoring solid waste collection contractor operations to ensure franchise agreement service levels are maintained.
- **Policy U-7.3: Landfill Coordination.** Coordinate with the Napa-Vallejo Waste Management Authority (NVWMA) concerning the City's continuing use of the Potrero Hills Landfill.

Goal U-8. Solid Waste Source Reduction: Achieve maximum public participation in source reduction, recycling, and composting activities through outreach programs.

- **Policy U-8.1: Recycling Education and Information.** Coordinate with Napa-Vallejo Waste Management Authority (NVWMA) and Recology to expand public information and education programs to complement source reduction, recycling, and composting efforts.
- **Policy U-8.2: Expansion of Recycling Programs.** Expand recycling programs through the local waste hauler.
- **Policy U-8.3: Promotion of Recycling.** Promote the recycling of solid waste including but not limited to paper, metals, aluminum cans, green waste, cardboard, plastic and glass.
- **Policy U-8.4: Outreach to Schools.** Coordinate efforts at the local elementary and intermediate school level to provide youth education programs.
- **Policy U-8.5: Recycling Receptacles and Biodegradable/Recycled-Materials Products.** Require the availability of recycling and composting receptacles and use biodegradable or recycled-

[12] 23.6 tons per day = (4.4 lbs. per person per day * 10,734 persons) / 2,000 lbs. per ton
[13] 1.6 percent = (23.6 tons per day / 1,440 tons per day) * 100

material products instead of single-use plastic products at all City facilities and City-sponsored events.

- **Policy U-8.6: Zero Waste Community.** Support American Canyon in implementing policies and programs to become a Zero Waste Community.
- **Policy U-8.7: Food Waste Collection.** Ensure food waste collection is available and convenient to residents and businesses.
- **Policy U-8.8: Green Business Program.** Encourage local businesses to participate in the Napa County Green Business Program to minimize waste generation and create recycling and composting programs to reduce waste.
- **Policy U-8.9: Demolition and Construction Waste.** Require all new development to comply with the current CALGreen requirements for construction and demolition waste diversion.

Proposed Goals U-7 and U-8, as well as their corresponding proposed policies would ensure that solid waste is disposed of in an environmentally sound manner, and that State solid waste diversion goals and County recycling and composting requirements are met. Overall, local infrastructure would have the capacity to accommodate solid waste generated by development facilitated by the project. With adherence to Section 8.20 of the American Canyon Municipal Code and the 2040 General Plan proposed policies, impacts related to solid waste would be less than significant.

Mitigation Measure

No mitigation measures would be required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

4.14 Wildfire

This section summarizes the wildfire risks in and near the Planning Area and analyzes the impacts related to wildfire risks due to the project.

4.14.1 Setting

a. Overview of Wildfire

Wildfires are a regular feature of the ecosystem in large parts of California and many of the State's native species have evolved to cope with the natural fire cycle, although increasing development into wildfire-prone areas makes wildfires a hazard of concern. A wildfire is an uncontrolled fire in an area of combustible vegetation that is generally extensive in size. Wildfires differ from other fires in that they take place outdoors in areas of grassland, woodlands, brush land, scrubland, peatland, and other wooded areas that act as a source of fuel, or combustible material. Buildings may become involved if a wildfire spreads to adjacent communities.

Wildland-urban interface fires are hazards because they threaten areas located near the border between urban and wildlands. The primary factors that increase an area's susceptibility to wildfire include slope and topography, vegetation type and condition, and weather and atmospheric conditions. Factors such as narrow, winding roads and vegetation also can slow response to fire, increasing risk of spread. Wildfires that burn exclusively in natural areas generally pose little risk to lives or property, although the smoke from such fires may cause respiratory problems for people nearby. The fire season in the State of California is starting earlier and ending later each year, with climate change considered to be a key factor for this phenomenon (California Department of Forestry and Fire Protection [CalFire] 2022a).

b. Wildfire Factors

Slope and Aspect

According to CalFire, sloping land increases susceptibility to wildfire because fire typically burns faster up steep slopes (CalFire 2018). Additionally, steep slopes may hinder firefighting efforts. Following severe wildfires, sloping land is also more susceptible to landslide or flooding from increased runoff during substantial precipitation events. Aspect is the direction that a slope faces, and it determines how much radiated heat the slope will receive from the sun. Slopes facing south to southwest will receive the most solar radiation. As a result, such slopes are warmer and the vegetation drier than on slopes facing a northerly to northeasterly direction, increasing the potential for wildfire ignition and spread (CalFire 2018).

Generally, the urbanized area of the City is located west of Newell Drive/Flosden Road. Topography in this area of the City is nearly flat with a slight westward slope towards the Napa-Sonoma Marshes Wildlife Area (U.S. Geological Survey [USGS] 2022). The La Vigne neighborhood, American Canyon High School, and Canyon Estates neighborhood are located east of Newell Drive/Flosden Road, closer to the hillside areas just outside of the City. In this area the topography is slightly sloping upwards to the rolling hills east of the City.

Vegetation

Vegetation is "fuel" to a wildfire and it changes over time. The relationship between vegetation and wildfire is complex, but generally some vegetation is naturally fire resistant, while other types are very flammable. For example, cured grass is much more flammable than standing trees (CalFire 2018). Grass is considered an open fuel, in which oxygen has free access to promote the spread of fire. Additionally, weather and climate conditions, such as drought, can lead to increasing dry vegetation with low moisture content, increasing its flammability. In addition, wildfire behavior depends on the type of fuel present, such as ladder, surface, and aerial fuels. Ladder fuels provide a path for a surface fire to climb upward, into the crowns of trees. Surface fuels include grasses, logs, and stumps low to the ground. Aerial fuels include limbs, foliage, and branches not in contact with the ground (CalFire 2022b).

Naturally occurring (native and exotic non-native) vegetation cover within the City, consists of wetlands, and annual grasslands at the western edge of the City along the Napa-Sonoma Marshes Wildlife Area. This vegetation cover does not present a high risk of wildland fire fuel because of the wet conditions typical of marshes. Along the hillside area on the eastern edge of the city, the two dominant vegetation communities are Oak Woodlands and Annual/Native Grasslands. Both of these vegetation communities, as well as the other minor vegetation communities mapped within the hillside area are susceptible to wildfire.

Weather and Atmospheric Conditions

Wind, temperature, and relative humidity are the most influential weather elements in fire behavior and susceptibility (CalFire 2018). Fire moves faster under hot, dry, and windy conditions. Wind may also blow embers ahead of a fire, causing its spread. Drought conditions also lead to extended periods of excessively dry vegetation, increasing the fuel load and ignition potential.

According to the Western Regional Climate Center, average annual precipitation in American Canyon is 20.26 inches. Generally, in an average or typical year, most precipitation is received from October through April (Western Regional Climate Center 2016). May through September are the driest parts of the year and coincide with what has traditionally been considered the fire season in California. However, increasingly persistent drought and climatic changes in California have resulted in drier winters and fires during the autumn, winter, and spring months are become more common.

Power Lines

Above-ground power lines have the potential to contribute to wildfire risk, especially when they are near or traverse wilderness areas. In some instances, high winds can blow nearby trees and branches into powerlines, sparking fires. Wind can also snap wooden poles, causing live wires to fall onto nearby grass or other fuel, igniting it. While the California Public Utilities Commission estimates only about 10 percent of California's wildfires are triggered by power lines, the frequency and severity of these wildfires has spurred the agency to make new requirements for power line safety practices.

Pacific Gas and Electricity (PG&E) transmission lines traverse the City, both underground and above ground. Of note are the high-power electrical transmission lines which run northeast by southwest through the City (California Energy Commission 2022).

c. Wildfire Hazards

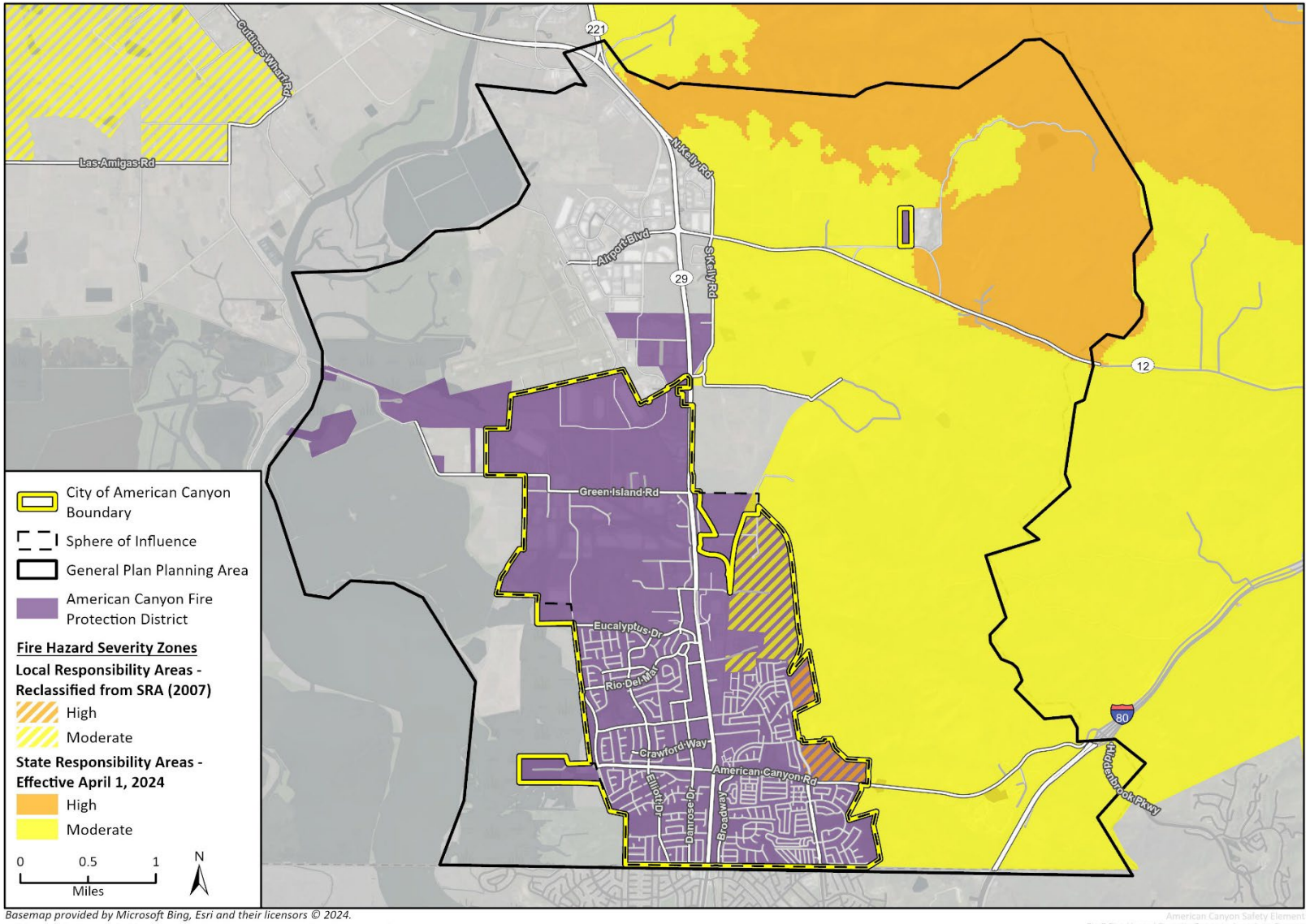
Once a fire is started, the spread and behavior of a fire become a function of fuel characteristics, terrain, and weather conditions. Fires are typically classified by type and intensity. Fire types may include understory fires, crown fires, surface fires, and broadcast fires, among others. Fire intensity, or severity, is the heat energy released by a fire either during a smoldering or raging fire event (CalFire 2022b).

Wildfire activity is closely related to temperature and drought conditions, and in recent decades, increasing drought frequency and warming temperatures have resulted in increased fire activity and the largest, most destructive, and deadliest wildfires in the State's history. Climate change will continue to produce conditions that facilitate a longer fire season, which, when coupled with human-caused changes in the seasonality of ignition sources, will produce more, longer, and bigger fires during more times of the year. According to California's Fourth Climate Change Assessment, Statewide Summary Report (OPR 2018), if greenhouse gas emissions continue to rise, the frequency of extreme wildfires burning over 25,000 acres could increase by 50 percent by 2100, and the average area burned Statewide could increase by 77 percent by the end of the century.

CalFire has mapped areas of significant fire hazards in the state through its Fire and Resources Assessment Program. These maps place areas of the state into different Fire Hazard Severity Zones (FHSZ) based on a hazard scoring system using subjective criteria for fuels, fire history, terrain influences, housing density, and occurrence of severe fire weather. Typically, these classifications include Non-Wildland, Non-Urban, Moderate, High and Very High. As part of this mapping system, land where CalFire is responsible for wildland fire protection and generally located in unincorporated areas is classified as a State Responsibility Area (SRA), which are managed by CalFire. Where local fire protection agencies are responsible for wildfire protection, the land is classified as a Local Responsibility Area (LRA) (CalFire 2020). CalFire responds to wildland fires from several fire stations, depending on their proximity and availability. The closest station to the Planning Area is the Napa County Fire Department at 1820 Monticello Road in Napa, California, approximately 10 miles north of the Planning Area.

CalFire maps three zones within SRA: 1) Moderate FHSZ; 2) High FHSZ; and 3) Very High FHSZ. Each of the zones influence recommended methods of building construction and property protection to reduce risk associated with wildland fires. Under state regulations, areas within very high fire hazard risk zones must comply with specific building and vegetation management requirements intended to reduce property damage and loss of life within these areas. Figure 4.14-1 shows the FHSZs in the General Plan Planning Area. Recent CalFire mapping displays adopted Fire Hazard Severity Zones (FHSZ) in the State Responsibility Area (SRA), effective April 1st 2024. It also displays recommended FHSZ in the Local Responsibility Area (LRA) from 2007-2011. For that reason, Figure 4.14-1 identifies areas within the ACFPD Service Area that are within a LRA. Due to regulatory processes, there are lands that are no longer classified as SRA and have become classified as LRA yet had a FHSZ designation from the 2007 SRA FHSZ map adoption. These areas are shown on the map with hatched symbology.

Figure 4.14-1 Fire Hazard Severity Zones



Basemap provided by Microsoft Bing, Esri and their licensors © 2024.
Additional data provided by CALFIRE, 2024; Napa County and Mintier Harnish, 2022.

American Canyon Safety Element
Fig 3 Fire Hazard Severity Zones in American Canyon

4.14.2 Regulatory Setting

a. Federal Regulations

The Disaster Mitigation Act of 2000

The Disaster Mitigation Act of 2000 requires a state-level mitigation plan as a condition of disaster assistance. There are two different levels of state disaster plans: "Standard" and "Enhanced." States that develop an approved Enhanced State Plan can increase the amount of funding available through the Hazard Mitigation Grant Program. The Act also established new requirements for local mitigation plans.

National Fire Plan

The National Fire Plan was developed in August 2000, following a historic wildfire season. Its intent is to establish plans for active response to severe wildfires and their impacts to communities while ensuring sufficient firefighting capacity. The plan addresses firefighting, rehabilitation, hazardous fuels reduction, community assistance, and accountability.

b. State Regulations

California Board of Forestry

The Board of Forestry maintains fire safe road regulations, as part of Title 14 of the California Code of Regulations (CCR). This includes requirements for road width, surface treatments, grade, radius, turnarounds, turnouts, structures, driveways, and gate entrances. These regulations are intended to ensure safe access for emergency wildland fire equipment and civilian evacuation.

California Fire Code

The California Fire Code (Fire Code) is Chapter 9 of CCR Title 24. It establishes the minimum requirements consistent with nationally-recognized best practices to safeguard public health, safety, and general welfare from the hazards of fire, explosion, or dangerous conditions in new and existing buildings, structure, and premises, and to provide safety and assistance to firefighters and emergency responders during emergency operations. The Fire Code is the primary means for authorizing and enforcing procedures and mechanisms to ensure the safe handling and storage of any substance that may pose a threat to public health and safety. The Fire Code regulates the use, handling and storage requirements for hazardous materials at fixed facilities. The Fire Code and the California Building Code (CBC) use a hazard classification system to determine what protective measures are required to protect property and life from fire hazards. These measures may include construction standards, separations from property lines and specialized equipment. To ensure that these safety measures are met, the Fire Code employs a permit system based on hazard classification. The provisions of the Fire Code apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of every building or structure or any appurtenances connected or attached to such building structures throughout California.

More specifically, the Fire Code is included in Title 24 of the CCR. Title 24, part 9, Chapter 7 addresses fire-resistance-rated construction; CBC (Part 2), Chapter 7A addresses materials and construction methods for exterior wildfire exposure; Fire Code Chapter 8 addresses fire related

Interior finishes; Fire Code Chapter 9 addresses fire protection systems; and Fire Code Chapter 10 addresses fire related means of egress, including fire apparatus access road width requirements. Fire Code Section 4906 also contains existing regulations for vegetation and fuel management to maintain clearances around structures. These requirements establish minimum standards to protect buildings located in all FHSZs within SRAs and Wildland-Urban Interface Fire Areas. This Fire Code includes provisions for ignition-resistant construction standards for new buildings.

The City adopted the most recent 2019 California Fire Code under Ordinance No. 2019-03.

California Fire Plan

The Strategic Fire Plan for California is the State's road map for reducing the risk of wildfire. The most recent version of the Plan was finalized in August 2018 and directs each CalFire Unit to prepare a locally specific Fire Management Plan (CalFire 2018). In compliance with the California Fire Plan, individual CalFire units are required to develop Fire Management Plans for their areas of responsibility. These documents assess the fire situation within each of the 21 CalFire units and six contract counties. The plans include stakeholder contributions and priorities, and identify strategic areas for pre-fire planning and fuel treatment as defined by the people who live and work with the local fire problem. The plans are required to be updated annually.

California Office of Emergency Services

The California Office of Emergency Services (OES) prepares the State of California Multi-Hazard Mitigation Plan (SHMP). The SHMP identifies hazard risks, and includes a vulnerability analysis and a hazard mitigation strategy (OES 2018). The SHMP is federally required under the Disaster Mitigation Act of 2000 in order for the State to receive Federal funding. The Disaster Mitigation Act of 2000 requires a State mitigation plan as a condition of disaster assistance (Federal Emergency Management Agency 2022).

State Emergency Plan

The foundation of California's emergency planning and response is a statewide mutual aid system, which is designed to ensure that adequate resources, facilities, and other support is provided to jurisdictions whenever their own resources prove to be inadequate to cope with an emergency situation.

The California Disaster and Civil Defense Master Mutual Aid Agreement (California Government Code Sections 8555–8561) requires signatories to the agreement to prepare operational plans to use within their jurisdiction, and outside their area. These operational plans include fire and non-fire emergencies related to natural, technological, and war contingencies. The State of California, all State agencies, all political subdivisions, and all fire districts signed this agreement in 1950.

Section 8568 of the California Government Code, the "California Emergency Services Act," (Act) states that "the State Emergency Plan shall be in effect in each political subdivision of the state, and the governing body of each political subdivision shall take such action as may be necessary to carry out the provisions thereof." The Act provides the basic authorities for conducting emergency operations following the proclamations of emergencies by the Governor or appropriate local authority, such as a City Manager. The provisions of the act are further reflected and expanded on by appropriate local emergency ordinances. The Act further describes the function and operations of government at all levels during extraordinary emergencies, including war.

All local emergency plans are extensions of the State of California Emergency Plan. The State Emergency Plan conforms to the requirements of California's Standardized Emergency Management System (SEMS), which is the system required by Government Code 8607(a) for managing emergencies involving multiple jurisdictions and agencies. The SEMS incorporates the functions and principles of the Incident Command System (ICS), the Master Mutual Aid Agreement, existing mutual aid systems, the operational area concept, and multi-agency or inter-agency coordination. Local governments must use SEMS to be eligible for funding of their response-related personnel costs under state disaster assistance programs. The SEMS consists of five organizational levels that are activated as necessary, including: field response, local government, operational area, regional, and state. OES divides the state into several mutual aid regions. The City is located in Mutual Aid Region II, which includes Del Norte, Humboldt, Mendocino, Sonoma, Lake, Napa, Marin, Solano, Contra Costa, San Francisco, San Mateo, Alameda, Santa Clara, Santa Cruz, San Benito, and Monterey counties (OES 2018).

Government Code Sections 65302 and 65302.5, Senate Bill 1241 (Kehoe) of 2012

Senate Bill (SB) 1241 requires cities and counties to address fire risk in SRAs and Very High FHSZs in the safety element of their general plans. The bill also amended CEQA to direct amendments to the *CEQA Guidelines* Appendix G environmental checklist to include questions related to fire hazard impacts for projects located in or near lands classified as SRAs and Very High FHSZs. In adopting these Guidelines amendments, the Governor's Office of Planning and Research recognized that generally, low-density, leapfrog development may create higher wildfire risks than high-density, infill development.[1] Zoning around the project site is low density housing, allowing up to six dwelling units per acre.

California Public Utilities Commission General Order 166

General Order 166 Standard 1.E requires that investor-owned utilities develop a Fire Prevention Plan which describes measures that the electric utility will implement to mitigate the threat of power-line fires generally. Additionally, this standard requires that investor-owned utilities outline a plan to mitigate power line fires when wind conditions exceed the structural design standards of the line during a Red Flag Warning in a high fire threat area. Fire Prevention Plans created by investor-owned utilities are required to identify specific parts of the utility's service territory where the conditions described above may occur simultaneously. Standard 11 requires that utilities report annually to the California Public Utilities Commission regarding compliance with General Order 166. In compliance with Standard 1.E of this General Order, PG&E adopted a Fire Prevention Plan dated October 31, 2018.

c. Regional and Local Regulations

Napa County Operational Area Multi-Jurisdictional Hazard Mitigation Plan

In 2020, the Napa County prepared an updated Multi-Jurisdictional Hazard Mitigation Plan (HMP) to guide County and City Officials and Special Districts Managers in protecting the people and property within the County from the effects of natural disasters and hazards events. The HMP provides an explanation of prevalent hazards within the County and how hazards may affect the County and

[1] "Leapfrog development" describes the construction of new development at a distance from existing developed areas, with undeveloped land between the existing and new development.

participating cities and special districts differently based upon proximities to natural hazards. The HMP also identifies risks to vulnerable assets, both people and property. Most importantly, the mitigation strategy presented in the HMP responds to the identified vulnerabilities within each community and provides prescriptions or actions to achieve the greatest risk reduction based upon available resources.

The City of American Canyon (Resolution No. 2020-44) and the American Canyon Fire Protection District adopted the HMP on June 2, 2020 (Resolution No. 2020-08). The HMP includes an Annex that details the hazard mitigation planning elements specific to the City. The Annex identifies that American Canyon is required to update building codes to meet the minimum standards to those required in the California Building Code last updated in 2019, which reduce risk from wildfire. Chapter 16.02 of the American Canyon Municipal Code adopts the 2019 California Building Code.

Sonoma-Lake-Napa Unit Strategic Fire Plan

The CalFire Strategic Fire Plan for the Sonoma-Lake-Napa Unit, last updated in 2020, applies to Napa County as well as neighboring Sonoma and Lake counties. This plan documents an assessment of wildfire hazards in the Sonoma-Lake-Napa Unit and identifies strategic targets to minimize fire risks, such as fire prevention and vegetation management.

American Canyon Fire Protection District Strategic Plan

The ACFPD Long-Range Master Plan (LRMP) guides the efficient future growth and development of the Fire District to provide the community of American Canyon with the highest possible level of service balanced with long term financial sustainability. Adopted in October 2022 (Resolution 2022-26), the LRMP identifies recommendations to improve long-range planning and delivery of fire and emergency services to the community (ACFPD 2022a).

The LRMP recommendations relate to operations, procedures, and community involvement, to deliver desired levels of service at the most efficient cost. To maintain long-range service levels, the LRMP recommends construction of a new relocated Fire Station 211.

American Canyon Municipal Code

Chapter 8.08 of the American Canyon Municipal Code contains ordinances relating to fire regulations including fire protection district regulations and the authority of the designated fire chief to enforce the Uniform Fire Code within city limits.

Section 18.40.120 of the American Canyon Municipal Code requires that all utilities be installed underground in accordance with the provisions of the American Canyon Municipal Code. It also requires that all underground utilities be installed before preparation of subgrade for paving or any other site improvements that may affect the orderly installation of the underground utilities.

Ordinance 2022-02

The ACFPD Board adopted the most recent 2022 California Fire Code under Ordinance No. 2022-02. Section 4904 of the California Fire Code calls for a fire protection plan that addresses water supply, access, building ignition and fire-resistance factors, fire protection systems and equipment, defensible space, and vegetation management for any new residential building within a wildland-urban interface fire area.

4.14.3 Impact Analysis

a. Methodology and Thresholds of Significance

Significance Thresholds

Based on Appendix G of the CEQA Guidelines a project may be deemed to have a significant impact on wildfire if it would:

1. Substantially impair an adopted emergency response plan or emergency evacuation plan.
2. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.
3. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.
4. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.
5. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

Methodology

The assessment of impacts related to wildfire hazards and risks were evaluated using FHSZ mapping for Napa County, aerial imagery, and topographic mapping. Additionally, weather patterns related to prevailing winds and precipitation trends were evaluated as they relate to the spread and magnitude of wildfire.

In addition, on October 10, 2022, the State's Office of the Attorney General issued guidance for analyzing wildfire impacts in a document titled *Best Practices for Analyzing and Mitigating Wildfire Impacts of Development Projects under the California Environmental Quality Act* (State's Office of the Attorney General 2022). This analysis in this section used the following guidance from State's Office of the Attorney General in considering the potential impacts of the project.

- Project Density: Project density influences how likely a fire is to start or spread, and how likely it is that the development and its occupants will be in danger when a fire starts.
- Project Location: Project placement in the landscape relative to fire history, topography, and wind patterns also influences wildfire risk.
- Water Supply and Infrastructure: The analysis should consider the adequacy of water supplies and infrastructure to address firefighting within the project site.
- Evacuation and Emergency Access: Local governments should consider placing developments close to existing road and evacuation infrastructure, and where appropriate, constructing additional roads to facilitate evacuations.
- Fire Hardening Structures: Home hardening has been shown to be an extremely effective measure for preventing structure loss during a wildfire. Local governments should require developers to upgrade building materials and use installation techniques to increase the development's resistance to heat, flames, and embers beyond what is required in applicable building codes.

b. Project Impacts and Mitigation Measures

Threshold 1:	If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

Impact W-1 THE 2040 GENERAL PLAN PROPOSED POLICIES ADDRESS EMERGENCY ACCESS, RESPONSE, AND PREPAREDNESS. THEREFORE, THE PROJECT WOULD NOT IMPAIR AN EMERGENCY RESPONSE PLAN OR EMERGENCY EVACUATION PLAN. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

As shown in Figure 4.14-1, there are portions of the Planning Area where development could occur (i.e., City limits and SOI) that are mapped within an LRA with moderate and high fire risk. In addition, there are areas mapped within an SRA with moderate and high fire risk, adjacent to the eastern City limits. However, development would not occur within any areas mapped within an SRA or within a very high FHSZ. The nearest very high FHSZ is located approximately 5.7 miles northeast of the Planning Area.

Nonetheless, development facilitated by the project could introduce new residents or employees who would require emergency response evacuation in the case of a wildfire. The Safety Element of the 2040 General Plan includes the following proposed goals and policies to ensure safe and efficient evacuation and emergency response.

Goal S-1: Prepare and equip American Canyon to minimize loss of life, injury, property damage, and disruption of vital services from disasters and emergencies.

- **Policy S-1.7: Public Awareness.** Increase public awareness of City and Fire District emergency response plans, evacuation routes and shelters, and ways to reduce risks at the home and office, focusing on the most vulnerable populations such as older adults and individuals with chronic health conditions. Offer informational materials in multiple languages.
- **Policy S-1.8: Emergency Access.** Work with the American Canyon Fire Protection District (ACFPD) and the Napa County Sheriff's Department to identify and regularly evaluate emergency access routes to improve accessibility throughout the city in the event of a disaster.
- **Policy S-1.9: Essential Facilities.** Work with service providers to maintain the reliability of essential facilities, such as communications towers, electrical substations, water services, and first-response buildings in the event of an emergency through promoting grid resilience and energy independence. Work to implement on-site power generation through solar photovoltaic systems and battery storage.
- **Policy S-1.10: Communication.** Evaluate the potential to utilize a comprehensive emergency communication system to ensure effective communication between City departments, outside organizations and agencies, and with the community before, during, and to accelerate recovery following a disaster.
- **Policy S-1.11: City Employee Emergency Preparedness.** Increase City employee capacity to respond to emergencies through the Standardized Emergency Management System (SEMS) and the National Incident Management System (NIMS) compliant training drills to identify hazards and assist in emergency preparedness, response and recover.
- **Policy S-1.12: Local Partnerships.** Coordinate with citizen groups and organizations, such as the American Canyon Community Response team (CERT) to identify, prepare for, and respond to emergency assistance in the event of a natural disaster.

- **Policy S-1.13: Emergency Evacuation Protocols for Single Access Neighborhoods.** Update emergency evacuation protocols and relevant evacuation plans to address and support neighborhoods with fewer than two ingress/egress routes.
- **Policy S-1.14: Communication and Outreach for Single Access Neighborhoods.** Establish and maintain communication and outreach protocols with the public that include tailored evacuation messaging to residents that live in identified neighborhoods with fewer than two ingress/egress routes. Outreach should include support for preventative home hardening and defensive space standards and conduct emergency preparedness and response trainings.
- **Policy S-1.15: Expand Access for Single Access Neighborhoods.** Assess options for expanding **Policy** ingress/egress options for residents in the identified access-limited areas in coordination, as necessary, with Napa Valley Transportation Authority, Caltrans, California Highway Patrol, adjacent cities, and Napa County.
- **Policy S-1.16: Zone-Based Evacuation Plans.** Establish specific "zone-based" evacuation plans and protocols that address the specific needs of residents in identified areas with fewer than two ingress/egress routes.
- **Policy S-1.17: Critical Infrastructure Siting.** Whenever feasible, locate the following critical facilities outside of flood, seismic, and high fire hazard zones: health care facilities, schools, emergency shelters, fire stations, emergency command centers, and emergency communications facilities.
- **Policy S-1.18: Emergency Operations Plan.** Update the City's Emergency Operations Plan every five years and maintain consistency with the County's Emergency Operations Plan.
- **Policy S-1.19: Multi-Jurisdictional Hazard Mitigation Plan Updates.** Continue to fully participate in, support, and implement the five-year updates of the Napa County Multi-Jurisdictional Hazard Mitigation Plan.
- **Policy S-1.20: Funding for Critical Facilities.** Direct the dedication of funds to upgrade and maintain City owned critical facilities, including the Emergency Operations Center, fire and police departments, and City Hall, to make them more resilient to the potential impacts of natural disasters.
- **Policy S-2.4: Residential Evacuation Routes.** Require that all new residential development have at least two emergency evacuation routes.
- **Policy S-2.13: Emergency Roadways.** Maintain roadways used for emergency access by emergency response vehicles as necessary and appropriate to ensure ongoing serviceability.

Furthermore, the Napa County Emergency Operations Plan (EOP) provides a framework for Napa County to use in performing emergency functions before, during, and after an emergency event (County of Napa 2020). The EOP aims to protect and preserve life, property, and the environment in Napa County, as well as the City. The project would not conflict with this plan and would not impair evacuation, as described in detail below.

The City has identified evacuation procedures in the event of a natural disaster, including a wildfire. During an emergency, individuals would receive notifications from emergency sirens, alarms, or local radio stations. In addition, the City has partnered with the Napa County Office of Emergency Services to provide residents with official evacuation order notifications supported by Zonehaven, a California-based company under contract with Napa County. The City identifies the following three different evacuation alerts that would be provided to residents and employees in the City:

- Evacuation Warning: This is a precautionary notice designed to give residents time to prepare for a possible evacuation.
- Evacuation Order: This is a notice where danger is imminent and a person should find their emergency supply kit and leave the area immediately.

The roadway that would primarily be used for evacuation in the event of a wildfire would be SR 29. The City would review and approve development facilitated by the project to ensure that emergency access meets City standards. Development facilitated by the project, as well as all development in the city, must comply with road standards, and are reviewed by the ACFPD to ensure development would not interfere with evacuation routes or impede the effectiveness of evacuation plans. In addition, the 2040 General Plan identifies mobility improvements that would provide additional emergency access. Because the City would review development facilitated by the project to ensure that emergency access meets City standards, impacts related to impairing an adopted emergency response plan or emergency evacuation plan would be less than significant.

Mitigation Measures

No mitigation measures would be required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

Threshold 2:	Would the General Plan, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?
Threshold 5:	Would the proposed project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

Impact W-2 THE PROJECT COULD EXPOSE PEOPLE AND STRUCTURES TO WILDFIRE RISK; HOWEVER, WILDFIRE RISKS WOULD BE REDUCED WITH MITIGATION AND IMPACTS WOULD BE LESS THAN SIGNIFICANT.

Development could be in LRA lands with moderate and high fire risk. Wildfire risk in American Canyon is generally concentrated on the hillside area east of the City. This area is largely undeveloped and contains large tracts of vegetation cover that can act as fire fuel. This area is also adjacent to large areas of vegetation cover and open space outside of the City limits, which further increases the potential for wildfires. A total of 526 acres of land burned in 2019 during a wildfire known as the American Fire incident (CalFire 2019; ACFPD 2019). This fire was located east of the City limits.

Prevailing winds in American Canyon generally blow from the west during the summer months, which is typically fire season, moving west to east across the city (Western Regional Climate Center 2022). Therefore, the prevailing winds would move wildfire in the hillside area and the related smoke and air pollutants, eastward, away from the urbanized areas of the city. Additionally, fire tends to burn and spread uphill, and the hillside area generally slopes uphill toward the east, away from the developed areas of the city.

Construction of development facilitated by the project would use equipment with combustion engines, which are known to create fires. As such, there is a potential wildfire risk, especially during

dry months, that could result in a potentially significant impact. Therefore, Mitigation Measure WF-1 would be required to reduce wildfire risk from construction activities.

Development could be located in proximity to agricultural and undeveloped areas with flammable vegetation. As such, operation of development facilitated by the project could result in potentially significant wildfire impacts, including exposure of people to pollutant concentrations from a wildfire or a significant risk from a wildfire. New structures would be constructed following the current fire and building codes and safety standards. Construction of development would be subject to the California Fire Code, which includes safety measures to minimize the threat of fire, including ignition-resistant construction with exterior walls of noncombustible or ignition resistant material from the surface of the ground to the roof system and sealing any gaps around doors, windows, eaves and vents to prevent intrusion by flame or embers. In addition, American Canyon Municipal Code Section 16.02.130 requires the installation of fully automatic fire sprinkler systems for new buildings. The Board of Forestry, via California Code of Regulations Title 14, sets forth the minimum development standards for emergency access, fuel modification, setback, signage, and water supply, which help prevent loss of structures and life by reducing wildfire hazards in areas designated as VHFHSZs. These codes and regulations would reduce the risk of loss, injury, or death from wildfire for new developments facilitated by the project in VHFHSZs. In addition, any electrical lines associated with development would be undergrounded, pursuant to Section 18.40.120 of the American Canyon Municipal Code, as well as the following proposed policy in the 2040 General Plan.

- **Policy U-9.4: Overhead Utility Undergrounding.** Develop a comprehensive strategy to underground existing overhead utilities.

In addition, the 2040 General Plan would also include the following proposed polices that would minimize potential wildfire risks through structural hardening, updating development standards, ensuring that there is adequate water supply, and encouraging the development of fire breaks:

- **Policy S-2.7: Building and Fire Code Compliance.** Require new development to meet or exceed structural hardening requirements in the most current version of the California Building Codes and California Fire Code.
- **Policy S-2.8: Development Standards Update.** Incorporate relevant new legislative requirements and best practices into the City's development standards.
- **Policy S-2.11: Fire Suppression.** Coordinate with the Fire District to ensure adequate, water supply to suppress wildfire, as part of the next Napa County Multi-jurisdictional Hazard Mitigation Plan update.
- **Policy S-2.12: Peakload Water Supply.** Support measures to provide adequate water availability throughout the city to meet future peak fire demand during times of peak domestic demands.
- **Policy S-2.14: Community Fire Breaks.** Coordinate with the American Canyon Fire Protection District to encourage property owners to maintain fire breaks and fuel modification/reduction zones on their property.

Finally, Mitigation Measure WF-2 would include a requirement for the landscaping in development to be consistent with applicable Building and Fire Codes.

Mitigation Measures

WF-1 Wildfire Risk Reduction During Construction

For projects located in proximity to agricultural or undeveloped areas (including hillside areas) with flammable vegetation, prior to issuance of a grading or building permit, whichever occurs first, the applicant shall submit documentation that they will implement the following measures to reduce risk of loss, injury, or death from wildfire during construction:

1. Construction equipment powered by internal combustion engines shall be equipped with spark arresters. The spark arresters shall be maintained pursuant to manufacturer recommendations to ensure adequate performance.
2. Certain project construction activities with potential to ignite wildfires during red-flag warnings issued by the National Weather Service for the project site location shall be prohibited. Example activities that shall be prohibited during red-flag warnings include welding and grinding outside of enclosed buildings, mowing, chain sawing, chipping, the use of any equipment with the potential to introduce sparks.
3. Fire extinguishers shall be required to be onsite during construction. Construction vehicles shall be equipped with at least one (1) functioning fire extinguisher and one (1) shovel or McLeod firefighting tool. Heavy machinery or equipment (e.g., tractors, grinders, tree chippers, excavators, bulldozers) shall be equipped with one (1) shovel, McLeod firefighting tool, or Pulaski; one (1) functioning fire extinguisher; and at least one 5-gallon backpack pump or larger capacity water (or CAFS) pump/delivery system. Fire extinguishers shall be maintained to function according to manufacturer specifications. Construction personnel shall receive training on the proper methods of using a fire extinguisher.

WF-2 Fire Resistant Vegetation and Landscaping

For projects located in proximity to agricultural or undeveloped areas (including hillside areas) with flammable vegetation, prior to issuance of a building permit for development located within or adjacent to a VHFHSZ, the applicant shall submit landscape plans prepared by a registered Landscape Architect that are consistent with applicable Building and Fire Codes.

Significance After Mitigation

With implementation of Mitigation Measures WF-1 and WF-2 the risk of loss of structures and the risk of injury or death due to wildfires would be reduced. These measures would make structures more fire resistant and less vulnerable to loss in the event of a wildfire. These mitigation measures would also reduce the potential for construction to inadvertently ignite a wildfire and require the use of fire-resistant native vegetation. Given the risk for wildfires in the Planning Area and that mitigation would be implemented to reduce the risk, impacts would be less than significant.

Threshold 3:	If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

Impact W-3 THE PROJECT WOULD INCLUDE THE INSTALLATION OF UTILITIES AND FUTURE MOBILITY IMPROVEMENTS; HOWEVER, COMPLIANCE WITH THE HMP AND PROPOSED POLICIES IN THE 2040 GENERAL PLAN WOULD REDUCE IMPACTS TO LESS THAN SIGNIFICANT.

As discussed in Section 4.13, *Utilities and Service Systems*, development facilitated by the project would require connections to existing utilities. The only utility that poses a potential wildfire risk are electrical lines; however, electrical lines associated with development would be undergrounded, pursuant to Section 18.40.120 of the American Canyon Municipal Code, as well as the following proposed policy in the 2040 General Plan.

- **Policy U-9.4: Overhead Utility Undergrounding.** Develop a comprehensive strategy to underground existing overhead utilities.

As such, the project would not exacerbate fire risk from the installation of electrical lines. In addition to utility connections, the 2040 General Plan also envisions future mobility improvements as discussed within Section 4.11, *Transportation*. Mobility improvements facilitated by the project, including improvements to roadways, and bicycle and pedestrian facilities would primarily consist of improvements such as repaving roads and bicycle lanes, installing roundabouts, and repainting median strips. Such projects would provide egress in the case of a wildfire or other emergency and would be designed in such a way to allow for simultaneous egress and ingress during an evacuation which would not exacerbate a fire risk. Furthermore, the 2040 General Plan includes the following proposed goals and policies to ensure safe and adequate preparation for wildfires:

Goal S-2: A City safe and adequately prepared for urban and wildfire emergencies.

- **Policy S-2.1: Fire Safe Site Design.** Develop site design and ongoing maintenance standards for new development in the moderate and high fire hazard zones to mitigate wildfire risk.
- **Policy S-2.2: Utility Undergrounding.** Develop a comprehensive plan to underground overhead utilities in new development projects and throughout the City.
- **Policy S-2.4: Residential Evacuation Routes.** Require that all new residential development have at least two emergency evacuation routes.
- **Policy S-2.7: Building and Fire Code Compliance.** Require new development to meet or exceed hardening requirements in the most current version of the California Building Codes and California Fire Code.
- **Policy S-2.8: Development Standards Update.** Incorporate relevant new legislative requirements and best practices into the City's development standards.
- **Policy S-2.10: Fire Protection Plans.** Coordinate with the American Canyon Fire Protection District to consider developing fire protection plan guidelines and standards for new construction projects.

For the reasons mentioned above, impacts related to the installation of infrastructure would be less than significant.

Mitigation Measures

No mitigation measures would be required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

Threshold 4:	If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project expose people or structures to significant risks, including downslopes or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Impact W-4 THE PLANNING AREA IS RELATIVELY FLAT AND COMPLIANCE WITH PROPOSED POLICIES IN THE 2040 GENERAL PLAN AND THE AMERICAN CANYON MUNICIPAL CODE WOULD ENSURE THAT RISKS FROM FLOODING OR LANDSLIDES DUE TO A WILDFIRE WOULD BE LESS THAN SIGNIFICANT.

Topography in the city is relatively flat with hills to the east. Severe wildfires damage the forest or shrub canopy, the plants below, as well as the soil. In general, this can result in increased runoff after intense rainfall, which can put residences and other structures below a burned area at risk of localized floods and landslides. As discussed in Section 4.15, *Effects Found To Be Less Than Significant,* development facilitated by the project within flood hazard zones or areas at risk of landslides would adhere to the requirements of the American Canyon Municipal Code and the following 2040 General Plan Policies:

Goal S-4: A community adequately prepared for natural hazards related to landslides, geologic instability, and seismic activity.

- **Policy S-4.1: Geologic Hazard Identification.** Reference current local and California Geologic Survey seismic and geologic hazards map surveys.
- **Policy S-4.3: Structure Protection.** Develop inventories of at-risk public buildings and infrastructure and seek funding to bring existing City-owned structures into compliance with updated seismic safety standards.
- **Policy S-4.7: Geotechnical Review.** Continue to require preliminary investigations of tract sites by State-registered geotechnical engineers and certified engineering geologists (Chapter 70 County Building Code) and ensure regular inspection of grading operations**.**
- **Policy S-4.8: Landslide Activity.** Restrict new development in areas of known landslide activity unless adequate mitigation is incorporated.

Furthermore, development would be required to develop a Stormwater Control Plan, which is discussed in detail in Section 4.15, *Effects Found To Be Less Than Significant* (subsection 4,15.5, *Hydrology and Water Quality*), and would further minimize adverse impacts of flooding following a wildfire. The city's generally flat grade and drainage policies would prevent exposure of people or residences to downslope landslides and flooding. Therefore, impacts would be less than significant.

Mitigation Measures

No mitigation measures would be required.

Significance After Mitigation

Impacts would be less than significant without mitigation.

4.15 Effects Found To Be Less Than Significant

During evaluation of the project, certain impact areas included in the California Environmental Quality Act (CEQA) Appendix G checklist were found to have a less than significant impact or no impact. As allowed under CEQA Guidelines Section 15128, this section discusses why impacts to these environmental topics were determined to have a less than significant impact or no impact and therefore are not discussed in detail in the Draft Environmental Impact Report (EIR) as individual sections.

4.15.1 Agriculture and Forestry Resources

Based on Appendix G of the CEQA Guidelines a project may be deemed to have a significant impact on agricultural and forestry resources if it would:

1 Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use; or

2 Conflict with existing zoning for agricultural use, or a Williamson Act Contract; or

3 Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)); timberland (as defined by Public Resources Code Section 4526); or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)); or

4 Result in the loss of forest land or conversion of forest land to non-forest use; or

5 Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use.

Based on the California Department of Conservation (DOC) Farmland Mapping and Monitoring Program, the current City limits are mapped as primarily as Urban and Built-Up land, with small pockets of Farmland of Local Importance and grazing land (DOC 2018). The current City limits do not contain any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Pursuant to the CEQA Guidelines, Farmland of Local Importance is not considered agricultural land and the conversion of Farmland of Local Importance would not trigger a substantial adverse impact (California Public Resources Code Division 13, Chapter 2.5, Section 21060.1). No land within the current City limits is zoned for agricultural use. The City does not contain forest land, timberland, or land zoned for timberland production (City of American Canyon 2015). In order to qualify for a Williamson Act contract in Napa County, a parcel must be zoned Agricultural Preserve or Agricultural Watershed, be 40 acres in size for non-prime agricultural land or 10 acres in size for prime agricultural land, and contain current agricultural use (County of Napa 2022a). Accordingly, there are no lands under Williamson Act contract within the current City limits.

There is land within the City's Sphere of Influence (SOI) and Urban Limit Line zoned as Agricultural Watershed and under a Williamson Act contract (County of Napa 2022b; County of Napa 2018). In addition, Prime and Unique Farmland is present within the Urban Limit Line, east of Watson Lane (DOC 2018). Annexation of land within these areas would be consistent with the planned development anticipated in the Napa County General Plan because the Napa County General Plan Policy AG/LU-130 supports the City's annexation of unincorporated land located with the City's growth boundary (County of Napa 2009). The lands within the City's SOI and proposed Urban Limit Line are within Napa County's jurisdiction and would need to be incorporated into the City prior to

development occurring in these areas. The potential environmental effects from future development within the City's SOI and proposed Urban Limit Line are speculative. Pursuant to CEQA Guidelines Section 15145, speculative impacts should not be discussed. Potential environmental effects associated with development on land within the City's SOI and proposed Urban Limit Line would be evaluated and mitigated as necessary as part of the County, City, and Napa County Local Agency Formation Commission review of individual development applications. Accordingly, the project would not result in the conversion of Farmland, conflict with existing zoning or Williamson Act contracts, result in the loss of forest land, or involve other changes which could result in the conversion of Farmland to non-agricultural use or the conversion of forest land to non-forest use.

4.15.2 Energy

Based on Appendix G of the CEQA Guidelines a project may be deemed to have a significant impact on energy if it would:

1 Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation;

2 Conflict with or obstruct a State or local plan for renewable energy or energy efficiency.

Since 2016, the City has been enrolled in the Marin Clean Energy (MCE) Light Green Program, MCE's default energy plan that offers 60 percent renewable energy. Before switching to MCE, the City was enrolled in the Pacific Gas and Electric (PG&E) 29 percent renewable option. MCE is an alternative to PG&E for energy generation. All residents and local businesses are automatically enrolled in the Light Green Program and have the option to opt up to the Deep Green Program, which offers 100 percent renewable energy. In 2021, American Canyon City Council voted to supply the City's facilities with MCE Deep Green 100 percent renewable energy. Some electrical service in Planning Area is still provided by PG&E.

Construction activities associated with development facilitated by the project would require energy resources in the form of fuel consumption to operate heavy equipment, light-duty vehicles, machinery, and generators. It is reasonable to assume that manufacturers of concrete, steel, lumber, or other building materials would employ energy conservation practices to minimize their cost of doing business. It also is reasonable to assume that non-custom building materials, such as drywall and standard-shaped structural elements, would be manufactured regardless of the project and, if not used for the project, would be used elsewhere. Development facilitated by the project would be required to comply with a variety of statewide, regional, and local renewable energy and energy efficiency plans, including the following:

- **Assembly Bill 2076: Reducing Dependence on Petroleum.** Pursuant to AB 2076, the California Energy Commission (CEC) and California Air Resources Board prepared and adopted a joint-agency report in 2023: *Reducing California's Petroleum Dependence*. Included in this report are recommendations to increase the use of alternative fuels to 20 percent of on-road transportation fuel use by 2020 and 30 percent by 2030, significantly increase the efficiency of motor vehicles, and reduce per capita vehicle miles traveled. One of the performance-based goals of AB 2076 is to reduce petroleum demand to 15 percent below 2003 demand.
- **California Renewable Portfolio Standard.** California's Renewable Portfolio Standard obligates investor-owned utilities, energy service providers, and community choice aggregators to procure 33 percent total retail sales of electricity from renewable energy sources by 2020, 60 percent by 2030, and 100 percent by 2045.

- **Energy Action Plan.** In the October 2005, the CEC and California Public Utilities Commission updated their energy policy vision by adding some important dimensions to the policy areas included in the original Energy Action Plan (EAP), such as the emerging importance of climate change, transportation-related energy issues, and research and development activities. The CEC adopted an update to the EAP II in February 2008 that supplements the earlier EAPs and examines the State's ongoing actions in the context of global climate change. The nine major action areas in the EAP include energy efficiency, demand response, renewable energy, electricity adequacy/reliability/infrastructure, electricity market structure, natural gas supply/demand/infrastructure, transportation fuels supply/demand/infrastructure, research/development/demonstration, and climate change.
- **AB 1007: State Alternative Fuels Plans.** The State Alternative Fuels Plan assessed various alternative fuels and developed fuel portfolios to meet California's goals to reduce petroleum consumption, increase alternative fuels use, reduce greenhouse gas emissions, and increase in-State production of biofuels without causing a significant degradation of public health and environmental quality.
- **Bioenergy Action Plan, Executive Order S-06-06.** The Executive Order establishes the following targets to increase the production and use of bioenergy, including ethanol and biodiesel fuels made from renewable resources: produce a minimum of 20 percent of its biofuels in California by 2010, 40 percent by 2020, and 75 percent by 2050.
- **California Code of Regulations Title 24 – Part 6 (Building Energy Efficiency Standards) and Part 11 (CALGreen).** The 2022 Building Energy Efficiency Standards move toward cutting energy use in new homes by more than 50 percent and will require installation of solar photovoltaic systems for single-family homes and multi-family buildings of three stories and less.

The CALGreen Standards establish green building criteria for residential and nonresidential projects. The 2022 Standards include the following: increasing the number of parking spaces that must be prewired for electric vehicle chargers in residential development; requiring all residential development to adhere to the Model Water Efficient Landscape Ordinance; and requiring more appropriate sizing of heating, ventilation, and air conditioning ducts.

Development in the Planning Area would need to comply with the energy efficiency and reduction policies within the 2040 General Plan, which would include the following proposed policies:

- **Policy U-8.9**: **Demolition and Construction Waste.** Require all new development to comply with the current CALGreen requirements for construction and demolition waste diversion.
- **Policy U-9.1: Reach Building Code.** Reduce energy use in new development by considering a local amendment that requires a 15% energy efficient standard improvement over the California Building Code.
- **Policy U-9.2: Electric Energy Systems.** Coordinate with Pacific Gas and Electric Company (PG&E) to ensure that electrical energy systems do not adversely impact land uses and population in the City of American Canyon.
- **Policy U-9.3: Resilient Grid.** Cooperate with PG&E to obtain applicable City permit approvals that improve electric grid resilience to natural hazards (seismic events, flooding, wildfires, extreme wind events).
- **Policy U-9.5: Electric Energy Systems.** Coordinate with Pacific Gas and Electric Company (PG&E) to ensure that electrical energy systems do not adversely impact land uses and population in the City of American Canyon.

- **Policy U-9.6: Passive Solar Heating and Cooling.** Consistent with the California Subdivision Map Act, require new subdivisions to examine the feasibility of incorporating site layouts that allow passive solar heating and cooling.
- **Policy U-9.7: Residential Energy Efficiency.** Seek grant funds that help low and moderate-income residents obtain low or no-cost loans to increase energy efficiency of their homes through weatherization, insulation, solar energy generation and energy battery backup storage; and assist utility providers with outreach on home energy efficiency rebates and programs for all residents, regardless of income.
- **Policy ENV-10.6: Reach Building Code.** Consider feasibility of adopting a "reach" local amendment to the California building code to require a 15% or greater energy efficiency than the State standard.
- **Policy ENV-10.8: Building Electrification.** Consider a Reach Building Code that would prohibit installation of natural gas in all new construction.
- **Policy ENV-11.1: Energy Efficiency.** Require developers employ energy-efficient site planning methods and building design, including building orientation, shading, landscaping, building reflectance, and passive solar heating and hot water systems.
- **Policy ENV-11.1: Renewable Energy Sources.** Work with other agencies and utility companies to develop safe, economical, and renewable energy resources.
- **Policy ENV-11.2: Renewable Energy Program.** Support installation of renewable energy and battery storage for homes and businesses.
- **Policy ENV-11.3: Energy Retrofit Program.** Develop an energy retrofit program and incentives for homeowners and building owners to encourage energy efficiency improvements such as fixture and appliance upgrades.
- **Policy ENV-11.4: Energy Efficiency City Operations.** Increase energy efficiency of City operations and evaluate the feasibility of installing renewable energy at city facilities.

Energy use would be reduced further by General Plan policies that encourage reductions in inefficient energy allocations related to transportation, which include:

- **Policy MOB-1.7: Promote Walking and Bicycling.** Promote walking and bicycling for transportation, recreation, and improvement of public health.
- **Policy MOB-1.11: Reduce the Need to Drive.** Implement land use policies designed to create a pattern of activity that makes it easy to shop, play, visit friends, and conduct personal business without driving.
- **Policy MOB-1.17: Reduce Vehicle Miles Traveled.** Through layout of land uses, improved alternate travel modes, and provision of more direct routes, strive to reduce the total vehicle miles traveled by city and non-residents traveling to American Canyon to work or shop.
- **Policy MOB-1.20: Bicycle Plan Funding.** Include funding for the City's Bicycle Plan updates and bikeway improvements consistent with the Bicycle Plan in the City's transportation financing program and TIF, recognizing the multi-modal travel needs of the City.
- **Policy MOB-1.22: Non-motorized Circulation System.** Provide safe and direct pedestrian routes and bikeways between places.
- **Policy MOB-1.23: Pedestrian Connections to Employment Destinations**. Encourage the development of a network of continuous walkways within new commercial, town center, public, and industrial uses to improve workers' ability to walk safely around, to, and from their

workplaces. Where possible, route pedestrians to grade separated crossings over State Route 29.

- **Policy MOB-1.24: Bicycle Facilities.** Bicycle facilities shall be provided to complete a continuous bikeway system, consistent with state standards, as shown on the Bikeway Plan Map. In cases where existing right of way constraints limit development of Class II or Class IV facilities, Class Ill signage and demarcation may be permitted at the discretion of the City Engineer. Deviations from these standards and from the routing shown on the diagram shall be permitted with the approval of the City Engineer.
- **Policy MOB-4.1: Transit Electrification.** Support NVTA in its efforts to electrify the transit fleet.
- **Policy MOB-4.2: Municipal Fleet**. Prepare a plan to systematically replace the City's vehicle fleet to electric.
- **Policy MOB-4.3: Effects of New Technologies**. Monitor and evaluate the development of convenient new electric mobility technologies (e.g., scootershare and bikeshare).
- **Policy MOB-4.4: Expand Electric Charging Stations**. Evaluate regulatory and incentivized processes and funding mechanisms to streamline new electric vehicle charging stations at the lowest possible cost.
- **Policy MOB-6.1: VMT Thresholds**. Establish vehicle miles traveled (VMT) thresholds and Transportation Demand Management (TDM) mitigation requirements for the purposes of environmental review under the California Environmental Quality Act (CEQA). The City shall continue to maintain LOS standards for the purposes of planning and designing street improvements on Green Island Road, Devlin Road, and American Canyon Road.
- **Policy ENV-10.3: Gas Station Limits.** Recognizing that the transportation sector is the largest source of GHG emissions in American Canyon and in California more broadly, prohibit construction of new fossil-fuel stations in American Canyon.
- **Policy ENV-10.4: Expand Zero Emission Vehicles.** Consider feasible methods to foster widespread use of Zero Emission Vehicles (ZEVs) to improve air quality and help meet California's GHG reductions targets by expanding availability of non-fossil vehicle fuel infrastructure, such as public and private electric vehicle charging stations, and hydrogen facilities for fuel cell electric vehicles throughout American Canyon.
- **Policy ENV-10.5: Vehicle Miles Travelled Reduction**. Reduce vehicle miles travelled by encouraging future land uses that feature a compact mixed-use urban form connected with pedestrian and bicycle trails.
- **Policy ENV-10.7: Vehicle Idling.** Reduce vehicle engine idling in American Canyon by educating the broader community (i.e.: businesses, commuters, residents) on the greenhouse gas impacts caused by engine idling and implementing feasible commercial vehicle regulations.
- **Policy ENV-12.4: EV Charging Station Requirements.** Consider adopting voluntary measures from CalGreen Tier 1 and/or Tier 2 to implement stricter electric vehicle charging requirements for new development.
- **Policy ENV-12.6: City Vehicle Fleet.** Transition the municipal fleet to electric or alternative-fuel vehicles.
- **Policy ENV-12.8: Commute Reduction.** Support programs that reduce commuter vehicle trips.

The project would encourage the development of modern buildings, which would consume less energy in the forms of electricity than existing, older buildings in the Planning Area. The project would also support transportation systems that rely less heavily on internal combustion vehicles and

more on active transportation, transit, and electric vehicles, which would consume less energy in the form of petroleum. The development facilitated by the project would not result in a wasteful, inefficient, or unnecessary consumption of energy, and would not result in potentially significant environmental effects due to the wasteful, inefficient, or unnecessary consumption of energy. Impacts would be less than significant.

4.15.3 Geology and Soils

Based on Appendix G of the CEQA Guidelines a project may be deemed to have a significant impact on geology and soils if it would:

1 Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
   i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area or based on other substantial evidence of a known fault?
   ii. Strong seismic ground shaking?
   iii. Seismic-related ground failure, including liquefaction?
   iv. Landslides?

2 Result in substantial soil erosion or the loss of topsoil?

3 Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potential result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

4 Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

5 Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

6 Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

An analysis of impacts to paleontological resources and unique geologic features resulting from project implementation is contained in Section 4.8, *Paleontological Resources*. The significance criterion related to paleontological resources is addressed in Section 4.8, *Paleontological Resources*.

Earthquake Fault Rupture

American Canyon is in a seismically active region of northern California. Moderate to strong earthquakes can occur on numerous local faults. Alquist-Priolo earthquake fault zones are regulatory zones that surround the surface traces of active faults in California, created in the Alquist-Priolo Earthquake Fault Zoning Act (Department of Conservation [DOC] 2019). For the purposes of the Alquist-Priolo Earthquake Fault Zoning Act, an active fault is defined as a fault that has ruptured in the past 11,000 years (DOC 2019).

The Planning Area is intersected by the West Napa Fault Zone, an identified Alquist-Priolo Earthquake Fault Zone (DOC 2022). Development facilitated by the project could occur in areas with the potential for fault rupture and associated risk of loss, injury and death. However, development facilitated by the project would not involve mining operations that require deep excavations thousands of feet into the earth, or boring of large areas that could create unstable seismic

conditions or stresses in the Earth's crust. In addition, the following 2040 General Plan proposed policies would reduce impacts by identifying and investigating sites prone to fault ruptures and reducing impacts of fault rupture by protecting new and expanded development, including infrastructure, within areas known to experience fault ruptures:

- **Policy S-4.1: Geologic Hazard Identification**. Reference current local and California Geologic Survey seismic and geologic hazards map surveys.
- **Policy S-4.3: Structure Protection.** Develop inventories of at-risk public buildings and infrastructure and seek funding to bring existing City-owned structures into compliance with updated seismic safety standards.
- **Policy S-4.4: Infrastructure Protection.** Support earthquake strengthening and provision of alternative or backup services, for at-risk infrastructure such as water, sewer, electricity, and natural gas pipelines and connections, for critical facilities especially in areas of high seismic or geologic high hazard or where weak segments are identified by existing or future studies. =
- **Policy S-4.5: Earthquake Protection.** Enforce seismic design provisions all relevant building codes reduce the risk of damage associated with seismic activity in all new and expanded development and ensure adequate review and inspection.
- **Policy S-4.6: Alquist-Priolo Act**. Implement mandatory development restrictions and investigation requirements (by the state, under the Alquist-Priolo Act, or by the City) on the West Napa fault zone located within American Canyon and its Planning Area.
- **Policy S-4.7: Geotechnical Review.** Continue to require preliminary investigations of tract sites by State-registered geotechnical engineers and certified engineering geologists (Chapter 70 County Building Code) and ensure regular inspection of grading operations.

As such, development facilitated by the project would not directly or indirectly cause or increase potential substantial adverse effects involving the rupture of a known earthquake fault. Impacts would be less than significant.

Seismic Ground Shaking

The West Napa Fault Zone runs through the Planning Area and would be capable of producing strong seismic ground shaking in the event of an earthquake. Additionally, the Planning Area is in a seismically active region of northern California where several fault systems are considered to be active or potentially active. Development within the Planning Area may be subject to ground shaking in the event of an earthquake originating along one of the faults designated as active in the vicinity of American Canyon. Nearby active faults include the Cuttings fault (approximately 1.7 miles west), Green Valley fault (approximately 6.2 miles east), Cordelia fault (approximately 6.7 miles northeast), Concord fault (11.5 miles southeast), Hayward fault (approximately 12.4 miles southwest), and the Rodgers Creek fault (approximately 10.4 miles west) (DOC 2022).

Development facilitated by the project would not exacerbate a risk to public safety or destruction of property than what is already present in the region. Residential development would be required to adhere to the standards of the California Building Code (CBC) which provides earthquake design requirements, including earthquake loading specifications for design and construction to resist effects of earthquake motions in accordance with the American Society of Civil Engineers Standard 7-05. The CBC also regulates the design and construction of excavations, foundations, building frames, retaining walls, and other building elements to mitigate the effects of seismic shaking. The impact to people, buildings, or structures from strong seismic ground shaking would be reduced by

mandatory conformance with applicable building codes, and accepted engineering practices. In addition, 2040 General Plan proposed Policies S-4.1, S.4-6, and S-4.7 would reduce impacts by identifying and investigating sites prone to seismic ground shaking. 2040 General Plan proposed policies S-4.3, S-4.4, and S-4.5 would reduce impacts of seismic ground shaking by protecting new and expanded development, including infrastructure, within areas known to experience seismic ground shaking. Therefore, impacts would be less than significant.

Liquefaction

Liquefaction is a phenomenon in which loose, saturated, granular soils behave similarly to a fluid when subjected to high-intensity ground shaking. Liquefaction occurs when three general conditions exist: shallow groundwater; low density, fine, clean sandy soils; and strong ground motion. Liquefaction-related effects include loss of bearing strength, amplified ground oscillations, lateral spreading, and flow failures.

According to the DOC, the Planning Area has not been evaluated for seismically-induced liquefaction risk (DOC 2022). However, according to the United States Geologic Survey (USGS), most of the Planning Area is within low susceptibility liquefaction zones; portions of the city south of American Canyon Road are within moderate susceptibility liquefaction zones; and a small portion of the city along American Canyon Road is classified as very high susceptibility (USGS 2006). Development facilitated by the project is required to adhere to the standards of the CBC, which includes mandatory site-specific geotechnical investigations for individual projects. Compliance with applicable building codes would reduce seismic ground shaking impacts with current engineering practices, and the project would not exacerbate liquefaction potential in the Planning Area. In addition, the following 2040 General Plan proposed policies would minimize impacts from liquefaction:

- **Policy S-4.2: Liquefaction**. Require special site-specific studies in areas potentially subject to liquefaction to determine engineering mitigations and development siting measures for new development.

Compliance with the CBC and the proposed policy in the 2040 General Plan would ensure that impacts related to liquefaction would be less than significant.

Landslides

The geologic character of an area determines its potential for landslides. Steep slopes, the extent of erosion, and the rock composition of a hillside all contribute to the potential for slope failure and landslide events. In order to fail, unstable slopes need to be disturbed; common triggering mechanisms of slope failure include undercutting slopes by erosion or grading, saturation of marginally stable slopes by rainfall or irrigation; and, shaking of marginally stable slopes during earthquakes. Due to the varied topography of the Planning Area, there is potential for landslides within the city and to the immediate east (City of American Canyon 1994).

Pursuant to the City of American Canyon Municipal Code Section 18.02.070, development facilitated by the project would be required to perform soils tests within thirty days prior to the issuance of a building permit. If future development under the project were to occur in a landslide area, it would be subject to further study and approval. In addition, the following 2040 General Plan proposed policies would minimize impacts from landslides:

- **Policy S-4.8: Landslide Activity.** Restrict new development in areas of known landslide activity unless adequate mitigation is incorporated.

Compliance with the City of American Canyon Municipal Code and the proposed policy in the 2040 General Plan would ensure that impacts related to landslides would be less than significant.

Erosion

Soil erosion or the loss of topsoil may occur when soils are disturbed but not secured or restored, such that wind or rain events mobilize disturbed soils, resulting in their transport offsite. Ground disturbing activities associated with development facilitated by the project would have the potential to result in the removal and erosion of topsoil during grading and excavation. Construction activities that disturb one or more acres of land are subject to the National Pollutant Discharge Elimination System (NPDES) Construction General Permit, which would require development of a Stormwater Pollution Prevention Plan (SWPPP) that outlines project-specific Best Management Practices (BMPs) to control erosion, sediment release, and otherwise reduce the potential for discharge of pollutants from construction into stormwater. Typical BMPs include, but are not limited to, installation of silt fences, erosion control blankets, and anti-tracking pads at site exits to prevent off-site transport of soil material.

For construction activities, the City of American Canyon Municipal Code Chapter 14.28 requires implementation of stormwater pollution control requirements for construction activities. Construction activities would also be required to comply with CBC Chapter 70 standards, which are designed to ensure implementation of appropriate measures during grading and construction to control erosion and storm water pollution.

Therefore, erosion from ground-disturbing activities associated with future development from the project would be controlled through implementation of the requirements and BMPs in existing regulations, including the Construction General Permit and City of American Canyon Municipal Code. Compliance with the regulations discussed above would reduce the risk of soil erosion from construction activities and impacts would be less than significant.

Geologic or Soil Instability and Expansive Soils

Impacts related to landslides and liquefaction are discussed above; therefore, this discussion focuses on impacts related to unstable or expansive soils because of lateral spreading, subsidence, or collapse. Lateral spreading occurs because of liquefaction; accordingly, liquefaction-prone areas would also be susceptible to lateral spreading. Subsidence occurs at great depths below the surface when subsurface pressure is reduced by the withdrawal of fluids (e.g., groundwater, natural gas, or oil) resulting in sinking of the ground. Soils that volumetrically increase (swell) or expand when exposed to water and contract when dry (shrink) are considered expansive soils. A soil's potential to shrink and swell depends on the amount and types of clay in the soil. Highly expansive soils can cause structural damage to foundations and roads without proper structural engineering and are generally less suitable or desirable for development than non-expansive soils.

Development facilitated by the project would not affect existing conditions (unless development is improperly constructed) related to unstable or expansive soils since the land use pattern emphasizes infill development. Implementation of 2040 General Plan proposed Policy S-4.7 would require a geotechnical investigation to ensure geologic stability prior to ground disturbance, which would reduce impacts of unstable soils. Future development would be required to comply with the CBC's minimum standards for structural design and site development. The CBC provides standards for excavation, grading, and earthwork construction; fills and embankments; expansive soils; foundation investigations; and liquefaction potential and soils strength loss. Thus, CBC-required incorporation of soil treatment programs (replacement, grouting, compaction, drainage control,

etc.) in the excavation and construction plans can achieve an acceptable degree of soil stability to address site-specific soil conditions. Adherence to these requirements would achieve accepted safety standards for unstable geologic units or soils. In addition, although reasonably foreseeable development under the project would potentially be subject to these hazards, it would not increase the potential for lateral spreading, subsidence, or collapse. Therefore, impacts would be less than significant.

Septic Systems

The project would emphasize development within the Planning Area where existing infrastructure exists. New development under the project is not anticipated to include the use of septic systems. Therefore, there would be no impact related to the use of septic tanks or alternative wastewater disposal systems.

4.15.4 Hazards and Hazardous Materials

Based on Appendix G of the CEQA Guidelines a project may be deemed to have a significant impact on hazards and hazardous materials if it would:

1 Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;

2 Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment;

3 Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;

4 Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment;

5 For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area;

6 Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; or

7 Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires.

An analysis of the risk of exposure to wildland fires resulting from project implementation is contained in Section 4.14, *Wildfire*. The significance criterion related to wildfire is addressed in Section 4.14, *Wildfire*.

Hazardous Materials Transport, Use, and Disposal

Future development facilitated by the project would involve the use of potentially hazardous materials, such as vehicle fuels and fluids, which could be released, should a spill or leak occur. Contractors of individual development projects would be required to implement standard construction BMPs for the use or handling of such materials to avoid or reduce the potential for such conditions to occur. Any transport, use, or disposal of hazardous materials would be carried out in accordance with applicable local, State, and federal regulations regarding the handling of

potentially hazardous materials. These include the Hazardous Materials Transportation Act, Resource Conservation and Recovery Act, the California Hazardous Materials Management Act, and California Code of Regulations Title 22. Hazardous materials transported on State highways, such as State Route 29, would be subject to California Department of Transportation (Caltrans) requirements, as described in Title 49 of the Code of Federal Regulations. The American Canyon Municipal Code Chapter 19.14.040 requires all operations in industrial districts, which involve the storage, use, or transport of flammable or explosive materials or gases obtain adequate safety devices to prohibit hazard release and adequate firefighting equipment. Mandatory compliance with all applicable local, State, and federal laws and regulations relating to the transport, use, and disposal of hazardous materials during construction and operation of future development facilitated by the project would minimize the potential to create a significant hazard to the public or the environment through the routine transport, use, and disposal of hazardous materials. Therefore, this impact would be less than significant.

Upset and Accident Conditions

As described above in the *Hazardous Materials Transport, Use, and Disposal* section, the transport, use, and disposal of hazardous material would be conducted in accordance with all applicable laws and regulations, including the Hazardous Materials Transportation Act, Resource Conservation and Recovery Act, the California Hazardous Materials Management Act, California Code of Regulations Title 22, and Title 49 of the Code of Federal Regulations. Additionally, the Napa County Office of Emergency Services has protocols to remedy the accidental release of hazardous materials, as set forth in the County of Napa Emergency Operations Plan (County of Napa 2016). These regulatory safeguards minimize exposure of the public and environment to a potential release of hazardous materials.

Future development facilitated by the project that requires demolition or redevelopment of existing structures, particularly old structures, has the potential to expose workers and the public to asbestos. The California Health and Safety Code Section 19827.5 requires local agencies not issue a demolition or alteration permits until an applicant has assessed the potential for a structure to contain asbestos and demonstrated compliance with notification requirements under federal regulations involving hazardous air pollutants, including asbestos. California Code of Regulations Section 1532.1 requires testing, monitoring, containment, and disposal of lead-based materials, such that exposure levels do not exceed California Occupational Safety and Health Administration (CalOSHA) standards. Similarly, California Code of Regulations Section 1529 sets requirements for asbestos exposure assessments and monitoring, methods of complying with exposure requirements, safety wear, communication of hazards, and medical examination of workers. The control of asbestos-containing material during demolition or renovation activities is regulated under the federal Clean Air Act which requires thorough inspection for asbestos where demolition will occur and specifies work practices to control emissions, such as removing all asbestos-containing materials, adequately wetting all regulated asbestos-containing materials, sealing the material in leak tight containers, and disposing of the asbestos-containing waste material as expediently as practicable (United States Environmental Protection Agency [U.S. EPA] 2022). Furthermore, demolition, renovation, and manufacturing activities would be regulated by the Bay Area Air Quality Management District (BAAQMD) through adherence to Regulation 11 Rule 2 which sets standard procedures to prevent emissions from asbestos-containing materials (BAAQMD 1998). As such, the potential for release of asbestos would be minimized.

Future development facilitated by the project could involve the use, storage, disposal, or transportation of hazardous materials. Some potential commercial, residential, and visitor-serving uses do not generally involve the use, storage, disposal, or transportation of significant quantities of hazardous materials. Hazardous material use and storage would primarily consist of common household hazardous materials such as solvents, paints, and chemicals used for cleaning and building maintenance, and landscaping supplies. These materials would not be different from household hazardous materials currently in use throughout the Planning Area. Residents and workers are anticipated to use limited quantities of products that could contain hazardous materials routinely for periodic cleaning, repair, and maintenance, or for landscaping and pest control. The disposal of household hazardous materials would be conducted in compliance with applicable regulations, pursuant to American Canyon Municipal Code 14.16.400.

Future development facilitated by the project could include industrial uses which could sell, use, store, transport, or release substantial quantities of hazardous materials. Businesses that handle certain chemicals over threshold quantities are required to abide by the Napa County Division of Environmental Health programs, such as preparation of a Hazardous Materials Business Plan (HMBP). The HMBP consists of basic information on the location, type, quantity, and health risks of hazardous materials, and emergency response and training plans (California Environmental Protection Agency [CalEPA] 2022). Hazardous materials must be reported in a HMBP if they are handled in quantities equal or greater than 55 gallons of a liquid, 200 standard cubic feet of a compressed gas, or 500 pounds of a solid (CalEPA 2022). Mandatory reporting in HMBPs would reduce potential hazards to workers and the general public near industrial development from reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

Overall, applicable federal, State, and local regulations would minimize the potential for future development facilitated by the project to create a significant hazard to the public or environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Therefore, this impact would be less than significant.

Schools

Future development facilitated by the project could include facilities which transport, use, handle, or dispose of hazardous materials. There are three elementary schools, one middle school, and one high school that serve American Canyon (Napa Valley Unified School District 2022). As described under the *Hazardous Materials Transport, Use, and Disposal* discussion, any transport of hazardous materials would be required to comply with applicable regulations for the use, transport, and disposal of hazardous materials. Future development facilitated by the project, which would be reasonably anticipated to emit hazardous air emissions or would handle a hazardous substance within 0.25-mile of an existing school would be required to notify the affected school district, pursuant to Public Resources Code Section 21151.4. Compliance with existing regulations would reduce the potential for a school to be exposed to hazardous materials.

The project would involve land use changes that could result in the construction of up to 25 residential units near Napa Junction Elementary School and up to 150 residential units near American Canyon High School. Housing is not a land use typically associated with the use, transportation, storage, or generation of significant quantities of hazardous materials. Operation of new housing development in accordance with the proposed land use changes may result in an incremental release in the use of common household hazardous materials such as cleaning and degreasing solvents, but these materials are not anticipated to be used in substantial quantities

such that their use poses a hazard to students at Napa Junction Elementary School or American Canyon High School. Furthermore, the construction of residences would occur in accordance with applicable regulations for the use, transport, and disposal of hazardous materials and would be subject to City-review, which would minimize the potential for temporary construction-related impacts regarding hazardous materials. Therefore, the proposed land use changes would not result in a hazard to school facilities.

Regarding future schools that may be developed to accommodate forecasted population increases in American Canyon, provisions of the California Education Code Section 17213 would apply. Section 17213 requires the City to ensure the chosen site for a proposed school is not built on current or hazardous waste disposal sites, is not on a hazardous substance release site identified by the California Department of Toxic Substances Control (DTSC), and does not contain pipelines that carry hazardous substances. Assessment of any contamination is conducted in coordination with the DTSC's Brownfields Restoration and School Evaluation Branch which is responsible for assessing, investigating, and cleaning up proposed school sites (DTSC 2022a). The DTSC ensures that selected sites are free of hazardous materials, or if the sites were previously contaminated, have been remediated to a level that protects future students and staff who will occupy a new school. Therefore, the project would not result in the handling of hazardous or acutely hazardous materials substances or waste within 0.25 mile of an existing or proposed school. This impact would be less than significant.

Hazardous Materials Sites

The DTSC's EnviroStor database and the State Water Resource Control Board's (SWRCB) GeoTracker database were reviewed to determine the locations of potentially hazardous materials sites in the Planning Area. The results of this search are provided in Table 4.15-1 below.

Table 4.15-1 Identified Hazardous Materials Sites in American Canyon

Site Name	Address	Site Type	Status
Beacon #3710 (Former) and Tesoro # 67050, Case #2	3438 Hwy 29	LUST Cleanup Site	Completed - Case Closed
Arco	3462 Hwy 29	LUST Cleanup Site	Completed - Case Closed
Caltrans Route 29 Post Mile 1.13 (At Napa Valley Casino)	3466 Broadway Street	LUST Cleanup Site	Completed - Case Closed
Doshier Property	5365 Hwy 29	LUST Cleanup Site	Completed - Case Closed
Evan Athan Enterprises	4381 Hwy 29	LUST Cleanup Site	Completed - Case Closed
Golden State Lumber Inc	150 Napa Junction Road	LUST Cleanup Site	Completed - Case Closed
Golden State Lumber Inc	150 Napa Junction Road - South	LUST Cleanup Site	Completed - Case Closed
Independent Stave Company	4391 Hwy 29	LUST Cleanup Site	Completed - Case Closed
Jaeger Vineyards	658 Napa Junction Road	LUST Cleanup Site	Completed - Case Closed
Medeiros Property	289 Napa Junction Road	LUST Cleanup Site	Completed - Case Closed
Sunshine Auto Salvage	1578 Green Island Road	Cleanup Program Site	Completed - Case Closed
American Canyon High School	3000 Newell Drive	School Cleanup	Certified/Operation & Maintenance
Canyon Crossings	Napa Junction Road	Voluntary Cleanup	Active

LUST = Leaking Underground Storage Tank

Source: DTSC 2022b; SWRCB 2022

Future development facilitated by the project could occur on sites with underground storage tanks (USTs). Tank removal activities could pose both health and safety risks from tank contents or vapors to workers, tank handling personnel, and the public. Potential risks, if any, posed by USTs could be minimized by managing the tank according to existing standards contained in California Health and Safety Code Division 20, Chapters 6.7 and 6.75 (UST Program), as enforced and monitored by the Environmental Programs Division. The extent to which groundwater may be affected by an UST or other potential contamination source depends on the type of contaminant, the amount released, the duration of the release, distance from source, and depth to groundwater. If contamination exceeds regulatory action levels, future developers would be required to undertake remediation procedures prior to grading and development under the supervision of the San Francisco Bay Regional Water Quality Control Board, depending on the nature of any identified contamination. Furthermore, the 2040 General Plan would include the following proposed policy and Implementation Program to minimize impacts related to hazardous materials.

- **Policy S-5.6: Hazardous Material Review.** Review new development sites for potential presence of hazardous materials.
- **Implementation Program TT: Environmental Site Assessment.** If determined by the City to be necessary, a Phase I Environmental Site Assessment in accordance with ASTM International methodologies shall be completed for a development proposal prior to project approval. If the Phase I Environmental Site Assessment determines hazardous materials may be present, a Phase II Environmental Site Assessment may be required. If the Phase II ESA for the development site indicates that contaminants are detected in the subsurface at the project site, the project applicant shall prepare a Soil Management Plan for impacted soils prior to the start of construction.

Future development facilitated by the project would be required to identify hazardous materials sites in accordance with proposed Policy S-5.6 and Implementation Program TT and remove such hazardous materials in accordance with applicable State and local regulations. As a result, the project would not create a significant hazard to the public or the environment due to being located on a hazardous materials site. This impact would be less than significant.

Airport Land Use Hazards

The Napa County Airport is located approximately 0.4 mile north of American Canyon. Development within the Napa County Airport's sphere of influence is governed by the Napa County Airport Land Use Compatibility Plan (ALUCP) (Napa County Airport Land Use Commission [ALUC] 1991). Future development facilitated by the project could occur within the noise contours delineated in the ALUCP. In accordance with California Public Utilities Code 21676, ALUCs must review general plans for consistency with the ALUCP.

The ALUC would review the 2040 General Plan for consistency with the Noise Compatibility Guidelines provided in the ALUCP, which indicates light industrial and commercial noise exposure is normally or clearly acceptable at under 65 A-weighted decibels (dBA) Community Noise Equivalent Level (CNEL) and marginally acceptable at under 75 dBA CNEL. Within the ALUCP's sphere of influence zones, identified as Zone D in the ALUCP, a 35-foot height restriction for development is implemented which ensures safety hazards from building heights are minimized. A permit to exceed the height limit may be obtained after approval from the ALUC. However, specific future development that may affect navigable airspace would still be subject to Federal Aviation Administration review, pursuant to the Code of Federal Regulations, Parts 77.5, 77.7, and 77.9.

In addition to review by the ALUC, the 2040 General Plan proposed policies would minimize loss of life, injury, and property damage resulting from aircraft operations. Specifically, 2040 General Plan proposed policies include the following:

- **Policy S-6.1: Airport Land Use Consistency.** Review all applications for new development, expansion of existing uses, and re-use within Napa County Airport Compatibility Zones "A" through "E" for compliance with the appropriate use and development conditions.
- **Policy S-6.2: Adverse Airport Impact Mitigation.** Work with the Napa County Airport Authority to ensure that onsite ground activities of the Airport do not adversely impact (e.g., noise, vibration, air emissions, or other pollution) the City of American Canyon.
- **Policy S-6.3: Airport Traffic Impacts.** Work with the Napa County Airport Authority to ensure that airport vehicular access does not adversely impact the City of American Canyon.

Compliance with the ALUCP, review by the ALUC, and implementation of 2040 General Plan proposed policies would ensure the project would not result in a safety hazard or excessive noise for people residing or working in the project area. Therefore, this impact would be less than significant.

Impairment of Emergency Response Plans

Construction activities associated with future development facilitated by the project could interfere with adopted emergency response or evacuation plans because of temporary construction activities within rights-of-way, temporary construction barricades, or other obstructions that could impede emergency access. Any temporary construction barricades or other obstructions that could impede emergency access on State highway systems would be subject to the standards set forth in the California Manual of Uniform Traffic Control Devices (Manual) (Caltrans 2021). The Manual requires the creation and approval of temporary traffic control plans to be used for facilitating road users through a work zone (Caltrans 2021). Adherence to the Manual requirements for construction activities would minimize potential impacts associated with the impairment or physical interference of an adopted emergency response plan or evacuation procedures for State highways. Construction that would occur within a public easement or right-of-way would be required to obtain an encroachment permit. In order to obtain an encroachment permit, traffic control plans would need to be submitted to the City's Public Works Department for review and approval (City of American Canyon 2015). These regulations would ensure construction activities associated with future development would not impair emergency evacuation or emergency response plans.

Increased future development could result in additional traffic. However, 2040 General Plan proposed policies would support safe evacuation routes in the event of an emergency. Proposed policies include the following:

- **Policy MOB-3.1: Parallel North-South Roadway.** Prioritize construction of roadways that provide alternate vehicle access parallel to Highway 29 through American Canyon and coordinate continuation of parallel routes outside the City with Regional Agencies.
- **Policy MOB-3.2: Evacuation Routes.** Identify important roadways that would serve as evacuation routes in the event of an emergency.
- **Policy MOB-3.3: Natural Hazard Awareness Week.** Coordinate with the American Canyon Fire Protection District to conduct outreach to the community on emergency evacuation routes in our community.

- **Policy MOB-3.4: Evacuation Route Obstacles.** Evaluate potential physical conditions that could impede an evaluation route. Examples include overhead utility poles, dead/ dying trees, aging infrastructure.

Furthermore, development facilitated by the project must comply with road standards and would be reviewed by the American Canyon Fire Protection District to ensure development would not interfere with evacuation routes or impede the effectiveness of evacuation plans. Implementation of the 2040 General Plan would not introduce new features or policies that would preclude implementation of or alter these plans or procedures. Therefore, the project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. This impact would be less than significant.

4.15.5 Hydrology and Water Quality

Based on Appendix G of the CEQA Guidelines a project may be deemed to have a significant impact on hydrology and water quality if it would:

1 Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.

2 Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.

3 Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

   i. Result in a substantial erosion or siltation on- or off-site;

   ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;

   iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or

   iv. impede or redirect flood flows.

4 In a flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation.

5 Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

Water Quality Standards or Waste Discharge Requirements

Future development facilitated by the project and future mobility improvements (i.e., improvements to roadways, bicycle facilities, and pedestrian facilities) could result in construction activities which may contribute to soil erosion and degraded water quality. Pursuant to the Clean Water Act, construction activities that disturb one or more acres of land are subject to the NPDES Construction General Permit, which requires the development of a SWPPP developed by a certified Qualified SWPPP Developer. The SWPPP includes project-specific BMPs to control erosion, sediment release, and otherwise reduce the potential for discharge of pollutants from construction into stormwater. Typical BMPs include, but are not limited to, installation of silt fences, erosion control blankets, and anti-tracking pads at site exits to prevent off-site transport of soil materials. Chapter 14.28 of the American Canyon Municipal Code requires any construction activities in the City to

implement appropriate BMPs to prevent the discharge of sediment. The American Canyon Municipal Code Section 14.28.080 requires implementation of erosion and sediment control BMPs to further reduce discharge of sediment and other particulate matter into the City's water systems. In addition, future development facilitated by the project would be subject to the following 2040 General Plan proposed policy:

- **Policy U-4.1: Storm Drainage Maintenance.** Maintain existing public storm drains and flood control facilities and construct upgraded and expanded storm drain and flood control facilities, where necessary, to protect existing and accommodate new permitted development.

Compliance with the NPDES Construction General Permit, SWPPP, and City regulations would ensure BMPs are implemented during new construction to minimize potential impacts to water quality. Impacts would be less than significant during construction of future development and mobility improvements.

Operation of future development facilitated by the project would be required to comply with the provisions of California's Phase II Small Municipal Separate Storm Sewer System (MS4) Storm Water Permit. In addition, American Canyon Municipal Code Section 14.28.082 requires implementation of a Stormwater Control Plan (SCP) for all new development and redevelopment projects subject to post-construction stormwater control measure requirements. The SCP requires implementation of site design measures and treatment facilities meeting the criteria established by the Bay Area Stormwater Management Agencies Association (BASMAA), including minimization of impervious surfaces, retainment or detainment of stormwater, slow runoff rates, and a reduction in pollutants in post-development runoff (BASMAA 2019). If future development facilitated by the project were to be categorized under Standard Industrial Classification (SIC) codes, it would be subject to the Industrial General Permit, which requires development of a site-specific operational SWPPP. Implementation of the operational SWPPP would reduce the risk of water degradation on site and off site from soil erosion and other pollutants related to project operation because an operational SWPPP requires the design, installation, and maintenance of post-construction stormwater controls. The operational SWPPP identifies the site-specific sources of pollutants and describes the best management practices implemented at the facility to prevent dry weather runoff and to reduce pollutants in storm water discharges. In addition, future development facilitated by the project would be subject to the following 2040 General Plan proposed policy:

- **Policy U-4.8: Low Impact Development**. Require new developments to install green infrastructure consistent with the best management practices of the State and the San Francisco Bay Regional Water Quality Control Board, including but not limited to pervious pavement, infiltration basins, raingardens, green roofs, rainwater harvesting systems, and other types of low impact development (LID).

Implementation of permit requirements and 2040 General Plan proposed policies would minimize impacts related to water quality and ensure development facilitated by the project would not violate water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality. Therefore, this impact would be less than significant.

Groundwater Supplies and Recharge

American Canyon underlies the Napa Sonoma Lowlands Subbasin which is classified as a Very Low Priority basin by the California Department of Water Resources (DWR) (DWR 2022). Development facilitated by the project would be served with potable water from the City, which does not utilize

local groundwater for municipal purposes (City of American Canyon 2016). Accordingly, development facilitated by the project would not substantially decrease groundwater supplies.

Future development facilitated by the project could introduce new impervious surfaces through the construction of paved areas; however, implementation of the SCP requires introduction of low-impact development site design measures, which would assist in groundwater recharge. These measures include, but are not limited to limiting impervious surfaces, routing runoff to bioretention facilities for groundwater storage, or requiring the use of pervious pavements (BASMAA 2019). Future development facilitated by the project would implement design standards pursuant to BASMAA standards and as a result, minimize the potential for substantial prevention of groundwater recharge. Furthermore, 2040 General Plan would implement proposed Policy U-4.8, as well as the following proposed policy that would promote groundwater recharge:

- **Policy U-4.2: Maximize Pervious Surfaces.** Consistent with engineering standards, minimize storm water runoff from new development with pervious surface materials (grass, ground cover, and other).

The project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. This impact would be less than significant.

Alteration of Existing Drainage Patterns

Future mobility improvements facilitated by the project, including improvements to roadways, bicycle facilities, and pedestrian facilities would primarily consist of repaving roads, adding bicycle lanes, installing roundabouts, and repainting median strips. Such projects would not involve the addition of substantial impervious surfaces or alternation of the course of a stream or river. However, future development facilitated by the project could alter the existing drainage patterns on individual project sites by adding impervious surfaces. Chapter 14.28 of the American Canyon Municipal Code requires any construction activities in the City to implement appropriate BMPs to prevent the discharge of sediment. An Erosion and Sediment Control Plan is required for any project that is:

- Subject to a grading permit;
- Subject to a building permit that has the potential for significant erosion and/or significant non-stormwater discharges of sediment and/or construction site waste;
- Any other project as required by the authorized enforcement official considering factors such as whether the project involves hillside soil disturbance, rainy season construction, construction near a watercourse, or any other condition or construction site activity that could lead to a non-stormwater discharge to a storm drain.

The Erosion and Sediment Control Plan is required to include a description of soil disturbing activity, site-specific construction-phase BMPs, rationale for selecting BMPs, list of applicable permits, proof the applicant has obtained applicable permits, and project information consistent with the most recent version of the Napa Countywide Erosion and Sediment Control Plan Model Template checklist. For projects subject to the NPDES Construction General Permit, a SWPPP may be submitted in lieu of an Erosion and Sediment Control Plan. The SWPPP includes project-specific BMPs to control erosion, sediment release, and otherwise reduce the potential for discharge of pollutants from construction into stormwater. As stated in the *Flood, Tsunami, or Seiche Zones* discussion, American Canyon Municipal Code Chapter 8.16 requires flood control measures to be

implemented during construction for projects in flood hazard areas, including development to be elevated above the base flood elevation. Furthermore, the 2040 General Plan would include proposed PolicyU-4.1 and the following proposed policy for storm and flood control:

- **Policy S-3.1: Regulatory Compliance.** Coordinate with local, state, and federal agencies to ensure the City's flood control regulations comply with federal, State, and local standards.

Runoff during operation of the development facilitated by the project would be regulated under the Phase II MS4 Storm Water Permit, implemented by the American Canyon Municipal Code 14.28. American Canyon Municipal Code Section 14.28.082 requires an SCP. The SCP requires implementation of site design measures and treatment facilities meeting the criteria established by BASMAA, including minimization of impervious surfaces, retainment or detainment of stormwater, slow runoff rates, and a reduction in pollutants in post-development runoff (BASMAA 2019). In addition, the 2040 General Plan would implement proposed Policy U-4.8, which would require green infrastructure. Compliance with existing City regulations and 2040 General Plan proposed policies would ensure development facilitated by the project would not substantially alter the existing drainage pattern of a site or area such that substantial erosion or siltation on- or off-site; flooding on- or off-site; exceedance of the capacity of existing or planned stormwater drainage systems or provision of additional sources of polluted runoff; or impediment or redirection of flood flows would occur. Therefore, impacts would be less than significant.

Flood, Tsunami, or Seiche Zones

The nearest body of water subject to seiche is Lake Frey, located approximately 6.9 miles northeast of the northern border of the City limits. Given the proximity to Lake Frey, American Canyon is not at risk of seiche. American Canyon contains flood hazard zones designated by the Federal Emergency Management Agency (FEMA) which traverse east to west along American Canyon Creek and at the western border of the City limits near the Napa River (FEMA 2022). In addition, the southwestern portion of Planning Area is in a Tsunami Hazard Area as mapped by the California Department of Conservation (DOC) (DOC 2022).

Future mobility improvements facilitated by the project, including improvements to roadways, bicycle facilities, and pedestrian facilities would not create substantial pollutant risk due to inundation. The amount of pollution washed off a roadway in a flood would typically be the same as pollution washed off in a heavy rain, as most pollutants on roads, bicycle and pedestrian facilities consist of motor oil, metals from brake pads, and trash. While it is possible floodwaters could rise high enough to overcome drainage ditches, bioswales, and similar pollution-capturing systems alongside roadways, the 2040 General Plan would implement proposed Policies S-3.1 and U-4.1, which require storm drains be maintained and improved where necessary. As a result, inundation risk associated with mobility improvements facilitated by the project would be minimal.

Future development facilitated by the project in flood hazard zones or tsunami hazard areas could risk pollutant release due to inundation. However, American Canyon Municipal Code Chapter 8.16 sets floodplain management regulations that implement requirements for flood hazard reduction in flood hazard zones. Section 8.16.160 requires all new construction and substantial improvements in all areas of special flood hazards to be adequately anchored to prevent flotation, collapse, or lateral movement resulting from flood waters. All new construction and substantial improvements are required to utilize flood resistant materials as specified in FEMA Technical Bulletin 2-93, and both residential and nonresidential construction are required to be elevated above the base flood elevation. All development within a flood hazard zone is required to receive a certification by a

registered professional engineer or architect which states the City's floodplain requirements have been satisfied. Furthermore, the 2040 General Plan would include the following proposed policies for flood control:

- **Policy S-3.2: FEMA Coordination.** Coordinate with the Federal Emergency Management Agency (FEMA) to ensure that Federal Insurance Rate Maps correctly depict flood hazards in the City.
- **Policy S-3.5: Private Preventive Maintenance.** Require property owners keep natural drainage courses on their sites free of obstructions such as structures, dams, and debris, which may adversely affect flooding on the site or downstream properties.

Future development facilitated by the project within flood hazard zones or tsunami hazard areas would adhere to the requirements of the American Canyon Municipal Code and the 2040 General Plan. With adherence to applicable regulations, the project would not risk release of pollutants due to inundation. Therefore, this impact would be less than significant.

Conflicts with a Water Quality Control Plan or Sustainable Groundwater Management Plan

American Canyon underlies the Napa Sonoma Lowlands Subbasin which is classified as a Very Low Priority basin by the DWR (DWR 2022). The Sustainable Groundwater Management Act requires local agencies to form groundwater sustainability agencies to manage groundwater resources in high and medium priority basins. Accordingly, the Napa Sonoma Lowlands Subbasin is not subject to a sustainable groundwater management plan. Therefore, the project would not conflict with or obstruct implementation of a sustainable groundwater management plan.

The City is within the jurisdiction of the San Francisco Bay RWQCB. The San Francisco Bay RWQCB implements the Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan), which functions as a master water quality control planning document. The Basin Plan includes programs of implementation to achieve water quality objectives (San Francisco Bay RWQCB 2019). As previously discussed, future development facilitated by the project and future mobility improvements would implement State and local regulatory requirements, including the provisions of the Construction General Permit, the Industrial General Permit, and Chapter 14.28 of the American Canyon Municipal Code. Furthermore, 2040 General Plan proposed Policy U-4.8 requires new development to install green infrastructure consistent with BMPs of the State and the San Francisco Bay RWQCB. 2040 General Plan proposed Policy U-4.8 would ensure future development facilitated by the project, including future mobility improvements, implement design features which promote the water quality goals of the Basin Plan. Therefore, the project would not conflict with or obstruct implementation of a water quality control plan. This impact would be less than significant.

4.15.6 Mineral Resources

Based on Appendix G of the CEQA Guidelines a project may be deemed to have a significant impact on mineral resources if it would:

1 Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state;

2 Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

There are no areas within the Planning Area that contain known mineral resources (DOC 1983). Project implementation would not preclude mineral extraction or would result in development in areas with mineral resources. Therefore, the project would not result in the loss of availability of a known mineral resources that would be of value to the region or the loss of availability of a locally important mineral resource recovery site. No impacts would occur.

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5 Other CEQA Required Discussions

This section discusses other issues for which the California Environmental Quality Act (CEQA) requires, in addition to the specific issue areas discussed in Section 4, *Environmental Impact Analysis*. These additional issues include the project's potential to induce growth, create significant and irreversible impacts on the environment, and significant environmental effects which cannot be avoided if the project is implemented.

5.1 Growth Inducement

CEQA Guidelines Section 15126(d) requires a discussion of a project's potential to foster economic or population growth, including ways in which a project could remove an obstacle to growth. Growth does not necessarily create significant physical changes to the environment. However, depending upon the type, magnitude, and location of growth, it can result in significant adverse environmental effects. A project's growth inducing potential is therefore considered significant if project-induced growth could result in significant physical effects in one or more environmental issue areas.

5.1.1 Population and Economic Growth

This environmental impact report (EIR) identifies a maximum buildout for the project, which is a conservative assumption developed for this analysis. Overall, maximum growth is dependent on multiple factors, including local economic conditions, market demand, and other financing considerations. The following conservative estimate of population growth is based on the project's maximum buildout scenario, which would accommodate approximately 3,204 additional housing units and 10,734 additional residents. The City has planned for the addition of new residences to the City through several plans which have undergone environmental review, including the Broadway District Specific Plan and Watson Ranch Specific Plan. Under the maximum buildout scenario, the project could result in an increase of approximately 5.7 million square feet of non-residential development that would generate permanent employment opportunities in American Canyon for residents. Though implementation of new and updated policies in the 2040 General Plan, the City would reduce significant physical effects on the environment resulting from population and economic growth. For example, as described in Section 4.10, *Public Services and Recreation* and Section 4.13, *Utilities and Service Systems*, the implementation of proposed policies in the 2040 General Plan would ensure that there are sufficient public services and utilities to meet the demand associated with population and economic growth. As such, the impacts from population and economic growth would be less than significant.

In addition, the project would generate temporary employment opportunities during construction of future residential and nonresidential projects. As construction workers would be expected to be drawn from the existing regional work force, construction of future development projects would not be considered growth-inducing. Therefore, the project would not induce uncontrolled population or economic growth and associated environmental impacts.

5.1.2 Removal of Obstacles to Growth

Development facilitated by the project would require new utility connections, including connections to water, hydrants, sewers, electricity, telecommunications, or other utilities like stormwater facilities. However, these connections would generally occur within individual footprints or rights-of-way that were previously disturbed, minimizing the impact of development on existing infrastructure and services. Development would use existing facilities and major infrastructure extensions would not occur in or be designed to serve areas beyond the sites analyzed in this EIR.

The project would result in some land use designation changes; however, these changes primarily resolve inconsistencies between existing land uses and land use designations in the General Plan. As such, the project would generally preserve the existing land use pattern in American Canyon. The project does not facilitate development within the sphere-of-influence (SOI) or urban limit line. Any future proposals to develop within the SOI or urban limit line would be subject to annexation to the City of American Canyon in compliance with procedures identified by the Napa County Local Agency Formation Commission, as well as additional environmental documentation.

In addition, as described in Chapter 2, *Project Description*, the 2040 General Plan includes mobility improvements, including roadway extensions. These roadway extensions would serve approved or pending development. For example, the Newell Drive Extension would serve, in part, the future development associated with the Watson Ranch Specific Plan.

For the reasons identified above, the project would not result in significant growth inducement due to the removal of an obstacle to growth.

5.2 Significant Irreversible Environmental Effects

CEQA Guidelines Section 15126(c) requires a discussion of significant irreversible environmental changes that would be involved in the project, should the project be implemented. This section addresses non-renewable resources, the commitment of future generations to the proposed uses, environmental accidents, and irreversible impacts associated with the project.

The project would irreversibly increase local demand for non-renewable energy resources such as petroleum products and potentially natural gas. However, increasingly efficient building design would offset this demand to some degree by reducing energy demands of future development. As described in Section 4.15, *Effects Found to Be Less Than Significant*, development facilitated by the project would be subject to the energy conservation requirements of the California Energy Code (Title 24, Part 6, of the California Code of Regulations, *California's Energy Efficiency Standards for Residential and Nonresidential Buildings*) and the California Green Building Standards Code (Title 24, Part 11 of the California Code of Regulations). The California Energy Code provides energy conservation standards for all new and renovated buildings, and the Green Building Standards Code requires solar access, natural ventilation, and stormwater capture. Furthermore, the project would implement several policies which would require efficient energy use and promote renewable energy programs. Consequently, development facilitated by the project would not use unusual amounts of energy or construction materials and impacts related to consumption of non-renewable and renewable resources would be less than significant. Consumption of these resources would occur with any development in the region and is not unique to the project.

Growth facilitated by the project would require an irreversible commitment of fire protection, law enforcement, water supply, wastewater treatment, and solid waste disposal services. As discussed in Section 4.10, *Public Services and Recreation*, and Section 4.13, *Utilities and Service Systems*,

potential impacts to public services and utilities and service systems would be less than significant following implementation of 2040 General Plan proposed policies, as well as future project-specific environmental review that would be required for any future facilities constructed in accordance with the project.

Furthermore, as discussed in Section 4.15, *Effects Found to Be Less Than Significant*, regulatory requirements, including those from the Napa County Division of Environmental Health would minimize potential accidents related to the spills of hazardous materials. Therefore, the project would not lead to significant irreversible environmental changes due to environmental accidents.

The anticipated increase in vehicle trips associated with the project would incrementally contribute to local traffic, air quality emissions, and noise. As described in Section 4.11, *Transportation*, VMT-related impacts would be less than significant because the project would facilitate reduced work commute distances. As described in Section 4.2, *Air Quality*, the project would not result in a cumulatively considerable net increase of any criteria pollutant, and implementation of Mitigation Measures AQ-1 through AQ-3 would ensure the project would not result in people being exposed to substantial irreversible exposure to toxic air contaminants. However, as described in Section 4.7, *Noise*, the project would result in substantial increases in noise due to vehicle traffic. Although Mitigation Measure NOI-2 would reduce noise through implementation of roadway vehicle noise reduction measures, implementation of the project would result in an irreversible increase in noise due to vehicle traffic.

The project would cause an irreversible increase in greenhouse gas emissions. As discussed in Section 4.5, *Greenhouse Gas Emissions*, although implementation of Mitigation Measures GHG-2 and GHG-3 would ensure development facilitated by the project after 2024 would be consistent with the state's greenhouse gas emissions reduction goals, individual projects that may occur prior to 2024 would not be guaranteed to be consistent with State emissions goals, nor are exact emissions reductions known at the time of adoption of the 2040 General Plan. As a result, the project would cause a substantial irreversible increase in greenhouse gas emissions which may be inconsistent with Bay Area Air Quality Management District greenhouse gas emissions thresholds and the state's greenhouse gas emissions reduction goals, until the adoption and implementation of greenhouse gas emissions thresholds and a Climate Action Plan.

5.3 Significant Unavoidable Impacts

CEQA Guidelines Section 15126(b) requires a discussion of the significant environmental effects which cannot be avoided if the project is implemented. These significant and unavoidable impacts are identified in Section 4, *Environmental Impact Analysis* and summarized below. The project would have the following significant and unavoidable impacts:

- Impact GHG-1: Development facilitated by the project would make progress towards achieving state goals but would not necessarily meet State 2030 or 2045 goals. Mitigation Measures GHG-2 and GHG-3 would require implementation of CEQA thresholds and a Climate Action Plan (CAP); however, development facilitated by the project would not meet the 2030 or 2045 goals until the CAP is updated and adopted. This impact would be significant and unavoidable.
- Impact NOI-1: Construction of individual projects facilitated by the project would temporarily increase noise levels, potentially affecting nearby noise-sensitive land uses. Development facilitated by the project would also introduce new noise sources and contribute to increases in operational noise. Construction and operational traffic noise could exceed standards. This impact would be significant and unavoidable.

- Impact TRA-2: The 2040 General Plan includes policies which would reduce VMT. However, because there is no specific mitigation to reduce VMT per resident and the General Plan policies cannot realistically enforce mitigation programs or policies that might reduce VMT below the threshold, impacts would remain significant and unavoidable.

6 Alternatives

As required by California Environmental Quality Act (CEQA) Guidelines Section 15126.6, this environmental impact report (EIR) examines a range of reasonable alternatives to the project that would attain most of the basic project objectives but would avoid or substantially lessen the significant adverse impacts.

As discussed in Section 2, *Project Description*, the 2040 General Plan will serve as a long-term framework for future growth and development, represent the community's view of its future, and contain the goals and policies upon with the City Council, Planning Commission, and the entire community will base land use and resource decisions. The 2040 General Plan will provide a contemporary plan that will guide American Canyon though the next 20 years. The primary objective of this project is to update the existing American Canyon General Plan in order for it to be compliant with State law.

The 2040 General Plan would implement the vision of the existing General Plan. The City identifies the following three fundamental roles of the City:

1. The City should be home for a residential population, internally accommodating a sufficient range of uses to support the needs of residents (including a mix of housing types, commercial services, entertainment, employment, recreation, education, health, religious, cultural facilities, transportation services, and open space). At the present time, many of these uses are located outside the City, which necessitates extensive travel by residents to access these services.
2. The City should be a center of employment and commerce for regional, as well as local residents. This will provide an opportunity to capitalize upon (1) the cluster of uses which have developed in the Green Island Industrial Park; (2) the proximity of the City to the Napa County Airport and Southern Pacific railroad, and (3) the relationship of the City to the agricultural and vineyard industries of Napa County.
3. The City can capture visitors to the Napa Valley by providing uses which capitalize on the unique environmental setting of the foothills, river valleys, and agriculture. Environmental educational facilities, such as wetlands interpretative centers, overnight camping and recreational vehicle facilities, river recreational facilities such as boating, golf courses, and hotel/motels and restaurants are representative of the range of uses which may be considered.

In addition, the City identifies the following ten visions and principles to guide development:

1. Existing residential neighborhoods should be preserved. Neighborhoods that deteriorate or decline should be improved or revitalized.
2. A variety of housing types should be provided to meet the diverse needs of existing and future residents. Multi-family units should be dispersed to prevent an overcrowding of density in isolated areas and improve the character of development.
3. New residential neighborhoods should incorporate a mixture of uses, services, and pedestrian amenities and corridors to reduce the use of the automobile.
4. Adequate open space and recreational amenities should be incorporated in new residential subdivisions to ensure that the needs of the residents are adequately served.

5. A "town center" should be established in proximity to the closed basalt plant which functions as the symbolic center of American Canyon. A wide diversity of uses characterized by a high level of activity should be accommodated, including government, retail, office, service, entertainment, housing, and open space. The center should be developed as a pedestrian-oriented village that is physically linked by pedestrian and bicycle trails and other elements to surrounding neighborhoods and districts.
6. Additional villages need to be established to accommodate the basic commercial uses necessary to support existing and future residents (grocery stores, household supplies, clothing, and similar uses). These would be located at two primary sites: the intersection of American Canyon Road and Highway 29 and adjacent to the Town Center on Highway 29.
7. Highway 29 should be reconfigured in a more effective land use pattern. The clustering of commercial uses would establish a critical mass of development that would improve the quality and economic viability of the area. The current pattern of dispersal substantially diminishes these areas.
8. Opportunities should be provided for the expansion of the existing industrial development at Green Island Industrial Park and in the vicinity of the Napa Airport and Southern Pacific Railroad.
9. Areas adjacent to the Napa River should afford the opportunity for the establishment of a wetlands interpretative and conference center, nature observation, hiking, camping, and water recreational (boating) uses.
10. Oat Hill offers the opportunity for the development of a restaurant or hotel that would take advantage of views of the Napa River and San Francisco Bay.

This analysis presents two alternatives, including the CEQA-required “no project” alternative, that involve changes to the project that may reduce the project-related environmental impacts identified in this EIR. These Alternatives have been developed to provide a reasonable range of options that would help decision-makers and the public understand the general implications of revising or eliminating certain components of the proposed project. The following alternatives are evaluated in this EIR:

1. Alternative 1: No Project
2. Alternative 2: Watson Ranch Natural Alternative
3. Alternative 3: Limited Growth

Table 6-1 provides a summary comparison of the proposed project and each of the alternatives considered. Detailed descriptions of the alternatives are included in the impact analysis for each alternative. The potential environmental impacts of each alternative are analyzed in Sections 6.1 through 6.3.

Table 6-1 Comparison of Alternatives

	Proposed Project	Alternative 1: No Project	Alternative 2: Watson Ranch Natural Alternative	Alternative 3: Limited Growth
Total Allowable Dwelling Units Under[1] Alternative	3,204	3,204	3,975	2,971
Change in Total Maximum Dwelling Units Compared to Proposed Project	N/A	-175	+596	-408
Total Additional Residents Under Alternative[1]	10,734	10,990	12,790	10,190
Change in Population Potential Compared to Proposed Project (Number of Residents)	N/A	-600	+2,056	-1,400
Total Additional Non-Residential Square Footage Under Alternative[2]	5,704,000	5,704,000	5,704,000	5,639,000
Change in Total Additional Non-Residential Square Footage Compared to Proposed Project	N/A	N/A	N/A	-65,000
Updated Policies in General Plan	Yes	No	Yes	Yes

[1] The estimates for additional dwelling units, residences, and non-residential square footage are a conservative estimate based on the maximum buildout scenario. Overall, maximum growth will be dependent on multiple factors, including local economic conditions, market demand, and other financing considerations. These numbers are not meant to be a predictor of future growth.

[2] Non-residential square footage in Alternative 2 was assumed to be the same as the existing General Plan and only residential densities were changed.

6.1 Alternative 1: No Project Alternative

6.1.1 Description

The CEQA Guidelines (Section 15126.6[e][2]) require that the alternatives discussion include an analysis of a No Project Alternative. Pursuant to CEQA, the No Project Alternative refers to the analysis of existing conditions and what would reasonably be expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services. The No Project Alternative typically will proceed along one of two lines: (1) when a project is a revision of an existing regulatory plan or policy, the No Project Alternative will be continuation of the existing plan or policy; or (2) if a project is a development project on identifiable property, the No Project Alternative is the circumstance under which the project does not proceed. In this case, the No Project Alternative represents the continuation of existing zoning and General Plan designations within the City.

Assuming a maximum buildout scenario, buildout for the No Project Alternative would allow for 3,204 housing units and approximately 5.7 million square feet of additional non-residential land uses. Compared to the proposed project, the No Project Alternative would not include updated General Plan policies.

The No Project Alternative would not accomplish the primary objective of the project, which is to update the existing American Canyon General Plan in order for it to be compliant with State law. In addition, the No Project Alternative would not include the updated 2040 General Plan policies and programs pertaining to community development, preservation of natural resources, sustainability, and improvement of American Canyon's circulation network.

6.1.2 Impact Analysis

a. Aesthetics

Development under the No Project Alternative would continue the land use pattern that currently exists in American Canyon. Impacts to aesthetics would be similar to the proposed project. Development under the No Project Alternative could affect aesthetics compared to existing conditions due to buildout and would be required to comply with the same American Canyon Municipal Code regulations as the proposed project. Furthermore, the proposed project includes Mitigation Measures AES-1 and AES-2, which would require measures to minimize lighting impacts during construction and operation of projects. Both these mitigation measures would reduce impacts to light and glare to less than significant. However, the No Project Alternative would not include these mitigation measures and could result in a significant impact on light and glare. Therefore, the severity of the impact on aesthetics for the No Project Alternative would be greater than the proposed project.

b. Air Quality

Like the proposed project, the No Project Alternative would not preclude planned transit or bike pathways and would not disrupt regional planning efforts to reduce vehicle miles traveled (VMT) and meet federal and State air quality standards. The No Project Alternative would be consistent with applicable 2017 Clean Air Plan control measures, although not to the extent as the proposed project, as the No Project Alternative would not include 2040 General Plan proposed policies designed to reduce criteria pollutant emissions such as proposed Policy ENV-8.2, which would reduce construction pollutants as well as proposed Goal MOB-1 and its corresponding policies which would reduce transportation emissions:

- **Policy ENV-11.2: Construction Management Plans.** Require new development and redevelopment projects to prepare and implement a construction management plan that incorporates Best Available Control Measures and all best management practices in accordance with the Air District standards to reduce criteria pollutants.

Goal MOB-1: Provide safe and convenient access throughout the community with a citywide network of complete streets that meet the needs of all users and reduce vehicle miles traveled (VMT).

Impacts regarding conflict with applicable air quality plans would be less than significant, albeit greater than the proposed project.

Buildout under the existing General Plan land use and zoning designations would involve a similar amount of construction emissions as compared to the proposed project. . Like the proposed project, mitigation may be applied to individual projects that require CEQA review to comply with the Bay Area Air Quality Management District's (BAAQMD) current recommended basic control measures. The No Project Alternative would have similar overall construction-related impacts to air quality.

As stated in Section 4.2, *Air Quality,* the greatest source of criteria pollutants in American Canyon is from transportation sources, specifically mobile emissions from roadway traffic. The No Project Alternative would result in similar VMT impacts as compared to the proposed project. However, the No Project Alternative would not include proposed 2040 General Plan proposed policies MOB-1.17 and MOB-5.1, which both support VMT reduction.

- **Policy MOB-1.17: Reduce Vehicle Miles Traveled.** Through layout of land uses, improved alternate travel modes, and provision of more direct routes, strive to reduce the total vehicle miles traveled by city and non-residents traveling to American Canyon to work or shop.
- **Policy MOB-6.1: VMT Thresholds**. Establish vehicle miles traveled (VMT) thresholds and Transportation Demand Management (TDM) mitigation requirements for the purposes of environmental review under the California Environmental Quality Act (CEQA). The City shall continue to maintain LOS standards for the purposes of planning and designing street improvements on Green Island Road, Devlin Road, and American Canyon Road.

These policies would ultimately reduce VMT per capita. Overall, operational air quality impacts for the No Project Alternative would also be less than significant, similar to the proposed project.

The No Project Alternative would result in similar amounts of toxic air contaminants (TAC) near sensitive receptors when compared to the proposed project. However, as described in Section 4.2, *Air Quality*, the proposed project includes 2040 General Plan proposed goals and policies designed to promote clean air quality, protect public health and safety, and mitigate adverse air quality impacts, such as proposed policies ENV-11.1 and ENV-11.3.

- **Policy ENV-11.1: Regional Air Quality Efforts.** Support and coordinate with BAAQMD and State and Federal planning efforts aimed at reducing air pollution and management of major pollutants affecting American Canyon and the region, including the Clean Air Plan.
- **Policy ENV-11.3: Separate Sensitive Land Uses.** Separate sources of air pollution from sensitive land uses, such as residences, schools, day care centers, hospitals, and nursing homes.

The No Project Alternative would not implement these policies. Similar to the proposed project, mitigation may be applied to individual projects that require CEQA review to prepare a construction health risk assessment. The No Project Alternative would have similar overall construction-related TAC impacts to air quality as compared to the proposed project.

Like the proposed project, construction activities under the No Project Alternative would generate odors, which would be temporary and limited to the constructed period. Similar to the proposed project, mitigation may be applied to individual projects that require CEQA review. Similar to the proposed project, the No Project Alternative would have a less than significant with mitigation impact regarding creation of objectionable odors.

Overall, the No Project Alternative would have similar impacts to air quality as the proposed project but would not have the benefits associated with implementing the updated policies in the 2040 General Plan. As such, for the purposes of this analysis, the impacts from the No Project Alternative would be greater to the impacts from the proposed project.

c. Biological Resources

As described in Section 4.3, *Biological Resources*, potential habitat suitable for special-status species occurs in streams, grasslands, riparian woodland, and forests within the Planning Area. The No Project Alternative may still potentially impact special-status species or their habitat, including

riparian habitat and wildlife corridors. Furthermore, in contrast to the proposed project, the No Project Alternative would not include updated General Plan goals and policies, such as proposed Policy ENV-1.2 and Policy ENV-1.3 which are designed to preserve and protect biological resources in American Canyon.

- **Policy ENV-1.2: Sensitive Habitat Assessment and Impact Mitigation.** Require new development and redevelopment located within sensitive habitats, including coastal saltmarsh, mixed hardwood forest, oak savannah, vernal pools, and riparian habitats to provide a detailed assessment of the potential for impacts on these resources, and include measures to reduce any identifiable impacts.
- **Policy ENV-1.3: Habitat Conservation.** Support habitat conservation efforts to set aside and preserve suitable habitats, with priority given to habitats for rare and endangered species in American Canyon in accordance with state and federal resource agency requirements.

Nonetheless, similar to the proposed project, mitigation may be applied to individual projects that require CEQA review. Overall, the No Project Alternative would have similar impacts compared to the proposed project; however, the No Project Alternative would also not have the benefits associated with implementing the updated policies in the 2040 General Plan. As such, for the purposes of this analysis, the impacts from the No Project Alternative would be greater than to the impacts from the proposed project.

d. Cultural Resources

The No Project Alternative would have the potential to impact historic and archaeological resources in American Canyon through development of individual projects.. In contrast to the proposed project, the No Project Alternative would not include updated General Plan goals and policies designed to preserve and protect historic and archaeological resources in American Canyon such as proposed Goal ENV-5 and its corresponding policies.

Goal ENV-4: Protect cultural and tribal resources.

- **Policy ENV-4.1: Preservation.** Protect areas containing significant historic, archaeological, and paleontological resources, as defined by the California Public Resources Code.
- **Policy ENV-4.2: Development.** Ensure that human remains are treated with sensitivity and dignity and ensure compliance with the provisions of California Health and Safety Code Section 7050.5 and California Public Resources Code Section 5097.98.
- **Policy ENV-4.3: Yocha Dehe Wintun Nation Treatment Protocol**. In the event any Native American human remains, grave goods, ceremonial items, and items of cultural patrimony are found in conjunction with development, including archaeological studies, excavation, geotechnical investigations, grading, and any ground disturbing activity, the "Yocha Dehe Wintun Nation Treatment Protocol for Handling Human Remains and Cultural Items Affiliated with the Yocha Dehe Wintun Nation" shall be implemented as included as Appendix A to the Housing Element.

Nonetheless, similar to the proposed project, mitigation may be applied to individual projects that require CEQA review. Overall, the No Project Alternative would have similar impacts compared to the proposed project; however, the No Project Alternative would not have the benefits associated with implementing the updated policies in the 2040 General Plan. As such, for the purposes of this

analysis, the impacts from the No Project Alternative would be greater than the impacts from the proposed project.

e. Greenhouse Gas Emissions

The No Project Alternative would result in the same buildout as the proposed project. Temporary construction-related greenhouse gas (GHG) emissions from grading and construction of new housing and non-residential development, as well as long-term impacts resulting from building operation (such as energy use, maintenance, and traffic) would be similar to the proposed project. . However, the No Project Alternative would not include Mitigation Measures GHG-2 or GHG-3 which would require the adoption of a GHG threshold and Climate Action Plan (CAP) to meet the State's 2030 and 2045 GHG emissions goals.

American Canyon's existing General Plan does not outline how the City would meet State-mandated goals to reduce emissions to 40 percent below 1990 levels by 2030 and carbon neutrality by 2045. Therefore, the No Project Alternative would not be consistent with the California Executive Order B-55-18 goal of carbon neutrality by 2045 and would not include a qualified GHG reduction plan to guide progress towards State goals. Consequently, impacts related to generation of GHG emissions and consistency with State GHG reduction plans under the No Project Alternative would be potentially significant. Under the No Project Alternative, the CEQA GHG emissions threshold of significance and updated Climate Action Plan would not be implemented. As such, the No Project Alternative would result in greater impacts on GHG emissions compared to the proposed project, because CEQA GHG emissions threshold of significance and an updated Climate Action Plan would not be implemented.

f. Land Use and Planning

Under the No Project Alternative, there would be no changes to land use designations, zoning, or policies in the General Plan. The No Project Alternative would not alter connectivity with adjacent areas or divide established communities. Like the proposed project, future development under existing zoning would be required to comply with regulatory goals and policies, including Plan Bay Area 2050, as discussed in Impact LU-2 in Section 4.6, *Land Use and Planning*.. Overall, impacts regarding land use and planning would be less than significant, like the proposed project.

g. Noise

Buildout under the No Project Alternative would result in the same amount of development as the proposed project. Therefore, similar levels of construction and associated construction noise and vibration would occur from the No Project Alternative, compared to the proposed project. Like the proposed project, construction noise under the No Project Alternative could temporarily increase noise levels, potentially affecting nearby noise-sensitive land uses and leading to a significant and unavoidable impact. Similar to the proposed project, mitigation may be applied to individual projects that require CEQA review to implement construction noise reduction measures. However, construction noise could still exceed the significance thresholds and like the project, impacts would be significant and unavoidable.

Noise generated by on-site stationary equipment for new development would be subject to the City's noise limits, like the proposed project. Adherence to American Canyon Municipal Code noise limits for heating, ventilation, and air conditioning (HVAC) units and other stationary noise sources associated with future development would ensure that operational stationary noise under the No Project Alternative is less than significant. However, the No Project Alternative would not include

2040 General Plan proposed policies designed to reduce operational noise impacts such as proposed Policies S-8.1, S-8.3, and S-8.12 which include requirements for considering noise in land use compatibility and site design.

- **Policy S-8.1: Land Use Compatibility.** Use the land use-noise compatibility matrix in Table S-1 to guide the siting of future land uses.
- **Policy S-8.2: Sensitive Facilities**. Ensure appropriate noise mitigation is incorporated into the design of noise- sensitive facilities.
- **Policy S-8.3: Site Design**. Minimize noise impacts to adjacent noise-sensitive land uses in site planning and project design.

Stationary source noise impacts due to the No Project Alternative would be greater than the proposed project because the proposed policies and programs listed above would not be implemented.

Implementation of the No Project Alternative would result in buildout, which would generate new vehicle trips that could incrementally increase the exposure of land uses along roadways to traffic noise. The No Project Alternative would result in an increase in VMT compared to existing conditions and it is anticipated that a significant and unavoidable traffic noise impact would occur.

Development facilitated under the No Project Alternative could temporarily generate groundborne vibration during construction, potentially affecting nearby land uses. Similar to the proposed project, mitigation may be applied to individual projects that require CEQA review to prepare a construction vibration control plan. Operation of future development under the No Project Alternative would not involve substantial vibration or groundborne noise. Thus, impacts involving groundborne vibration and noise would be similar to the impacts of the proposed project.

Residents and businesses facilitated by the No Project Alternative would not be served by the Napa County Airport. Thus, development facilitated under this alternative would not result in significantly increased airport or airstrip activity. Continued regulation of airport noise consistent with State and federal regulations would minimize disturbance to people residing or working within proximity of the Napa County Airport. Impacts would be less than significant, like the proposed project.

Overall, the No Project Alternative would not have the benefits associated with implementing the updated policies in the 2040 General Plan. As such, for the purposes of this analysis, the impacts from the No Project Alternative would be greater than to the impacts from the proposed project.

h. Paleontological Resources

As discussed in Section 4.8, *Paleontological Resources*, portions of the city are underlain by geologic units with high paleontological sensitivity. Under the No Project Alternative, ground disturbance could still result in potentially significant impacts to paleontological resources. Similar to the proposed project, mitigation may be applied to individual projects that require CEQA review to minimize impacts on paleontological resources. The No Project Alternative would involvesimilar impacts to paleontological resources as compared to the proposed project.

i. Population and Housing

Assuming a maximum buildout scenario, implementation of the No Project Alternative would accommodate the same amount of housing units and residents as the proposed project. The No Project Alternative would result in similar population growth and would not induce substantial

unplanned population growth. The displacement of people or housing units under the No Project Alternative would be minimal, as development in American Canyon would continue in accordance with the existing General Plan. Impacts would be less than significant. When compared to the proposed project, the No Project Alternative would have equal impacts to population and housing.

j. Public Services and Recreation

Development allowed by existing land use and zoning regulations would occur under the No Project Alternative, which would result in an increase to emergency calls in the area, as well as an increase in additional demand for schools, parks, libraries, recreational facilities, or other public services. Assuming a maximum buildout scenario, the No Project Alternative would add approximately 11,590 which is the same as the proposed project. Thus, impacts to public services and recreation would be less than significant, similar to the proposed project.

k. Transportation

The No Project Alternative would result in development that follows the existing land use and zoning regulations. Goals and policies within the existing General Plan would apply under this alternative. Given the compliance with existing General Plan goals and policies that pertain to provision of "complete streets," increased connectivity, adequate emergency access, and safety design, the No Project Alternative would have a less than significant impact regarding conflict with circulation programs, plans, ordinances, or policies. The No Project Alternative would also have a less than significant impact regarding substantially increased transportation hazards and inadequate emergency access. Nonetheless, the proposed project prioritizes the provisions of "complete streets" to a greater extent than the No Project Alternative since the proposed project includes proposed Goal MOB-1 and its corresponding policies, which would provide a citywide network of complete streets. As such, the No Project Alternative would have greater impacts related to consistency with plans and safety, compared to the project.

In addition, the No Project Alternative would result in similar buildout as compared to the proposed project. As described in Section 4.11, *Transportation*, American Canyon currently has fewer jobs than employed residents. As such, the No Project Alternative would result in similar per capita VMT compared to the proposed project. However, the No Project Alternative would not include proposed 2040 General Plan policies MOB-1.17 and MOB-6.1 that support VMT reduction, which would ultimately reduce VMT per capita.

Overall, because the No Project Alternative would not include the proposed policies in the 2040 General Plan, the impacts from the No Project Alternative would be slightly greater compared to the proposed project.

l. Tribal Cultural Resources

As discussed in Section 4.12, *Tribal Cultural Resources*, impacts on tribal cultural resource (TCR) are highly dependent on the individual project site conditions and the characteristics of the proposed activity, including level of ground disturbance. Under the No Project Alternative, existing land use designations and zoning would continue to define the type of development that occurs throughout American Canyon. Development facilitated under the No Project Alternative may involve excavation, which could potentially impact previously unidentified TCRs. The No Project Alternative would not include updated General Plan policies designed to preserve and protect TCRs, which were developed in part through consultation with Native American Tribes, such as proposed Goal ENV-4 and Policy ENV-4.3, which requires the implementation of the Yocha Dehe Wintun Nation

Treatment Protocol for Handling Human Remains and Cultural Items Affiliated with the Yocha Dehe Wintun Nation. Overall, because these policies would not be included in the No Project Alternative, impacts, the severity of the impact on TCRs for the No Project Alternative would be greater than the proposed project.

m. Utilities and Service Systems

Development facilitated under the No Project Alternative would create additional demand for water, wastewater, electricity, natural gas, telecommunication, and stormwater drainage facilities. Any utility expansion within City limits would be subject to existing General Plan policies, which are intended to reduce potential impacts of utility expansion. Although the No Project Alternative would not include 2040 General Plan proposed policies that require implementation of low impact development, energy conservation, and energy efficiency strategies, there are existing regulations that would require similar measures. Impacts involving utility expansion under the No Project Alternative would be less than significant, and similar to the proposed project.

As discussed in Section 4.13, *Utilities and Service Systems*, the City's Public Works Department would have adequate water supply to service the City's anticipated growth under the proposed project. Considering that development under the No Project Alternative would be the same as the proposed project, the No Project Alternative would also be accommodated by the City's existing water system. Although development under the No Project Alternative would increase water demand, the City would continue to have sufficient water supply during normal, dry, and multiple dry years, and impacts to water supply would be less than significant.

Development facilitated under the No Project Alternative would increase demand for wastewater treatment. Like the proposed project, the timing, intensity, and location of an expansion of wastewater treatment facilities is unknown at this time. Like the proposed project, wastewater expansion for the No Project Alternative would require additional CEQA review, would be advanced when the wastewater expansion is advanced, and impacts would be less then significant. Considering the No Project Alternative would add the same number of residents as the proposed project(assuming a maximum buildout scenario), demand for wastewater and overall wastewater impacts of the No Project Alternative would be similar to the proposed project.

Implementation of the No Project Alternative would generate solid waste from construction and operation of development (including typical residential, commercial, and office solid waste). As discussed in Section 4.13, *Utilities and Service Systems*, the Devlin Road Recycling & Transfer Facility (DRRTF) would have adequate capacity to serve the population growth under the proposed project. Considering the No Project Alternative would result in the same number of residents as the proposed project (assuming a maximum buildout scenario), the DRRTF would also accommodate population growth under this alternative. Like the proposed project, impacts involving solid waste under the No Project Alternative would be less than significant.

n. Wildfire

Under the No Project Alternative, development could still occur within or near fire risks in an LRA. In addition, under the No Project Alternative, development could still occur near fire risks in an SRA, which are located east of the city limits. Although the No Project Alternative would not include 2040 General Plan proposed policies S-2.7, S-2.8, and S-2.14, which include measures to reduce the risk of wildfire on persons and property, it would still be subject to the same regulations as described for the proposed project, including the American Canyon City Code.

- **Policy S-2.7: Building and Fire Code Compliance.** Require new development to meet or exceed structural hardening requirements in the most current version of the California Building Codes and California Fire Code.
- **Policy S-2.8: Development Standards Update.** Incorporate relevant new legislative requirements and best practices into the City's development standards.
- **Policy S-2.14: Community Fire Breaks.** Coordinate with the American Canyon Fire Protection District to encourage property owners to maintain fire breaks and fuel modification/reduction zones on their property.

Similar to the proposed project, mitigation may be applied to individual projects that require CEQA review to reduce construction and design wildfire risk. Overall, the No Project Alternative would have a similar impact on wildfire than the proposed project.

6.2 Alternative 2: Watson Ranch Natural Alternative

6.2.1 Description

Alternative 2 would assume maximum density on the Watson Ranch property which would result in an additional 596 dwelling units. Alternative 2 assumes that the General Plan would be updated like for the proposed project, (including the updated policies that make the General Plan consistent with State law). . Overall Alternative 2 assumes increased residential densities (3, units total) when compared to the proposed project (3,975 total units). In addition, because Alternative 2 would maintain the same designations as the General Plans for non-residential spaces, the buildout of non-residential space would be the same as the proposed project. Buildout under Alternative 2, assuming a maximum buildout scenario, would allow for 3,975 housing units and approximately 5,704,000 square feet of additional non-residential land uses. Alternative 2 would meet the objectives of the proposed project as it would increase residential buildout while accommodating the same amount of non-residential buildout as the proposed project.

6.2.2 Impact Analysis

a. Aesthetics

Development under Alternative 2 would continue the land use pattern that currently exists in American Canyon. Impacts to scenic vistas under this alternative would be increased when compared to the proposed project, as this alternative would involve more development. Development under Alternative 2 could affect aesthetics and would be required to comply with the same American Canyon City Code regulations as the proposed project. Impacts to aesthetics, including light and glare would be increased when compared to the proposed project, as Alternative 2 would entail more overall residential development.

b. Air Quality

Like the proposed project, buildout under Alternative 2 would not preclude planned transit or bike pathways and would not disrupt regional planning efforts to reduce VMT and meet federal and State air quality standards. Alternative 2 would be consistent with applicable 2017 Clean Air Plan control measures. Impacts regarding conflict with applicable air quality plans would be less than significant, the same as the proposed project.

Buildout from Alternative 2 would accommodate approximately 596 additional housing units than under the proposed project. Construction of these additional units could result in increased short-term emissions. Alternative 2 would implement Mitigation Measures AQ-1 through AQ-3, which would reduce construction impacts to air quality. Like the proposed project, air quality impacts from construction of Alternative 2 would be less than significant with mitigation; however, Alternative 2 would have more overall construction-related impacts to air quality due to the increased buildout.

As stated in Section 4.2, *Air Quality*, the greatest source of criteria pollutants in American Canyon is from transportation sources, specifically mobile emissions from roadway traffic. Considering 596 additional residential units would be constructed in American Canyon under this alternative, the long-term on-site emissions from vehicle use would be increased when compared to the proposed project. Like the proposed project, updates to the 2040 General Plan, including the new proposed policies to be consistent with State law would reduce operational impacts to air quality. These policies would ultimately reduce VMT per capita. Overall, like the proposed project, operational air quality impacts for Alternative 2 would be less than significant.

Overall, Alternative 2 would result in more development than the proposed project and would result in higher TAC near sensitive receptors when compared to the proposed project. Furthermore, Alternative 2 would include the 2040 General Plan proposed goals and policies designed to promote clean air quality, protect public health and safety, and mitigate adverse air quality impacts. Alternative 2 would implement these policies and would also require Mitigation Measure AQ-3 (Conduct Construction Health Risk Assessment) to reduce impacts to a less than significant level.

Like the proposed project, construction activities under Alternative 2 would generate odors, which would be temporary and limited to the constructed period. Alternative 2 would implement Mitigation Measure AQ-4 which would further reduce operational odor impacts. Similar to the proposed project, Alternative 2 would have a less than significant impact regarding creation of objectionable odors.

Overall, impacts from Alternative 2 would be increased compared to the proposed project due to the increase in buildout.

c. Biological Resources

As described in Section 4.3, *Biological Resources*, potential habitat suitable for special-status species occurs in streams, grasslands, riparian woodland, and forests within the Planning Area. Alternative 2 would result in overall increased development when compared to the proposed project. Development under Alternative 2 may potentially impact special-status species or their habitat, including riparian habitat and wildlife corridors. Like the proposed project, Mitigation Measures BIO-1 (Biological Resources Screening and Assessment), BIO-2 (Special-status Plant Species Surveys), BIO-3 (Special-status Plant Species Avoidance, Minimization, and Mitigation), BIO-4 (Habitat Restoration Plan), BIO-5 (Endangered/Threatened Special-status Species Habitat Assessments and Protocol Surveys), BIO-6 (Endangered/Threatened Animal Species Avoidance and Minimization), BIO-7 (Pre-Construction Bird Surveys, Avoidance, and Notification), BIO-8 (Roosting Bat Surveys and Avoidance Prior to Removal), and BIO-9 (Conduct Pre-construction Crotch's Bumblebee Surveys and Implement Avoidance Measures)), would be implemented for Alternative 2 and would help reduce associated biological resource impacts. Overall, impacts to biological resources under Alternative 2 would be less than significant with mitigation incorporated, like the proposed project. Impacts from Alternative 2 would be slightly increased compared to the proposed project due to the increase in buildout.

d. Cultural Resources

Under Alternative 2, more residential development would occur compared to the proposed project. Individual projects would have the potential to impact historic and archaeological resources. Alternative 2 would have potentially significant impacts to historic and archaeological resources. Like the proposed project, Alternative 2 would include Mitigation Measures CUL-1 (Historic Built Environment) and CUL-2 (Archaeological Resources Assessment), which require project applicants to investigate the potential to disturb historic or archaeological resources. Additionally, Alternative 2 would include Mitigation Measures CR-3 (Unanticipated Discoveries) and CR-4 (Human Remains) which would require applicants to pause work and investigate subsurface discoveries. Like the proposed project, Alternative 2 would include 2040 General Plan proposed goals and policies designed to preserve and protect historic and archaeological resources in American Canyon. Impacts from Alternative 2 would be increased as compared to the proposed project due to the increase in buildout.

e. Greenhouse Gas Emissions

Alternative 2 would result in more development, as well as more temporary construction-related GHG emissions (from grading and construction of new development) and long-term GHG emissions resulting (from building operations such as energy use, maintenance, and traffic), compared to the proposed project.

Under existing conditions, American Canyon's General Plan does not outline how the City would meet State-mandated goals to reduce emissions to 40 percent below 1990 levels by 2030 and carbon neutrality by 2045. Like the proposed project, Alternative 2 would implement Mitigation Measure GHG-2, which would require the City to implement a CEQA GHG emissions threshold of significance; and Mitigation Measure GHG-3, which would require the City to update American Canyon's Climate Action Plan to meet State goals of 40 percent below 1990 emissions levels and 2045 goal of carbon neutrality. Implementation of these mitigation measures would ensure development under Alternative 2 would be consistent with State emissions goals; however, individual projects that occur prior to adoption of the Climate Action Plan may not be consistent. Overall GHG emissions impacts under Alternative 2 would be increased when compared to the proposed project, and such impacts would remain significant and unavoidable.

f. Land Use and Planning

Under the Alternative 2, there would be no changes to land use designations, zoning, or policies in the General Plan. Alternative 2 would not alter connectivity with adjacent areas or divide established communities. Like the proposed project, future development under existing zoning would be required to comply with regulatory goals and policies, including Plan Bay Area 2050, as discussed in Impact LU-2 in Section 4.6, *Land Use and Planning*. Alternative 2 would provide 596 more housing units than the proposed project. Overall, impacts regarding land use and planning would be less than significant, like the proposed project.

g. Noise

Buildout under the Alternative 2 would result in increased development compared to the proposed project. Therefore, more construction and associated construction noise and vibration would occur from the Alternative 2, compared to the proposed project. Like the proposed project, construction noise under Alternative 2 could temporarily increase noise levels, potentially affecting nearby noise-

sensitive land uses and leading to a significant and unavoidable impact. Alternative 2 would implement Mitigation Measure NOI-1 (Conduct Construction Noise Analysis), which would reduce construction noise. However, construction noise could still exceed the significance thresholds and like the project, impacts would be significant and unavoidable.

Noise generated by on-site stationary equipment for new development would be subject to the City's noise limits, like the proposed project. Adherence to American Canyon Municipal Code noise limits for HVAC units and other stationary noise sources associated with future development would ensure that operational stationary noise under Alternative 2 is less than significant.

Implementation of Alternative 2 would result in increased buildout, which would generate new vehicle trips that could incrementally increase the exposure of land uses along roadways to traffic noise. Alternative 2 would implement Mitigation Measure NOI-2 (Implement Roadway Vehicle Noise Reduction Measures) which would reduce operational traffic noise. Alternative 2 would result in an increase in noise compared to existing conditions and a significant and unavoidable traffic noise impact would occur.

Development facilitated under Alternative 2 could temporarily generate groundborne vibration during construction, potentially affecting nearby land uses. Mitigation Measure NOI-3 (Construction Vibration Control Plan) would require implementation of measures to reduce vibration impacts during construction. Operation of future development under Alternative 2 would not involve substantial vibration or groundborne noise. Thus, like the proposed project, impacts involving groundborne vibration and noise would be less than significant with mitigation incorporated.

Residents and businesses facilitated by Alternative 2 would not be served by the Napa County Airport. Thus, development facilitated under this alternative would not result in significantly increased airport or airstrip activity. Continued regulation of airport noise consistent with State and federal regulations would minimize disturbance to people residing or working within proximity of the Napa County Airport. Like the proposed project, impacts would be less than significant. In addition, Alternative 2 would include 2040 General Plan proposed policies designed to reduce noise from the Napa County Airport through disclosure, attenuation, and studies. Impacts would be the same under this alternative as the proposed project.

Overall, impacts from Alternative 2 would be increased, compared to the proposed project due to the increase in buildout.

h. Paleontological Resources

As discussed in Section 4.8, *Paleontological Resources*, portions of the city are underlain by geologic units with high paleontological sensitivity. Alternative 2 would increase development by approximately 596 residential units on one site with high paleontological sensitivity [Quaternary alluvial fan deposits (Pleistocene) (Qpf)] based on the mapping provided in Figure 4.8-1 in Section 4.8, *Paleontological Resources*. Under Alternative 2, ground disturbance elsewhere could still result in potentially significant impacts to paleontological resources. Alternative 2 would implement Mitigation Measure PAL-1 (Retention of Qualified Professional Paleontologist) which would reduce effects to paleontological resources and impacts would be less than significant. Alternative 2 would involve more overall development than the proposed project, and thus would be more likely to impact paleontological resources.

i. Population and Housing

Under Alternative 2, existing General Plan land use designations would continue to define American Canyon's development pattern. Assuming a maximum buildout scenario, implementation of Alternative 2 would accommodate approximately 2,056 additional residents and 596 additional housing units than would be accommodated by implementation of the proposed project (refer to Table 6-1). Thus, compared to the proposed project, Alternative 2 would result in more population growth, however, this alternative would not induce substantial unplanned population growth. Displacement impacts for Alternative 2 would be the same as the impacts for the proposed project. Overall, when compared to the proposed project, Alternative 2 would have similar, but slightly increased impacts to population and housing.

j. Public Services and Recreation

Increased development would occur under Alternative 2, which could result in an increase to emergency calls in the area, as well as an increase in additional demand for schools, parks, libraries, recreational facilities, or other public services. Assuming a maximum buildout scenario, Alternative 2 would add approximately 12,790 new residents to American Canyon, which is 2,056 more residents than the proposed project's 10,734 new residents. Thus, the increased demand for public services under Alternative 2 would be more than the proposed project's increase in demand. Impacts to public services and recreation would be increased as compared to the proposed project.

k. Transportation

For the same reasons as the proposed project, Alternative 2 would have a less than significant impact regarding conflict with circulation programs, plans, ordinances, or policies; substantially increased transportation hazards; and inadequate emergency access. In addition, the Alternative 2 would result in an increase in residential growth by 596 units. This increase would likely result in increased per capita VMT because Watson Ranch is on the edge of the city center and adding additional units here would result in the need for more residents to make trips into the city center. Additionally, American Canyon currently has fewer jobs than employed residents, therefore it is likely additional residents will need to make trips outside the city for employment opportunities compared to the proposed project. As such, impacts from Alternative 2 would be increased compared to the proposed project and the impacts from Alternative 2 could be significant.

l. Tribal Cultural Resources

Like the proposed project, development facilitated under Alternative 2 may involve excavation, which could potentially impact previously unidentified TCRs. Alternative 2 would include 2040 General Plan proposed Goal ENV-5 and its corresponding policies, which protect cultural and tribal cultural resources. Implementation of these policies would reduce potential impacts to TCRs from development facilitated by this alternative by requiring avoidance and monitoring in areas identified as sensitive for TCRs (Policy ENV-5.3). Alternative 2 would include the same mitigation as the proposed project' therefore, impacts to TCRs would be less than significant with mitigation. Overall because Alternative 2 would result in more development than the proposed project, the severity of impacts would be slightly increased as compared to the proposed project.

m. Utilities and Service Systems

Like the proposed project, development facilitated under Alternative 2 would create additional demand for water, wastewater, electricity, natural gas, telecommunication, and stormwater drainage facilities. Any utility expansion would be subject to 2040 General Plan proposed policies and mitigation measures identified throughout the Alternative 2 analysis, which would reduce potential impacts from utility expansion. Thus, impacts involving utility expansion under Alternative 2 would be less than significant, the same as the proposed project.

As discussed in Section 4.13, *Utilities and Service Systems*, the City would have adequate water supply to service the City's anticipated growth under the proposed project. Considering that development under Alternative 2 would result in 2,056 additional residents (assuming a maximum buildout scenario) than the proposed project, growth under Alternative 2 would not be accommodated by the City's existing water system. Development under Alternative 2 would increase water demand, and the City would not have sufficient water supply during normal, dry, and multiple dry years, and impacts to water supply would be significant and unavoidable.

Development facilitated under Alternative 2 would increase demand for wastewater treatment. Like the proposed project, the timing, intensity, and location of an expansion of wastewater treatment facilities is unknown at this time. Like the proposed project, any expansion of wastewater facilities would require additional CEQA review and would be advanced when the wastewater expansion is advanced. Considering Alternative 2 would add 2,056 additional residents to American Canyon (assuming a maximum buildout scenario), demand for wastewater and overall wastewater impacts would be increased under Alternative 2 than for the proposed project.

Implementation of Alternative 2 would generate solid waste from construction and operation of development (including typical residential, commercial, and office solid waste). As discussed in Section 4.13, *Utilities and Service Systems*, the American Canyon Transfer Station would have adequate capacity to serve the population growth under the proposed project. While Alternative 2 would result in 2,056 additional residents, the DRRTF could still accommodate the increased population growth under this alternative. Furthermore, Alternative 2 would include the proposed goals and policies in the 2040 General Plan. Impacts involving solid waste would be slightly more than the proposed project.

Overall, impacts from Alternative 2 would be increased, compared to the proposed project due to the increase in buildout.

n. Wildfire

Under Alternative 2, development could still occur within or near fire risks in an LRA. In addition, under Alternative 2, development could still occur near fire risks in an SRA, which are located east of the city limits. Alternative 2 would include 2040 General Plan proposed policies that include measures to reduce the risk of wildfire. Furthermore, Alternative 2 would include Mitigation Measures WF-1 (Wildfire Risk Reduction During Construction) and WF-2 (Fire Resistant Vegetation and Landscaping) which would reduce the impacts of wildfires to a less than significant level. Additionally, like proposed project, Alternative 2 would still be subject to the same regulations as described for the proposed project, including the American Canyon City Code. Overall, impacts of Alternative 2, like the proposed project, would be less than significant with mitigation.

6.3 Alternative 3: Limited Growth

6.3.1 Description

The Limited Growth Alternative (Alternative 3) was developed to identify an alternative that would reduce potential construction impacts and operational impacts from a reduced buildout. Alternative 3 assumes that the General Plan would be updated to include the updated policies that make the General Plan consistent with State law. However, under Alternative 3, buildout would be limited to pipeline projects (i.e., project already identified by the City to be constructed in the future) and other projects that have already been approved or for which General Plan amendments have already been approved (e.g., Watson Ranch Specific Plan, Broadway District Specific Plan). As such, buildout would be reduced in the following ways:

- Residential buildout would be reduced by 408 dwelling units compared to the proposed project because (1) the land use designations for the two NVUSD would remain as Recreation and Public and would not be changed to Residential Medium, reducing the number of residential units by 175 units and (2) the buildout identified in the City's Traffic Impact Fee (TIF) Nexus Study would be reduced by 233 residential units.
- Non-residential area would be reduced by 65,000 square feet based on the buildout identified in the City's TIF Nexus Study.

Overall Alternative 3 assumes decreased residential densities (2,971 units total) when compared to the proposed project (3,379 total units), as well as decreased non-residential area (5,639,000 square feet) when compared to the proposed project (5,704,000 square feet).

Overall, Alternative 3 would require the City to limit growth to those projects that have already been approved by the City or identified as planned projects. While Alternative 3 would meet the objective of updating the General Plan so that it's consistent with State law, this alternative would not help meet the vision of American Canyon to the same extent as the proposed project. Alternative 3 would reduce the residential and non-residential buildout; therefore, compared to the proposed project, this alternative would reduce the ability for the City to meet its vision of accommodating a residential population with a range of uses; creating a center of employment and commerce; and capturing visitors to the Napa Valley. Overall, Alternative 3 would not meet the project objectives to the same extent as the proposed project.

6.3.2 Impact Analysis

a. Aesthetics

Development under Alternative 3 would continue the land use pattern that currently exists in American Canyon. Alternative 3 would reduce the residential and non-residential buildout compared to the proposed project. Impacts to scenic vistas under this alternative would be reduced when compared to the proposed project, as this alternative would involve less overall development. Impacts to aesthetics, including light and glare would be reduced when compared to the proposed project, as Alternative 3 would entail less overall development. Nonetheless, development under Alternative 3 could affect aesthetics and would be required to comply with the same American Canyon City Code regulations as the proposed project. Furthermore, Alternative 3 would include the updates to the 2040 General Plan, including the new policies to be consistent with State law. Therefore, because Alternative 3 would involve less overall development and include the updates to

the 2040 General Plan, the severity of the impact for Alternative 3 would be less than for the proposed project.

b. Air Quality

Like the proposed project, buildout under Alternative 3 would not preclude planned transit or bike pathways and would not disrupt regional planning efforts to reduce VMT and meet federal and State air quality standards. Alternative 3 would be consistent with applicable 2017 Clean Air Plan control measures. Impacts regarding conflict with applicable air quality plans would be less than significant, the same as the proposed project.

Buildout from Alternative 3 would accommodate approximately 408 fewer housing units and a reduction of approximately 65,000 square feet of non-residential area than under the proposed project. Short-term emissions that would occur from construction of the 408 housing units and non-residential area would be reduced by Alternative 3. Additionally, Alternative 3 would implement Mitigation Measures AQ-1 through AQ-3, which would further reduce construction impacts to air quality. Alternative 3 would have fewer overall construction-related impacts to air quality. Like the proposed project, air quality impacts from construction of Alternative 3 would be less than significant with mitigation; however, Alternative 3 would have fewer overall construction-related impacts to air quality due to the reduced buildout.

As stated in Section 4.2, *Air Quality*, the greatest source of criteria pollutants in American Canyon is from transportation sources, specifically mobile emissions from roadway traffic. Considering 408 fewer residential units and a reduction of 65,000 square feet of non-residential area would be constructed in American Canyon under this alternative, the long-term on-site emissions from vehicle use would be reduced when compared to the proposed project. An overall reduction in VMT would result in less operational emissions associated with mobile sources. Like the proposed project, updates to the 2040 General Plan, including the new proposed policies to be consistent with State law would further reduce operational impacts to air quality. These policies would ultimately reduce VMT per capita. Overall, like the proposed project, operational air quality impacts for Alternative 3 would be less than significant.

Overall, Alternative 3 would result in less development than the proposed project and would result in lower TACs near sensitive receptors when compared to the proposed project. Furthermore, Alternative 3 would include the 2040 General Plan proposed goals and policies designed to promote clean air quality, protect public health and safety, and mitigate adverse air quality impacts. Alternative 3 would implement these policies and would also require Mitigation Measure AQ-3 (Conduct Construction Health Risk Assessment) to reduce impacts to a less than significant level.

Like the proposed project, construction activities under Alternative 3 would generate odors, which would be temporary and limited to the constructed period. Alternative 3 would implement Mitigation Measure AQ-4 which would further reduce operational odor impacts. Similar to the proposed project, Alternative 3 would have a less than significant impact regarding creation of objectionable odors.

Overall, impacts from Alternative 3 would be reduced, compared to the proposed project due to the reduction in buildout.

c. Biological Resources

As described in Section 4.3, *Biological Resources*, potential habitat suitable for special-status species occurs in streams, grasslands, riparian woodland, and forests within the Planning Area. Alternative 3

would result in overall reduced development when compared to the proposed project; however, development under Alternative 3 may potentially impact special-status species or their habitat, including riparian habitat and wildlife corridors. Like the proposed project, Mitigation Measures BIO-1 (Biological Resources Screening and Assessment), BIO-2 (Special-status Plant Species Surveys), BIO-3 (Special-status Plant Species Avoidance, Minimization, and Mitigation), BIO-4 (Habitat Restoration Plan), BIO-5 (Endangered/Threatened Special-status Species Habitat Assessments and Protocol Surveys), BIO-6 (Endangered/Threatened Animal Species Avoidance and Minimization), BIO-7 (Pre-Construction Bird Surveys, Avoidance, and Notification), BIO-8 (Roosting Bat Surveys and Avoidance Prior to Removal), and BIO-9 (Conduct Pre-construction Crotch's Bumblebee Surveys and Implement Avoidance Measures), would be implemented for Alternative 3 and would help reduce associated biological resource impacts.. Overall, impacts to biological resources under Alternative 3 would be less than significant with mitigation incorporated, like the proposed project. Impacts from Alternative 3 would be less compared to the proposed project due to the reduction in buildout.

d. Cultural Resources

Under Alternative 3, less residential and non-residential development would occur compared to the proposed project; however, individual projects would have the potential to impact historic and archaeological resources. Alternative 3 would have reduced, but still potentially significant impacts to historic and archaeological resources. Like the proposed project, Alternative 3 would include Mitigation Measures CUL-1 (Historic Built Environment) and CUL-2 (Archaeological Resources Assessment), which require project applicants to investigate the potential to disturb historic or archaeological resources. Additionally, Alternative 3 would include Mitigation Measures CR-3 (Unanticipated Discoveries) and CR-4 (Human Remains), which would require applicants to pause work and investigate subsurface discoveries. Like the proposed project, Alternative 3 would include 2040 General Plan proposed goals and policies designed to preserve and protect historic and archaeological resources in American Canyon. Overall, impacts from Alternative 3 would be less, compared to the proposed project, due to the reduction in residential and non-residential area buildout.

e. Greenhouse Gas Emissions

Alternative 3 would result in less development, as well as less temporary construction-related GHG emissions (from grading and construction of new development) and long-term GHG emissions resulting (from building operations such as energy use, maintenance, and traffic), compared to the proposed project.

Under existing conditions, American Canyon's General Plan does not outline how the City would meet State-mandated goals to reduce emissions to 40 percent below 1990 levels by 2030 and carbon neutrality by 2045. Like the proposed project, Alternative 3 would implement Mitigation Measure GHG-2, which would require the City to implement a CEQA GHG emissions threshold of significance; and Mitigation Measure GHG-3, which would require the City to update American Canyon's Climate Action Plan to meet State goals of 40 percent below 1990 emissions levels and 2045 goal of carbon neutrality. Implementation of these mitigation measures would ensure development under Alternative 3 would be consistent with State emissions goals; however, individual projects that occur prior to adoption of the Climate Action Plan may not be consistent. Overall, buildout under Alternative 3 would be less than the proposed project, which would result in a reduction of GHG emissions. However, while overall GHG emissions impacts under Alternative 2

would be reduced when compared to the proposed project, such impacts would remain significant and unavoidable, for the same reasons as the proposed project.

f. Land Use and Planning

Under Alternative 3, there would be no changes to land use designations or zoning in the existing General Plan. Alternative 3 would not alter connectivity with adjacent areas or divide established communities. Like the proposed project, future development under existing zoning would be required to comply with regulatory goals and policies, including Plan Bay Area 2050, as discussed in Impact LU-2 in Section 4.6, *Land Use and Planning*. Alternative 3 would provide 408 fewer housing units and a reduction of approximately 65,000 square feet of non-residential area in comparison to the proposed project. Overall, impacts regarding land use and planning would be less than significant, like the proposed project.

g. Noise

Buildout under Alternative 3 would result in reduced development compared to the proposed project. Therefore, less construction and associated construction noise and vibration would occur from Alternative 3, compared to the proposed project. Like the proposed project, construction noise under Alternative 3 could temporarily increase noise levels. Alternative 3 would implement Mitigation Measure NOI-1 (Conduct Construction Noise Analysis), which would reduce construction noise. However, construction noise could still exceed the significance thresholds and like the proposed project, impacts would be significant and unavoidable.

Noise generated by on-site stationary equipment for new development would be subject to the City's noise limits, like the proposed project. Adherence to American Canyon Municipal Code noise limits for HVAC units and other stationary noise sources associated with future development would ensure that operational stationary noise under Alternative 3 is less than significant.

Implementation of Alternative 3 would result in less buildout than the proposed project, which would reduce the amount of new vehicle trips that would generate roadway traffic noise. Additionally, Alternative 3 would implement Mitigation Measure NOI-2 (Implement Roadway Vehicle Noise Reduction Measures), which would reduce operational traffic noise. Although Alternative 3 would result in reduced overall operational noise compared to the proposed project, there would still be an increase in noise compared to existing conditions and a significant and unavoidable traffic noise impact would occur.

Development facilitated under Alternative 3 could temporarily generate groundborne vibration during construction, potentially affecting nearby land uses. Mitigation Measure NOI-3 (Construction Vibration Control Plan) would require implementation of measures to reduce vibration impacts during construction. Operation of future development under Alternative 3 would not involve substantial vibration or groundborne noise. Thus, like the proposed project, impacts involving groundborne vibration and noise would be less than significant with mitigation incorporated.

Residents and businesses facilitated by Alternative 3 would not be served by the Napa County Airport. Thus, development facilitated under this alternative would not result in significantly increased airport or airstrip activity. Continued regulation of airport noise consistent with State and federal regulations would minimize disturbance to people residing or working within proximity of the Napa County Airport. Like the proposed project, impacts would be less than significant. In addition, Alternative 3 would include 2040 General Plan proposed policies designed to reduce noise

from the Napa County Airport through disclosure, attenuation, and studies. Impacts would be the same under this alternative as the proposed project.

Overall, impacts from Alternative 3 would be reduced, compared to the proposed project due to the reduction in buildout.

h. Paleontological Resources

As discussed in Section 4.8, *Paleontological Resources*, portions of the city are underlain by geologic units with high paleontological sensitivity. Alternative 3 would reduce development by approximately 408 fewer residential units and 65,000 square feet of non-residential area on two sites located on geologic units with high paleontological sensitivity [Quaternary alluvial fan deposits (Pleistocene) (Qpf)] and undetermined paleontological sensitivity [Great Valley Complex, sandstone and shale (Ku)], based on the mapping provided in Figure 4.8-1 in Section 4.8, *Paleontological Resources*. Under Alternative 3, ground disturbance elsewhere could still result in potentially significant impacts to paleontological resources. Alternative 3 would implement Mitigation Measure PAL-1 (Retention of Qualified Professional Paleontologist) which would reduce effects to paleontological resources and impacts would be less than significant. Alternative 3 would involve less overall development than the proposed project, and thus would be less likely to impact paleontological resources.

i. Population and Housing

Under Alternative 3, existing General Plan land use designations would continue to define American Canyon's development pattern. Assuming a maximum buildout scenario, implementation of Alternative 3 would accommodate approximately 1,400 fewer residents and 408 fewer housing units than would be accommodated by implementation of the proposed project (refer to Table 6-1). Thus, compared to the proposed project, Alternative 3 would result in less population growth, and would not induce substantial unplanned population growth. Displacement impacts for Alternative 3 would be the same as the impacts for the proposed project. Overall, when compared to the proposed project, Alternative 3 would have reduced impacts to population and housing.

j. Public Services and Recreation

Development allowed by existing land use and zoning regulations would occur under Alternative 3, which could result in an increase to emergency calls in the area, as well as an increase in additional demand for schools, parks, libraries, recreational facilities, or other public services. Assuming a maximum buildout scenario, Alternative 3 would add approximately 10,190 new residents to American Canyon, which is 1,400 fewer residents than the proposed project's 11,590 new residents. Thus, the increased demand for public services under Alternative 3 would be less than the proposed project's increase in demand. Impacts to public services and recreation would be less than the proposed project (both Alternative 3 and the proposed project would result in a less than significant impact).

k. Transportation

For the same reasons as the proposed project, Alternative 3 would have a less than significant impact regarding conflict with circulation programs, plans, ordinances, or policies; substantially increased transportation hazards; and inadequate emergency access. In addition, Alternative 3 would result in a reduction in residential growth by 408 units and 65,000 square feet of non-residential area. As described in Section 4.11, *Transportation*, American Canyon currently has fewer

jobs than employed residents. Alternative 3 would reduce the number of jobs compared to the proposed project, due to the reduction in non-residential area. Alternative 3 would also reduce the amount of residential units compared to the proposed project. Overall, due to the amount of jobs that would be offered under Alternative 3, the per capita VMT impacts for Alternative 3 are expected to be similar to the impacts of the proposed project. Like the proposed project, VMT impacts would be less than significant.

l. Tribal Cultural Resources

Like the proposed project, development facilitated under Alternative 3 may involve excavation, which could potentially impact previously unidentified TCRs. Alternative 3 would include 2040 General Plan proposed Goal ENV-4 and its corresponding policies, which protect cultural and tribal cultural resources. Implementation of these policies would reduce potential impacts to TCRs from development facilitated by this alternative by requiring avoidance and monitoring in areas identified as sensitive for TCRs (Policy ENV-4.3). Alternative 3 would include the same mitigation as the proposed project' therefore, impacts to TCRs would be less than significant with mitigation. Overall because Alternative 3 would result in less development than the proposed project, the severity of impacts would be less than the proposed project.

m. Utilities and Service Systems

Like the proposed project, development facilitated under Alternative 3 would create additional demand for water, wastewater, electricity, natural gas, telecommunication, and stormwater drainage facilities. Any utility expansion would be subject to 2040 General Plan proposed policies and mitigation measures identified throughout the Alternative 3 analysis, which would reduce potential impacts from utility expansion. Thus, impacts involving utility expansion under Alternative 3 would be less than significant, the same as the proposed project.

As discussed in Section 4.13, *Utilities and Service Systems*, the City would have adequate water supply to service the City's anticipated growth under the proposed project. Considering that development under Alternative 3 would result in 1,400 fewer residents (assuming a maximum buildout scenario) than the proposed project, growth under Alternative 3 would also be accommodated by the City's existing water system. Although development under Alternative 3 would slightly increase water demand, the City would continue to have sufficient water supply during normal, dry, and multiple dry years, and impacts to water supply would be less than significant.

Development facilitated under Alternative 3 would increase demand for wastewater treatment. Like the proposed project, the timing, intensity, and location of an expansion of wastewater treatment facilities is unknown at this time. Like the proposed project, any expansion of wastewater facilities would require additional CEQA review and would be advanced when the wastewater expansion is advanced. Considering Alternative 3 would add 1,400 fewer residents to American Canyon (assuming a maximum buildout scenario), demand for wastewater and overall wastewater impacts would be less under Alternative 3 than for the proposed project.

Implementation of Alternative 3 would generate solid waste from construction and operation of development (including typical residential, commercial, and office solid waste). As discussed in Section 4.13, *Utilities and Service Systems*, the American Canyon Transfer Station would have adequate capacity to serve the population growth under the proposed project. Considering Alternative 3 would result in 1,400 fewer people than the proposed project (assuming a maximum buildout scenario), the DRRTF would also accommodate population growth under this alternative.

Furthermore, Alternative 3 would include the proposed goals and policies in the 2040 General Plan. Impacts involving solid waste would be slightly less than the proposed project.

Overall, impacts from Alternative 3 would be reduced, compared to the proposed project due to the reduction in buildout.

n. Wildfire

Under Alternative 3, development could still occur within or near fire risks in an LRA. In addition, under Alternative 3, development could still occur near fire risks in an SRA, which are located east of the city limits. However, Alternative 3 would result in a reduction of 408 residential units and 65,000 square feet of non-residential area, which would reduce the risk of development occurring near an LRA or SRA. Furthermore, Alternative 3 would include 2040 General Plan proposed policies that include measures to reduce the risk of wildfire. Alternative 3 would also include Mitigation Measures WF-1 (Wildfire Risk Reduction During Construction) and WF-2 (Fire Resistant Vegetation and Landscaping), which would reduce the impacts of wildfires to a less than significant level. Additionally, like proposed project, Alternative 3 would be subject to the same regulations as described for the proposed project, including the American Canyon City Code. Overall, impacts of Alternative 3, like the proposed project, would be less than significant with mitigation.

6.4 Alternatives Considered but Rejected

The following summarizes those alternatives considered, but ultimately rejected for inclusion in the analysis as they would not meet most of the project objectives, would not substantially reduce impacts compared to the proposed project, or were determined to be infeasible.

In its efforts to identify alternatives that would reduce impacts on the environment, the City considered alternatives that would reduce impacts due to a reduced buildout. As such, the City considered an alternative that would limit buildout and growth altogether, such that no additional buildout would be allowed in the City. While this alternative would in theory reduce environmental impacts, it was rejected because it was infeasible. The City has already approved projects such as the Broadway District Specific Plan and the Watson Ranch Specific Plan, which provide a substantial amount of the buildout in the City. It would be infeasible for the City to stop buildout on these already approved projects. In addition, this alternative would not meet most of the project objectives because it would not help implement the vision for American Canyon. If there were no growth, this alternative would not accommodate a residential population with a range of uses; create a center of employment and commerce; or capture visitors to the Napa Valley. For these reasons, this alternative has been considered bur rejected.

6.5 Environmentally Superior Alternative

CEQA requires identification of the environmentally superior alternative among the alternatives to the proposed project. The environmentally superior alternative must be an alternative that reduces some of the project's environmental impacts, regardless of the financial costs associated. Identification of the environmentally superior alternative is an informational procedure and the alternative identified as the environmentally superior alternative may not be that which best meets the goals or needs of the proposed project. Table 6-2 indicates whether each alternative's environmental impact is greater than, less than, or equal to the proposed project for each of the issue areas studied.

Overall, none of the alternatives identified in this analysis changed the impact conclusions that were identified for the proposed project. However, some of the alternatives did reduce the severity of the impact; thus, this analysis considers the severity of the impact to identify the environmentally superior alternative. The No Project Alternative is not the environmentally superior alternative because the No Project Alternative would not include the updated proposed goals, policies, and programs in the 2040 General Plan.

Alternative 2 would not be the environmentally superior alternative because it would increase the severity of most of the proposed project impacts. This is because Alternative 2 would increase residential buildout and would result in 596 additional units compared to the proposed project.

Based on the analysis of alternatives in this section, Alternative 3 is the environmentally superior alternative as it lessens the severity of most impacts of the proposed project. Because Alternative 3 would reduce overall buildout by 408 units residential units and 65,000 square feet of non-residential area compared to the proposed project, the overall impacts from construction would also be reduced due to the reduction in construction. For example, potential impacts on air quality construction emissions, biological resources, cultural resources, temporary noise, tribal cultural resources, and paleontological resources would be reduced due to less area being affected (i.e., excavated, graded, etc.) and due to less use of construction equipment. In addition, operationally there would be reduced aesthetic impacts because there would be fewer buildings; less air quality emissions because there would be less overall VMT; less operational noise because there would be less traffic and fewer HVAC units; and less demand for public services, recreation, and utilities. Alternative 3 would meet the project objectives, as it would include updated to the General Plan so that it is consistent with State Law. Pursuant to CEQA requirements, Alternative 3 would be considered the environmentally superior alternative; however, the proposed project would offer benefits that would not be achieved by Alternative 3. Alternative 3 would require the City to limit growth to those projects that have already been approved by the City or identified as planned projects. Alternative 3 would reduce the residential and non-residential buildout; therefore, compared to the proposed project, this alternative would reduce the ability for the City to meet its vision of accommodating a residential population with a range of uses; creating a center of employment and commerce; and capturing visitors to the Napa Valley. Therefore, while Alternative 3 would be the environmentally superior alternative, it would not meet the project objectives to the same extent as the proposed project.

Table 6-2 Impact Comparison of Alternatives

Issue	Proposed Project Impact Classification	Alternative 1: No Project	Alternative 2: Reduced Buildout	Alternative 3: Limited Growth
Aesthetics	LTSM	+	+	+
Air Quality	LTSM	+	+	+
Biological Resources	LTSM	+	+	+
Cultural Resources	LTSM	+	+	+
Greenhouse Gas Emissions	SU	+	+	+
Land Use and Planning	LTS	=	=	=
Noise	SU	+	+	+
Paleontological Resources	LTSM	=	+	+
Population and Housing	LTS	=	+	+
Public Services and Recreation	LTS	=	+	+

Issue	Proposed Project Impact Classification	Alternative 1: No Project	Alternative 2: Reduced Buildout	Alternative 3: Limited Growth
Transportation	LTS	-+	+	=
Tribal Cultural Resources	LTSM	+	+	+
Utilities and Service Systems	LTS	=	+	+
Wildfire	LTSM	=	=	=

NI = No Impact; LTS = Less than Significant; LTSM = Less than Significant with Mitigation; SU = Significant and Unavoidable

+ Superior to the proposed project (reduced level of impact)

- Inferior to the proposed project (increased level of impact)

= Similar level of impact to the proposed project

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7 References

7.1 Bibliography

Project Description

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7.2 List of Preparers

This EIR was prepared by the City of American Canyon, with the assistance of Rincon Consultants, Inc. Consultant staff involved in the preparation of the EIR are listed below.

RINCON CONSULTANTS, INC.

Matt Maddox, Principal
Darcy Kremin, Director
Gianna Meschi, Project Manager
Hannah Bireschi, Assistant Project Manager
Leo Mena, Senior Environmental Planner
Jesse Voremberg, Environmental Planner
Ethan Knox, Environmental Planner
Matthew Gonzalez, Senior Archaeologist
Samantha Kehr, Biologist
Andrew McGrath, Paleontologist
Jen DiCenzo, Paleontological Program Manager
Josh Carman, Director – Noise, Air Quality & GHG
Jesse McCandless, Noise Environmental Planner
Hayley Rundle, Noise Environmental Planner

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Appendix A

Notice of Preparation and Scoping Comments Recieved

NOTICE OF PREPARATION
City of American Canyon General Plan Update

Date: July 5, 2022

To: Reviewing Agencies, Interested Parties, and Organizations

Subject: Notice of Preparation of a Draft Environmental Impact Report for the City of American Canyon General Plan Update

The City of American Canyon (City) is preparing an update to the City's General Plan. The City has determined that a Program Environmental Impact Report (EIR) will be necessary to evaluate environmental impacts of the General Plan Update pursuant to the California Environmental Quality Act (CEQA). In compliance with CEQA, the City will be the Lead Agency and will prepare the Program EIR. The City is requesting comments and guidance on the scope and content of the Program EIR from responsible and trustee agencies, interested public agencies, organizations, and the general public (CEQA Guidelines Section 15082).

This Notice of Preparation (NOP) provides a summary of the General Plan Update; includes the City's preliminary identification of the potential environmental issues to be analyzed in the EIR; and provides information on how to comment on the scope of the EIR.

Notice of Preparation Public Review Period: July 5, 2022 to August 4, 2022

The City requests your careful review and consideration of this notice, and it invites any and all input and comments from interested agencies, persons, and organizations regarding the preparation of the Program EIR. Comments and responses to this notice must be in writing and submitted to the Lead Agency Contact through August 4, 2022 at 4:00 p.m. If applicable, please indicate a contact person for your agency or organization. If your agency is a responsible agency as defined by CEQA Guidelines Section 15381, your agency may use the environmental documents prepared by the City when considering permits or approvals for action regarding the proposed project.

Lead Agency Contact:

Brent Cooper, Community Development Director
City of American Canyon Community Development Department
4381 Broadway Street, Suite 201
American Canyon, California 94503
bcooper@cityofamericancanyon.org

Written Comments: Please submit written comments within 30 days of the date of this notice to any of the below by 4:00 p.m. on August 4, 2022:

- Email: njones@cityofamericancanyon.org
- Regular Mail: Nicolle Jones, Community Development Department, City of American Canyon, 4381 Broadway Street, Suite 201, American Canyon, California 94503

Public Scoping Meeting: The City will hold a virtual scoping meeting to provide an opportunity for agency staff and interested members of the public to submit written and oral comments on the scope of the environmental issues to be addressed in the EIR. The scoping meeting will be held on **July 28, 2022 at 6:30 p.m.** To attend the scoping meeting, go to https://zoom.us/join.

Webinar ID: 884 4514 1942
Passcode: 038881
Dial: (408) 638 0968

The scoping presentation will be available to view after July 28, 2022 on https://www.cityofamericancanyon.org/government/city-hall/city-clerk/meetings-agendas.

Project Background: The City must undertake a technical update to its General Plan to ensure the General Plan is internally consistent and maintains a balance of land uses; maintains and supports quality-of-life, community satisfaction, and safety for all residents; and meets new State requirements. A Regional Location map is included as Figure 1.

Project Location: The General Plan Update will encompass the City of American Canyon city limits, the Sphere of Influence, Urban Limit Line, and historic water service area (Figure 2).

Proposed Project: The American Canyon General Plan update will serve as a long-term framework for future growth and development. The General Plan represents the community's view of its future and contains the goals and polices upon which the City Council, Planning Commission, staff, and the entire community will base land use and resource decisions. To provide a contemporary plan that will guide the community through the next 20 years, the General Plan update will reflect recent development decisions and changes in State law. Major components of the comprehensive technical General Plan Update include:

- **Land Use Element.** This element will resolve inconsistencies between existing and General Plan land uses, expand the Urban Limit Line to include the "Hess/Laird Property," and accommodate land use amendments for certain properties owned by the Napa Valley Unified School District. Proposed land use amendments are depicted in Figure 3. The proposed Urban Limit Line is shown in Figure 4.
- **Circulation Element.** This element will incorporate Vehicle Miles Travelled policies consistent with Senate Bill 743 (SB 743); update street standards for all modes, including pedestrians, bicyclists, and transit consistent with the California Complete Streets Act; include two new Industrial Collector roadways: 1) a new "West Side Connector" roadway segment and 2) a Newell Drive roadway segment between Paoli Loop and S. Kelly Drive and delete former planned connection between Commerce Court and Eucalyptus Drive. See Figure 5.
- **Community Services Element.** This element will focus on goals and policies related to public services, including police, fire, and emergency services.

- **Open Space and Recreation Element.** This element will address the wide variety of parks, trails, and open spaces serving the diverse recreation needs of American Canyon residents, particularly youth, and emphasize the unique features of the City's natural environment – from the Newell Open Space to the east to the wetlands and trails to the west.
- **Conservation Element.** This element will consider the effects of existing and planned development on natural resources located on public lands, including military installations, consistent with Government Code Section 65302(d). This Element will address State law requirements, including air quality, greenhouse gas emissions, and climate change adaptation.
- **Safety Element.** This element will cover seismic activity, other geologic hazards, fire hazards, hazardous materials, flooding, and other potential hazards, consistent with Government Code Section 65302(g). It will also address resiliency and risks from natural hazards in American Canyon, pursuant to Senate Bill (SB) 379. This element update will require a vulnerability analysis to comply with State law.
- **Noise Element.** This element will require, consistent with Government Code Section 65302(f), the inclusion of new existing noise contours as well as projected noise contours based on future traffic volumes projected to arise from improvements planned for in the Circulation Element.
- **Housing Element.** This element will be an update for the 2023-2031 RHNA cycle to adequately plan to meet the housing needs of everyone in the community, consistent with Government Code Section 65583. Due to State-Mandated deadlines, the Housing Element update is anticipated to be completed earlier than the rest of the comprehensive technical General Plan update.
- **Implementation.** This chapter will be a comprehensive implementation strategy with discrete, tangible actions that the City will undertake to carry out all the Plan's goals, policies, and objectives. It will also highlight goals, policies, and programs related to administration of the General Plan. The chapter will detail timing, potential funding sources, and the responsible parties for each implementation measure.

Project Alternatives: The EIR will evaluate a reasonable range of proposed project alternatives that, consistent with CEQA, meet most of the proposed project objectives and reduce or avoid potential environmental effects, including a required No Project Alternative.

Potential Environmental Effect Areas: The EIR will describe the reasonably foreseeable and potentially significant adverse effects of the proposed project (both direct and indirect). The EIR also will evaluate the cumulative impacts of the proposed project when considered in conjunction with other related past, present, and reasonably foreseeable future projects. The City preliminarily anticipates that the proposed project could result in potentially significant environmental impacts in the following topic areas, which will be further evaluated in the EIR.

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Greenhouse Gas Emissions
- Land Use and Planning
- Noise
- Population and Housing
- Public Services and Recreation
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire
- Cumulative Effects
- Growth Inducing Effects

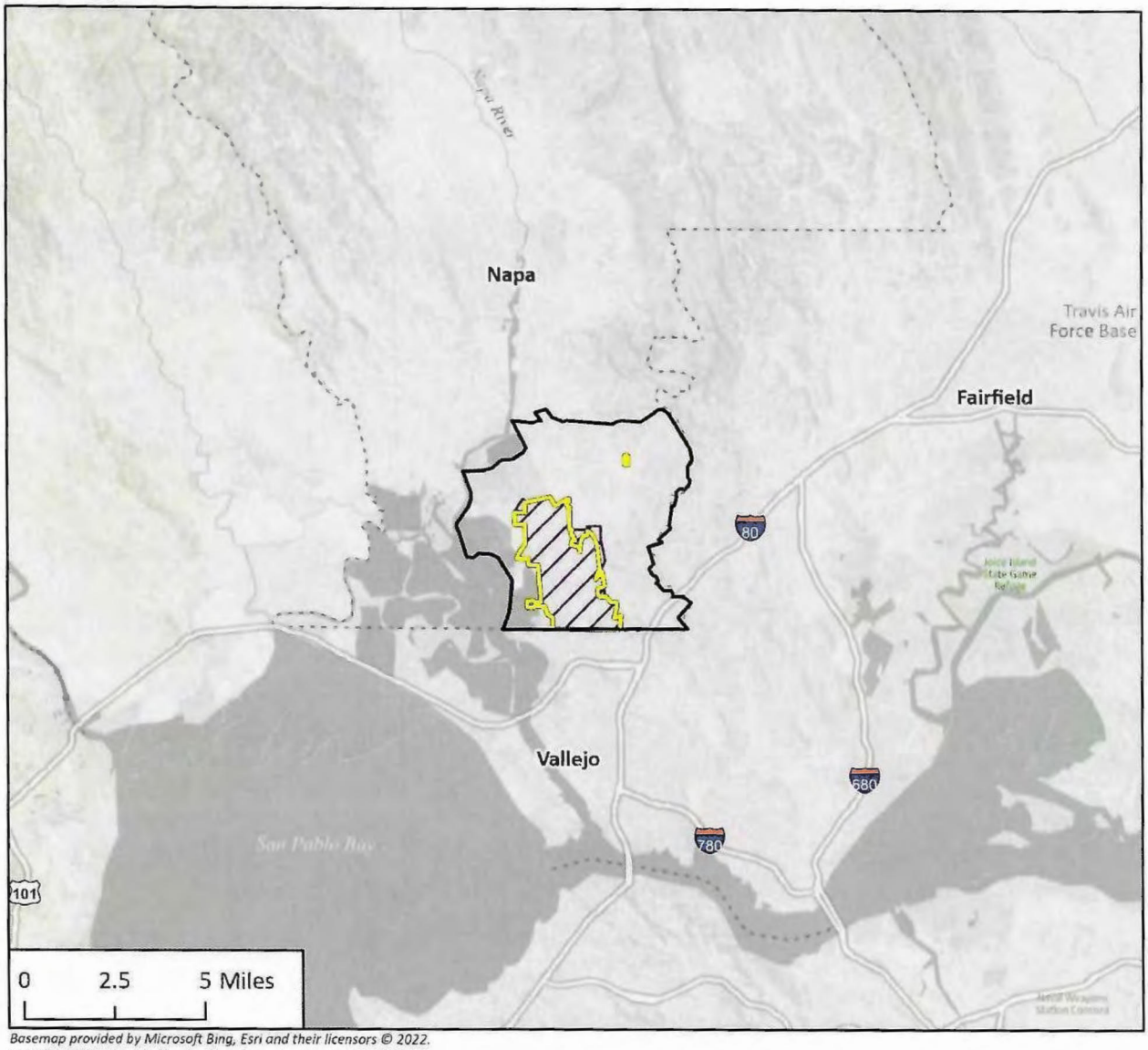
When the Draft EIR is completed, it will be available for review at the City's offices located at 4381 Broadway Street, Suite 201, American Canyon, California 94503 and online at: https://www.cityofamericancanyon.org/government/community-development/planning-zoning/general-plan-update. The City will issue a Notice of Availability of a Draft EIR at that time to inform the public and interested agencies, groups, and individuals of how to access the Draft EIR and provide comments.

If you have questions regarding this NOP or the scoping meeting, please contact Brent Cooper at (707) 647-4335 or via email at bcooper@cityofamericancanyon.org

Brent Cooper, Community Development Director

6/29/22
Date

Figure 1 Regional Location



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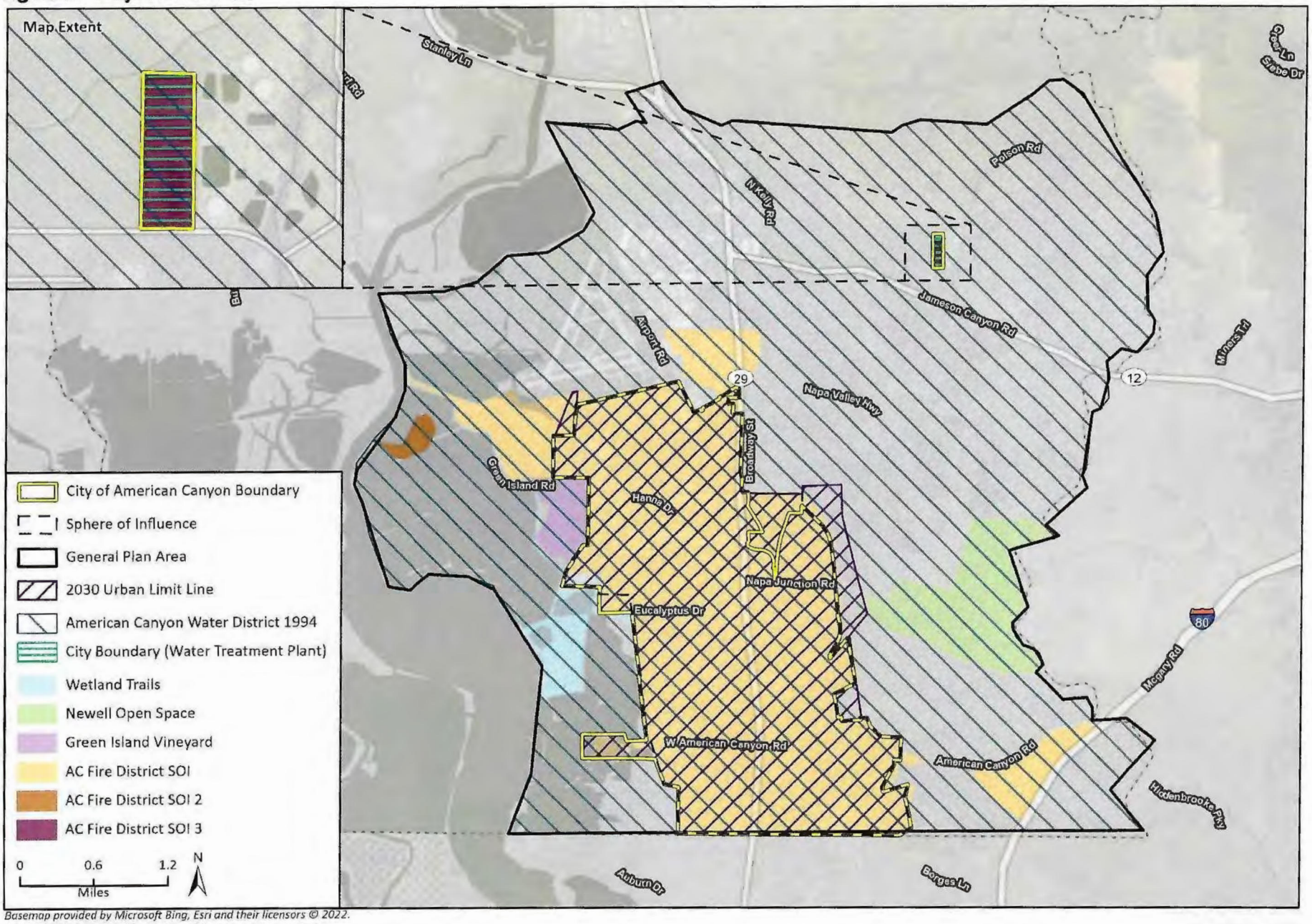
Additional data provided by the City of American Canyon, 2022.

City of American Canyon Boundary
General Plan Area
2030 Urban Limit
Project Location

N

Figure 2 Project Location



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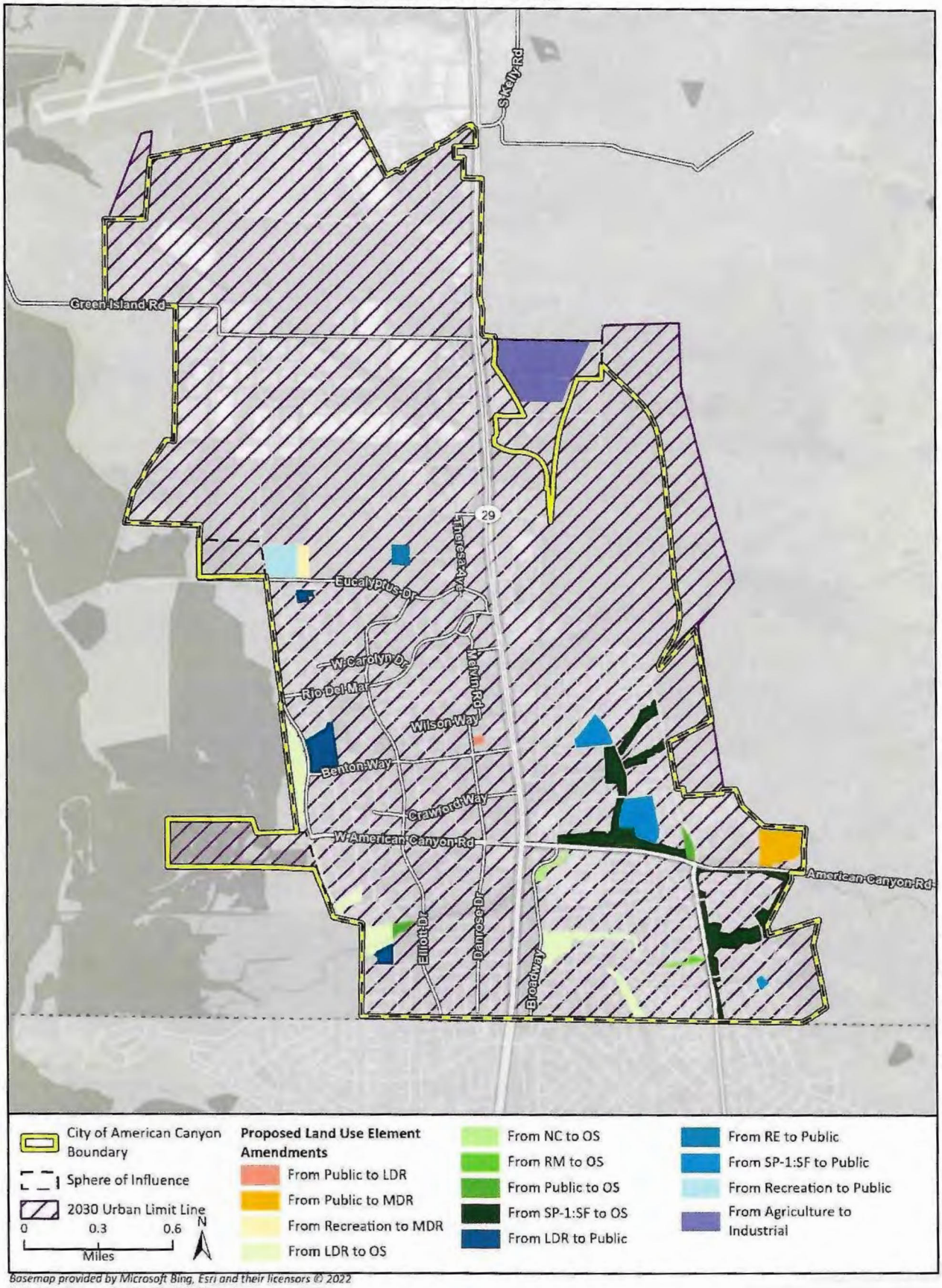
Additional data provided by the City of American Canyon, 2022.

Figure 3 Area of Proposed Land Use Element Amendments



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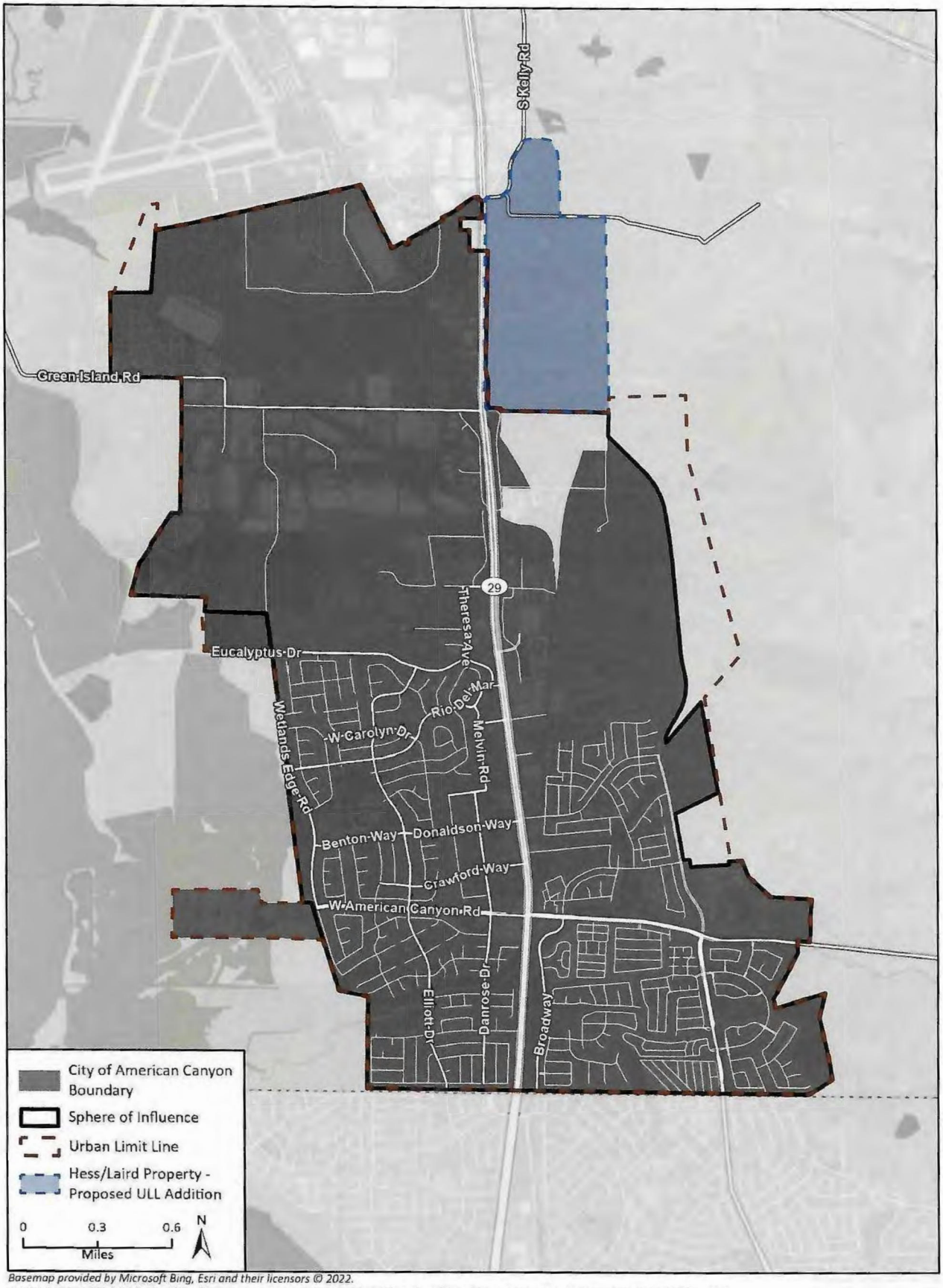
Additional data provided by the City of American Canyon, 2022

Figure 4 Proposed Urban Limit Line



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Additional data provided by the City of American Canyon, 2021; Hess/Laird Property digitized from the Proposed Urban Limit Line Addition, 2022.

Figure 5 Proposed Circulation Element Amendments

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State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
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GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

Governor's Office of Planning & Research

JUL 29 2022

STATE CLEARINGHOUSE

July 28, 2022

Brent Cooper
City of American Canyon
4381 Broadway Street, Suite 201
American Canyon, CA 94503
bcooper@cityofamericancanyon.org

Subject: City of American Canyon General Plan Update, Notice of Preparation of a Program Environmental Impact Report, SCH No. 2022070038, Napa County

Dear Mr. Cooper:

The California Department of Fish and Wildlife (CDFW) reviewed the Notice of Preparation (NOP) of a Program Environmental Impact Report (EIR) for the City of American Canyon (City) General Plan Update (Project).

CDFW is providing the City, as the lead agency, with specific detail about the scope and content of the environmental information related to CDFW's area of statutory responsibility that must be included in the EIR (Cal. Code Regs., tit. 14, § 15082, subd. (b)).

CDFW ROLE

CDFW is a **Trustee Agency** with responsibility under the California Environmental Quality Act (CEQA) for commenting on projects that could impact fish, plant, and wildlife resources (Pub. Resources Code, § 21000 et seq.; Cal. Code Regs., tit. 14, § 15386). CDFW is also considered a **Responsible Agency** if a project would require discretionary approval, such as a permit pursuant to the California Endangered Species Act (CESA) or Native Plant Protection Act (NPPA), Lake and Streambed Alteration (LSA) Program, and other provisions of the Fish and Game Code that afford protection to the State's fish and wildlife trust resources. Pursuant to our authority, CDFW has the following concerns, comments, and recommendations regarding the Project.

PROJECT DESCRIPTION AND LOCATION

The Project will encompass the City of American Canyon city limits, urban limit line, historic water service area and sphere of influence (NOP, Figure 2). The Project will serve as a long-term framework for future growth and development over the next 20 years. The Project will reflect recent development decisions and changes in State law. Major components of the American Canyon General Plan Update will include the following elements: Land Use, Circulation, Community Services, Open Space and Recreation, Conservation, Safety, Noise, and Housing.

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The CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.) require that the EIR incorporate a full Project description, including reasonably foreseeable future phases of the Project, that contains sufficient information to evaluate and review the Project's environmental impact (CEQA Guidelines, §§ 15124 & 15378). Please include a complete description of the following Project components in the Project description:

- Land use changes resulting from, for example, rezoning certain areas.
- Footprints of permanent Project features and temporarily impacted areas, such as staging areas and access routes.
- Area and plans for any proposed buildings/structures, ground disturbing activities, fencing, paving, stationary machinery, landscaping, and stormwater systems.
- Operational features of the Project, including level of anticipated human presence (describe seasonal or daily peaks in activity, if relevant), artificial lighting/light reflection, noise, traffic generation, and other features.
- Construction schedule, activities, equipment, and crew sizes.

The NOP identifies that the EIR will be a Program EIR. While Program EIRs have a necessarily broad scope, CDFW recommends providing as much information related to anticipated future activities as possible. CDFW recognizes that, pursuant to CEQA Guidelines section 15152, subdivision (c), if a Lead Agency is using the tiering process in connection with an EIR or large-scale planning approval, the development of detailed, site-specific information may not be feasible and can be deferred, in many instances, until such time as the Lead Agency prepares a future environmental document. This future environmental document would cover a project of a more limited geographical scale and is appropriate if the deferred information does not prevent adequate identification of significant effects of the planning approval at hand. The CEQA Guidelines section 15168, subdivision (c)(4) states, "Where the later activities involve site-specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and the activity to determine whether the environmental effects of the operation were within the scope of the program EIR." Based on CEQA Guidelines section 15183.3 and associated *Appendix N Checklist*, and consistent with other program EIRs, CDFW recommends creating a procedure or checklist for evaluating subsequent project impacts on biological resources to determine if they are within the scope of the Program EIR or if an additional environmental document is warranted. This checklist should be included as an attachment to the EIR. Future analysis should include all special-status species and sensitive habitat including but not limited to species considered rare, threatened, or endangered species pursuant to CEQA Guidelines, section 15380.

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When used appropriately, the checklist should be accompanied by enough relevant information and reasonable inferences to support a "within the scope" of the EIR conclusion. For subsequent Project activities that may affect sensitive biological resources, a site-specific analysis should be prepared by a qualified biologist to provide the necessary supporting information. In addition, the checklist should cite the specific portions of the EIR, including page and section references, containing the analysis of the subsequent Project activities' significant effects and indicate whether it incorporates all applicable mitigation measures from the EIR.

REGULATORY AUTHORITY

California Endangered Species Act and Native Plant Protection Act

Please be advised that a CESA Incidental Take Permit (ITP) must be obtained if the Project has the potential to result in "take" of plants or animals listed under CESA or NPPA, either during construction or over the life of the Project. Issuance of a CESA ITP is subject to CEQA documentation; the CEQA document must specify impacts, mitigation measures, and a mitigation monitoring and reporting program. If the Project will impact CESA listed species, such as those identified in **Attachment 1**, early consultation is encouraged, as significant modification to the Project and mitigation measures may be required in order to obtain a CESA ITP.

CEQA requires a Mandatory Finding of Significance if a project is likely to substantially restrict the range or reduce the population of a threatened or endangered species (Pub. Resources Code, §§ 21001, subd. (c) & 21083; CEQA Guidelines, §§ 15380, 15064, and 15065). Impacts must be avoided or mitigated to less-than-significant levels unless the CEQA Lead Agency makes and supports Findings of Overriding Consideration (FOC). The CEQA Lead Agency's FOC does not eliminate the Project proponent's obligation to comply with CESA.

Lake and Streambed Alteration

CDFW will require an LSA Notification, pursuant to Fish and Game Code sections 1600 et. seq. for Project activities affecting lakes or streams and associated riparian habitat. Notification is required for any activity that will substantially divert or obstruct the natural flow; change or use material from the bed, channel, or bank including associated riparian or wetland resources; or deposit or dispose of material where it may pass into a river, lake or stream. Work within ephemeral streams, washes, watercourses with a subsurface flow, and floodplains are subject to notification requirements. CDFW, as a Responsible Agency under CEQA, will consider the CEQA document for the Project. CDFW may not execute the final LSA Agreement until it has complied with CEQA as a Responsible Agency.

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Nesting Birds

CDFW also has authority over actions that may disturb or destroy active nest sites or take birds. Fish and Game Code sections 3503, 3503.5, and 3513 protect birds, their eggs, and nests. Migratory birds are also protected under the federal Migratory Bird Treaty Act.

Fully Protected Species

Fully Protected species, including any listed in **Attachment 1,** may not be taken or possessed at any time (Fish & G. Code, §§ 3511, 4700, 5050, & 5515).

ENVIRONMENTAL SETTING

The EIR should provide sufficient information regarding the environmental setting ("baseline") to understand the Project's, and its alternative's (if applicable), potentially significant impacts on the environment (CEQA Guidelines, §§ 15125 & 15360).

CDFW recommends that the CEQA document prepared for the Project provide baseline habitat assessments for special-status plant, fish and wildlife species located and potentially located within the Project area and surrounding lands, including but not limited to all rare, threatened, or endangered species (CEQA Guidelines, § 15380). The EIR should describe aquatic habitats, such as wetlands or waters of the U.S. or State, and any sensitive natural communities or riparian habitat occurring on or adjacent to the Project site (for sensitive natural communities see: https://wildlife.ca.gov/Data/VegCAMP/NaturalCommunities#sensitive%20natural%20communities), and any stream or wetland set back distances the City may require. Fully protected, threatened or endangered, candidate, and other special-status species and sensitive natural communities that are known to occur, or have the potential to occur in or near the Project site, include but are not limited to those listed in **Attachment 1**.

Habitat descriptions and the potential for species occurrence should include information from multiple sources: aerial imagery, historical and recent survey data, field reconnaissance, scientific literature and reports, U.S. Fish and Wildlife Service's (USFWS) Information, Planning, and Consultation System, and findings from "positive occurrence" databases such as California Natural Diversity Database (CNDDB). Based on the data and information from the habitat assessment, the EIR should adequately assess which special-status species are likely to occur on or near the Project site, and whether they could be impacted by the Project.

CDFW recommends that prior to Project implementation, surveys be conducted for special-status species with potential to occur, following recommended survey protocols if available. Survey and monitoring protocols and guidelines are available at: https://www.wildlife.ca.gov/Conservation/Survey-Protocol.

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Botanical surveys for special-status plant species, including those with a California Rare Plant Rank (http://www.cnps.org/cnps/rareplants/inventory/), must be conducted during the blooming period within the Project area and adjacent habitats that may be indirectly impacted by, for example, changes to hydrological conditions, and require the identification of reference populations. More than one year of surveys may be necessary based on environmental conditions. Please refer to CDFW protocols for surveying and evaluating impacts to special status plants available at: https://www.wildlife.ca.gov/Conservation/Plants.

IMPACT ANALYSIS AND MITIGATION MEASURES

The EIR should discuss all direct and indirect impacts (temporary and permanent) that may occur with implementation of the Project (CEQA Guidelines, § 15126.2). This includes evaluating and describing impacts such as:

- Land use changes that would reduce open space or agricultural land uses and increase residential or other land use involving increased development;
- Encroachments into riparian habitats, wetlands or other sensitive areas;
- Potential for impacts to special-status species;
- Loss or modification of breeding, nesting, dispersal and foraging habitat, including vegetation removal, alternation of soils and hydrology, and removal of habitat structural features (e.g., snags, roosts, vegetation overhanging banks);
- Permanent and temporary habitat disturbances associated with ground disturbance, noise, lighting, reflection, air pollution, traffic or human presence; and
- Obstruction of movement corridors, fish passage, or access to water sources and other core habitat features.

The CEQA document should also identify reasonably foreseeable future projects in the Project vicinity, disclose any cumulative impacts associated with these projects, determine the significance of each cumulative impact, and assess the significance of the Project's contribution to the impact (CEQA Guidelines, §15355). Although a project's impacts may be insignificant individually, its contributions to a cumulative impact may be considerable; a contribution to a significant cumulative impact – e.g., reduction of available habitat for a special-status species – should be considered cumulatively considerable without mitigation to minimize or avoid the impact.

Based on the comprehensive analysis of the direct, indirect, and cumulative impacts of the Project, the CEQA Guidelines direct the lead agency to consider and describe all

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feasible mitigation measures to avoid potentially significant impacts in the EIR, and/or mitigate significant impacts of the Project on the environment (CEQA Guidelines, §§ 15021, 15063, 15071, 15126.2, 15126.4 & 15370). This includes a discussion of impact avoidance and minimization measures for special-status species, which are recommended to be developed in early consultation with CDFW, USFWS, and the National Marine Fisheries Service. These measures can then be incorporated as enforceable Project conditions to reduce potential impacts to biological resources to less-than-significant levels.

ENVIRONMENTAL DATA

CEQA requires that information developed in EIRs and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special-status species and natural communities detected during Project surveys to CNDDB. The CNNDB online field survey form and other methods for submitting data can be found at the following link: https://wildlife.ca.gov/Data/CNDDB/Submitting-Data. The types of information reported to CNDDB can be found at the following link: https://wildlife.ca.gov/Data/CNDDB/Plantsand-Animals.

FILING FEES

CDFW anticipates that the Project will have an impact on fish and/or wildlife, and assessment of filing fees is necessary (Fish & G. Code, § 711.4; Pub. Resources Code, § 21089). Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW.

If you have any questions, please contact Alicia Bird, Environmental Scientist, at (707) 980-5154 or Alicia.Bird@wildlife.ca.gov; or Melanie Day, Senior Environmental Scientist (Supervisory), at (707) 210-4415 or Melanie.Day@wildlife.ca.gov.

Sincerely,

DocuSigned by:
Erin Chappell
B77E9A6211EF486...

Erin Chappell
Regional Manager
Bay Delta Region

Attachment 1: Special-Status Species & Sensitive Natural Communities

ec: State Clearinghouse No. 2022070038

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Attachment 1: Special-Status Species & Sensitive Natural Communities

Species Name	Common Name	Status
Fish		
Hypomesus transpacificus	Delta smelt	SE, FT
Spirinchus thaleichthys	Longfin smelt	ST
Oncorhynchus mykiss irideus pop. 8	Central California Coast steelhead	FT
Acipenser mediostris	Southern Distinct Population Segment (DPS) green sturgeon	FT
Lampetra ayersi	Western river lamprey	SSC
Pogonichthys macrolepidotus	Sacramento Splittail	SSC
Birds		
Rallus obsoletus obsoletus	California Ridgeway's rail	FP, SE, FE
Laterallus jamaicensis coturniculus	California black rail	FP, ST
Buteo swainsoni	Swainson's hawk	ST
Agelaius tricolor	Tricolored blackbird	ST
Elanus leucurus	White-tailed kite	FP
Falco peregrinus anatum	American peregrine falcon	FP
Aquila chrysaetos	Golden eagle	FP, BGEPA
Athene cunicularia	Burrowing owl	SSC
Geothlypis trichas sinuosa	Saltmarsh common yellowthroat	SSC
Melospiza melodia samuelis	San Pablo song sparrow	SSC
Circus hudsoniusl	Northern harrier	SSC
Geothlypis trichas sinuosa	saltmarsh common yellowthroat	SSC

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Amphibians and Reptiles		
Rana draytonii	California red-legged frog	FT, SSC
Rana boylii (northwest/north coast clade)	Foothill yellow-legged frog	SSC
Emys marmorata	Western pond turtle	SSC
Mammals		
Reithrodontomys raviventris	Salt-marsh harvest mouse	FP, SE, FE
Antrozous pallidus	Pallid bat	SSC
Taxidea taxus	American badger	SSC
Corynorhinus townsendii	Townsend's big-eared bat	SSC
Sorex ornatus sinuosus	Suisun shrew	SSC
Invertebrates		
Bombus occidentalis	Western bumble bee	ICP
Speyeria callippe callippe	Callippe silverspot butterfly	FE
Branchinecta lynchi	Vernal pool fairy shrimp	FT
Plants		
Castilleja affinis var. *neglecta*	Tiburon paintbrush	ST, FE, CRPR 1B.2
Trifolium amoenum	two-fork clover	FE, CRPR 1B.1
Chloropyron molle	soft salty bird's-beak	FE, CRPR 1B.2
Lasthenia conjugens	Contra Costa goldfields	FE, CRPR 1B.1
Lilaeopsis masonii	Mason's lilaeopsis	SR, CRPR 1B.1
Legenere limosa	Legenere	CRPR 1B.1
Extriplex joaquinana	San Joaquin spearscale	CRPR 1B.2
Balsamorhiza macrolepis	big-scale balsamroot	CRPR 1B.2

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Astragalus tener var. *tener*	Alkali milk-vetch	CRPR 1B.2
Lathyrus jepsonii var. *jepsonii*	Delta tule pea	CRPR 1B.2
Eryngium jepsonii	Jepson's coyote-thistle	CRPR 1B.2
Trifolium hydrophilum	Saline clover	CRPR 1B.2
Symphyotrichum lentum	Suisun Marsh aster	CRPR 1B.2
Balsamorhiza macrolepis	big-scale balsamroot	CRPR 1B.2
Downingia pusilla	Dwarf downingia	CRPR 2B.2
Carex lyngbyei	Lyngbye's sedge	CRPR 2B.2
Sensitive Natural Communities		
Coastal Brackish Marsh - S2.1		
Serpentine Bunch Grass - S2.2		

FP = state fully protected under Fish and Game Code; FE = federally listed as endangered under the Endangered Species Act (ESA); FT = federally listed as threatened under ESA; SE = state listed as endangered under CESA; ST = state listed as threatened under CESA; SR = State listed as rate under NPPA; BGEPA = federal Bald and Golden Eagle Protection Act; ICP = California Terrestrial and Vernal Pool Invertebrate of Conservation Priority[1]; SSC = state Species of Special Concern; CRPR = California Rare Plant Rank[2]; S1-S3 = Natural Communities with ranks of S1-S3 are considered Sensitive Natural Communities to be addressed in the environmental review processes of CEQA and its equivalents

[1] The list of California Terrestrial and Vernal Pool Invertebrates of Conservation Priority was collated during CDFW's Scientific Collecting Permit rulemaking process: https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=157415&inline

[2] CRPR 1B plants are considered rare, threatened, or endangered in California and elsewhere. CRPR 2B plants are considered rare, threatened, or endangered in California but more common elsewhere. Further information on CRPR ranks is available in CDFW's *Special Vascular Plants, Bryophytes, and Lichens List* (https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=109383&inline) and on the California Native Plant Society website (https://www.cnps.org/rare-plants/california-rare-plant-ranks).

California Department of Transportation

DISTRICT 4
OFFICE OF TRANSIT AND COMMUNITY PLANNING
P.O. BOX 23660, MS–10D | OAKLAND, CA 94623-0660
www.dot.ca.gov

Governor's Office of Planning & Research

AUG 04 2022

STATE CLEARINGHOUSE

August 4, 2022

SCH #: 2022070038
GTS #: 04-NAP-2022-00282
GTS ID: 26948
Co/Rt/Pm: NAP/29/VAR

Brent Cooper, Community Development Director
City of American Canyon
4381 Broadway Street, Suite 201
American Canyon, CA 94503

Re: City of American Canyon General Plan Update – Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR)

Dear Brent Cooper:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the City of American Canyon General Plan Update project. We are committed to ensuring that impacts to the State's multimodal transportation system and to our natural environment are identified and mitigated to support a safe, sustainable, integrated and efficient transportation system. The following comments are based on our review of the July 2022 NOP.

Project Understanding
The proposed project consists of an update to the City's General Plan which will serve as a long-term framework for future growth and development. State Route (SR)-29 runs through the City of American Canyon.

Travel Demand Analysis
With the enactment of Senate Bill (SB) 743, Caltrans is focused on maximizing efficient development patterns, innovative travel demand reduction strategies, and multimodal improvements. For more information on how Caltrans assesses Transportation Impact Studies, please review Caltrans' Transportation Impact Study Guide (*link*).

Caltrans looks forward to reviewing the VMT analysis in the DEIR, which should include the following:

- VMT analysis pursuant to the City's guidelines. Projects that result in automobile VMT per capita above the threshold of significance for existing (i.e. baseline) city-wide or regional values for similar land use types may indicate a significant impact. If necessary, mitigation for increasing VMT should be identified. Mitigation should support the use of transit and active transportation modes. Potential mitigation measures that include the requirements of other agencies such as Caltrans are fully enforceable through permit conditions, agreements, or other legally-binding instruments under the control of the City.

- A schematic illustration of walking, biking and auto conditions at the project site and study area roadways. Potential traffic safety issues to the State Transportation Network (STN) may be assessed by Caltrans via the Interim Safety Guidance (*link*).

- The project's primary and secondary effects on pedestrians, bicycles, travelers with disabilities and transit performance should be evaluated, including countermeasures and trade-offs resulting from mitigating VMT increases. Access to pedestrians, bicycle, and transit facilities must be maintained.

Lead Agency
As the Lead Agency, the Cit of American Canyon is responsible for all project mitigation, including any needed improvements to the STN. The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures.

Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, or for future notifications and requests for review of new projects, please email LDR-D4@dot.ca.gov.

Sincerely,

Mark Leong

MARK LEONG
District Branch Chief
Local Development Review

c: State Clearinghouse

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July 8, 2022

Governor's Office of Planning & Research

July 8 2022

STATE CLEARINGHOUSE

Brent Cooper
City of American Canyon
4381 Broadway Street, Suite 201
American Canyon, CA 94503

Re: 2022070038, City of American Canyon General Plan Update Project, Napa County

Dear Mr. Cooper:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements**. If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

- **a.** A brief description of the project.
- **b.** The lead agency contact information.
- **c.** Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
- **d.** A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).

- **a.** For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).

3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

- **a.** Alternatives to the project.
- **b.** Recommended mitigation measures.
- **c.** Significant effects. (Pub. Resources Code §21080.3.2 (a)).

4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:

- **a.** Type of environmental review necessary.
- **b.** Significance of the tribal cultural resources.
- **c.** Significance of the project's impacts on tribal cultural resources.
- **d.** If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).

5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).

6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

- **a.** Whether the proposed project has a significant impact on an identified tribal cultural resource.
- **b.** Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:

a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or

b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).

8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).

9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).

10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

a. Avoidance and preservation of the resources in place, including, but not limited to:

i. Planning and construction to avoid the resources and protect the cultural and natural context.

ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.

b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:

i. Protecting the cultural character and integrity of the resource.

ii. Protecting the traditional use of the resource.

iii. Protecting the confidentiality of the resource.

c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.

d. Protecting the resource. (Pub. Resource Code §21084.3 (b)).

e. Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).

f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).

11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.

b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.

c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. Tribal Consultation: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).

2. No Statutory Time Limit on SB 18 Tribal Consultation. There is no statutory time limit on SB 18 tribal consultation.

3. Confidentiality: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).

4. Conclusion of SB 18 Tribal Consultation: Consultation should be concluded at the point in which:

- **a.** The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
- **b.** Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: http://nahc.ca.gov/resources/forms/.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (https://ohp.parks.ca.gov/?page_id=30331) for an archaeological records search. The records search will determine:

- **a.** If part or all of the APE has been previously surveyed for cultural resources.
- **b.** If any known cultural resources have already been recorded on or adjacent to the APE.
- **c.** If the probability is low, moderate, or high that cultural resources are located in the APE.
- **d.** If a survey is required to determine whether previously unrecorded cultural resources are present.

2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.

- **a.** The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
- **b.** The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:

a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.

b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.

a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.

b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.

c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address: Cameron.Vela@nahc.ca.gov.

Sincerely,

Cameron Vela

Cameron Vela
Cultural Resources Analyst

cc: State Clearinghouse

Appendix B

Supporting Biological Resources Information

19-08673: American Canyon

Scientific Name Common Name	Status	Habitat Requirements
Plants and Lichens		
Allium peninsulare var. *franciscanum* Franciscan onion	None/None G5T2/S2 1B.2	Perennial bulbiferous herb. Cismontane woodland, valley and foothill grassland. Clay, Serpentinite (often), volcanic. Elevations: 170-1000ft. (52-305m.) Blooms (Apr)May-Jun.
Amorpha californica var. *napensis* Napa false indigo	None/None G4T2/S2 1B.2	Perennial deciduous shrub. Broadleafed upland forest, chaparral, cismontane woodland. Openings in forest or woodland or in chaparral. 30-735 m. Elevations: 165-6560ft. (50-2000m.) Blooms Apr-Jul.
Astragalus tener var. *tener* alkali milk-vetch	None/None G2T1/S1 1B.2	Annual herb. Playas, valley and foothill grassland, vernal pools. Alkaline. Elevations: 5-195ft. (1-60m.) Blooms Mar-Jun.
Atriplex persistens vernal pool smallscale	None/None G2/S2 1B.2	Annual herb. Vernal pools. Alkaline vernal pools. Elevations: 35-375ft. (10-115m.) Blooms Jun-Oct.
Balsamorhiza macrolepis big-scale balsamroot	None/None G2/S2 1B.2	Perennial herb. Chaparral, cismontane woodland, valley and foothill grassland. Serpentinite (sometimes). Elevations: 150-5100ft. (45-1555m.) Blooms Mar-Jun.
Blennosperma bakeri Sonoma sunshine	FE/SCE G1/S1 1B.1	Annual herb. Valley and foothill grassland, vernal pools. Vernal pools and swales. Elevations: 35-360ft. (10-110m.) Blooms Mar-May.
Blepharizonia plumosa big tarplant	None/None G1G2/S1S2 1B.1	Annual herb. Valley and foothill grassland. Clay (usually). Elevations: 100-1655ft. (30-505m.) Blooms Jul-Oct.
Brodiaea leptandra narrow-anthered brodiaea	None/None G3?/S3? 1B.2	Perennial bulbiferous herb. Broadleafed upland forest, chaparral, cismontane woodland, lower montane coniferous forest, valley and foothill grassland. Volcanic. Elevations: 360-3000ft. (110-915m.) Blooms May-Jul.

Calochortus pulchellus Mt. Diablo fairy-lantern	None/None G2/S2 1B.2	Perennial bulbiferous herb. Chaparral, cismontane woodland, riparian woodland, valley and foothill grassland. On wooded and brushy slopes. Elevations: 100-2755ft. (30-840m.) Blooms Apr-Jun.
Carex lyngbyei Lyngbye's sedge	None/None G5/S3 2B.2	Perennial rhizomatous herb. Marshes and swamps. Elevations: 0-35ft. (0-10m.) Blooms Apr-Aug.
Castilleja affinis var. *neglecta* Tiburon paintbrush	FE/SCT G4G5T1T2/S1S2 1B.2	Perennial herb (hemiparasitic). Valley and foothill grassland. Rocky serpentine sites. Elevations: 195-1310ft. (60-400m.) Blooms Apr-Jun.
Ceanothus confusus Rincon Ridge ceanothus	None/None G1/S1 1B.1	Perennial evergreen shrub. Chaparral, cismontane woodland, closed-cone coniferous forest. Serpentinite (sometimes), volcanic (sometimes). Elevations: 245-3495ft. (75-1065m.) Blooms Feb-Jun.
Ceanothus purpureus holly-leaved ceanothus	None/None G2/S2 1B.2	Perennial evergreen shrub. Chaparral, cismontane woodland. Rocky, volcanic. Elevations: 395-2100ft. (120-640m.) Blooms Feb-Jun.
Ceanothus sonomensis Sonoma ceanothus	None/None G2/S2 1B.2	Perennial evergreen shrub. Chaparral. Sandy, serpentine or volcanic soils. Elevations: 705-2625ft. (215-800m.) Blooms Feb-Apr.
Centromadia parryi ssp. *congdonii* Congdon's tarplant	None/None G3T1T2/S1S2 1B.1	Annual herb. Valley and foothill grassland. Alkaline soils, sometimes described as heavy white clay. Elevations: 0-755ft. (0-230m.) Blooms May-Oct(Nov).
Centromadia parryi ssp. *parryi* pappose tarplant	None/None G3T2/S2 1B.2	Annual herb. Chaparral, coastal prairie, marshes and swamps, meadows and seeps, valley and foothill grassland. Alkaline (often). Elevations: 0-1380ft. (0-420m.) Blooms May-Nov.
Chloropyron molle ssp. *molle* soft salty bird's-beak	FE/SCR G2T1/S1 1B.2	Annual herb (hemiparasitic). Marshes and swamps. In coastal salt marsh with Distichlis, Salicornia, Frankenia, etc. Elevations: 0-10ft. (0-3m.) Blooms Jun-Nov.

Cicuta maculata var. *bolanderi* Bolander's water-hemlock	None/None G5T4T5/S2? 2B.1	Perennial herb. Marshes and swamps. In fresh or brackish water. Elevations: 0-655ft. (0-200m.) Blooms Jul-Sep.
Cirsium hydrophilum var. *hydrophilum* Suisun thistle	FE/None G2T1/S1 1B.1	Perennial herb. Marshes and swamps. Grows with Scirpus, Distichlis near small watercourses within saltmarsh. Elevations: 0-5ft. (0-1m.) Blooms Jun-Sep.
Dirca occidentalis western leatherwood	None/None G2/S2 1B.2	Perennial deciduous shrub. Broadleafed upland forest, chaparral, cismontane woodland, closed-cone coniferous forest, north coast coniferous forest, riparian forest, riparian woodland. On brushy slopes, mesic sites; mostly in mixed evergreen and foothill woodland communities. Elevations: 80-1395ft. (25-425m.) Blooms Jan-Mar(Apr).
Downingia pusilla dwarf downingia	None/None GU/S2 2B.2	Annual herb. Valley and foothill grassland, vernal pools. Vernal lake and pool margins with a variety of associates. In several types of vernal pools. Elevations: 5-1460ft. (1-445m.) Blooms Mar-May.
Erigeron greenei Greene's narrow-leaved daisy	None/None G3/S3 1B.2	Perennial herb. Chaparral. Serpentine and volcanic substrates, generally in shrubby vegetation. Elevations: 260-3295ft. (80-1005m.) Blooms May-Sep.
Eriogonum truncatum Mt. Diablo buckwheat	None/None G1/S1 1B.1	Annual herb. Chaparral, coastal scrub, valley and foothill grassland. Dry, exposed clay or sandy substrates. Elevations: 10-1150ft. (3-350m.) Blooms Apr-Sep(Nov-Dec).
Eryngium jepsonii Jepson's coyote-thistle	None/None G2/S2 1B.2	Perennial herb. Valley and foothill grassland, vernal pools. Clay. Elevations: 10-985ft. (3-300m.) Blooms Apr-Aug.
Extriplex joaquinana San Joaquin spearscale	None/None G2/S2 1B.2	Annual herb. Chenopod scrub, meadows and seeps, playas, valley and foothill grassland. In seasonal alkali wetlands or alkali sink scrub with Distichlis spicata, Frankenia, etc. Elevations: 5-2740ft. (1-835m.) Blooms Apr-Oct.
Fritillaria liliacea fragrant fritillary	None/None G2/S2 1B.2	Perennial bulbiferous herb. Cismontane woodland, coastal prairie, coastal scrub, valley and foothill grassland. Often on serpentine; various soils reported though usually on clay, in grassland. Elevations: 10-1345ft. (3-410m.) Blooms Feb-Apr.

Helianthella castanea Diablo helianthella	None/None G2/S2 1B.2	Perennial herb. Broadleafed upland forest, chaparral, cismontane woodland, coastal scrub, riparian woodland, valley and foothill grassland. Azonal soils, Partial shade (often), rocky (usually). Elevations: 195-4265ft. (60-1300m.) Blooms Mar-Jun.
Hemizonia congesta ssp. *congesta* congested-headed hayfield tarplant	None/None G5T2/S2 1B.2	Annual herb. Valley and foothill grassland. Grassy valleys and hills, often in fallow fields; sometimes along roadsides. Elevations: 65-1835ft. (20-560m.) Blooms Apr-Nov.
Hesperolinon bicarpellatum two-carpellate western flax	None/None G2/S2 1B.2	Annual herb. Chaparral. Serpentine barrens at edge of chaparral. Elevations: 195-3295ft. (60-1005m.) Blooms (Apr)May-Jul.
Hesperolinon breweri Brewer's western flax	None/None G2/S2 1B.2	Annual herb. Chaparral, cismontane woodland, valley and foothill grassland. Often in rocky serpentine soil in serpentine chaparral and serpentine grassland. Elevations: 100-3100ft. (30-945m.) Blooms May-Jul.
Horkelia tenuiloba thin-lobed horkelia	None/None G2/S2 1B.2	Perennial herb. Broadleafed upland forest, chaparral, valley and foothill grassland. Sandy soils; mesic openings. Elevations: 165-1640ft. (50-500m.) Blooms May-Jul(Aug).
Isocoma arguta Carquinez goldenbush	None/None G1/S1 1B.1	Perennial shrub. Valley and foothill grassland. Alkaline soils, flats, lower hills. On low benches near drainages and on tops and sides of mounds in swale habitat. Elevations: 5-65ft. (1-20m.) Blooms Aug-Dec.
Lasthenia conjugens Contra Costa goldfields	FE/None G1/S1 1B.1	Annual herb. Cismontane woodland, playas, valley and foothill grassland, vernal pools. Vernal pools, swales, low depressions, in open grassy areas. Elevations: 0-1540ft. (0-470m.) Blooms Mar-Jun.
Lathyrus jepsonii var. *jepsonii* Delta tule pea	None/None G5T2/S2 1B.2	Perennial herb. Marshes and swamps. In freshwater and brackish marshes. Often found with Typha, Aster lentus, Rosa californica, Juncus spp., Scirpus, etc. Usually on marsh and slough edges. Elevations: 0-15ft. (0-5m.) Blooms May-Jul(Aug-Sep).
Legenere limosa legenere	None/None G2/S2 1B.1	Annual herb. Vernal pools. In beds of vernal pools. 1-. Elevations: 5-2885ft. (1-880m.) Blooms Apr-Jun.

Leptosiphon jepsonii Jepson's leptosiphon	None/None G2G3/S2S3 1B.2	Annual herb. Chaparral, cismontane woodland, valley and foothill grassland. Open to partially shaded grassy slopes. On volcanics or the periphery of serpentine substrates. Elevations: 330-1640ft. (100-500m.) Blooms Mar-May.
Lilaeopsis masonii Mason's lilaeopsis	None/SCR G2/S2 1B.1	Perennial rhizomatous herb. Marshes and swamps, riparian scrub. Tidal zones, in muddy or silty soil formed through river deposition or river bank erosion. In brackish or freshwater. Elevations: 0-35ft. (0-10m.) Blooms Apr-Nov.
Limosella australis Delta mudwort	None/None G4G5/S2 2B.1	Perennial stoloniferous herb. Marshes and swamps, riparian scrub. Usually on mud banks of the Delta in marshy or scrubby riparian associations; often with Lilaeopsis masonii. Elevations: 0-10ft. (0-3m.) Blooms May-Aug.
Lomatium repostum Napa lomatium	None/None G2G3/S2S3 1B.2	Perennial herb. Chaparral, cismontane woodland. Rocky areas in volcanic and serpentine soils with mixed chaparral and black oak woodland communities. Elevations: 295-3380ft. (90-1030m.) Blooms Mar-Jun.
Lupinus sericatus Cobb Mountain lupine	None/None G2?/S2? 1B.2	Perennial herb. Broadleafed upland forest, chaparral, cismontane woodland, lower montane coniferous forest. In stands of knobcone pine-oak woodland, on open wooded slopes in gravelly soils; sometimes on serpentine. Elevations: 900-5005ft. (275-1525m.) Blooms Mar-Jun.
Navarretia leucocephala ssp. *bakeri* Baker's navarretia	None/None G4T2/S2 1B.1	Annual herb. Cismontane woodland, lower montane coniferous forest, meadows and seeps, valley and foothill grassland, vernal pools. Vernal pools and swales; adobe or alkaline soils. Elevations: 15-5710ft. (5-1740m.) Blooms Apr-Jul.
Puccinellia simplex California alkali grass	None/None G3/S2 1B.2	Annual herb. Chenopod scrub, meadows and seeps, valley and foothill grassland, vernal pools. Alkaline, vernally mesic. Sinks, flats, and lake margins. Elevations: 5-3050ft. (2-930m.) Blooms Mar-May.
Rhynchospora californica California beaked-rush	None/None G1/S1 1B.1	Perennial rhizomatous herb. Bogs and fens, lower montane coniferous forest, marshes and swamps, meadows and seeps. Freshwater seeps and open marshy areas. Elevations: 150-3315ft. (45-1010m.) Blooms May-Jul.
Senecio aphanactis chaparral ragwort	None/None G3/S2 2B.2	Annual herb. Chaparral, cismontane woodland, coastal scrub. Drying alkaline flats. Elevations: 50-2625ft. (15-800m.) Blooms Jan-Apr(May).

Sidalcea hickmanii ssp. *napensis* Napa checkerbloom	None/None G3T1/S1 1B.1	Perennial herb. Chaparral. Rhyolitic substrates. Elevations: 1360-2000ft. (415-610m.) Blooms Apr-Jun.
Spergularia macrotheca var. *longistyla* long-styled sand-spurrey	None/None G5T2/S2 1B.2	Perennial herb. Marshes and swamps, meadows and seeps. Alkaline. Elevations: 0-835ft. (0-255m.) Blooms Feb-May.
Stuckenia filiformis ssp. *alpina* northern slender pondweed	None/None G5T5/S2S3 2B.2	Perennial rhizomatous herb (aquatic). Marshes and swamps. Shallow, clear water of lakes and drainage channels. Elevations: 985-7055ft. (300-2150m.) Blooms May-Jul.
Symphyotrichum lentum Suisun Marsh aster	None/None G2/S2 1B.2	Perennial rhizomatous herb. Marshes and swamps. Most often seen along sloughs with Phragmites, Scirpus, blackberry, Typha, etc. Elevations: 0-10ft. (0-3m.) Blooms (Apr)May-Nov.
Trichostema ruygtii Napa bluecurls	None/None G1G2/S1S2 1B.2	Annual herb. Chaparral, cismontane woodland, lower montane coniferous forest, valley and foothill grassland, vernal pools. Often in open, sunny areas. Also has been found in vernal pools. Elevations: 100-2230ft. (30-680m.) Blooms Jun-Oct.
Trifolium amoenum two-fork clover	FE/None G1/S1 1B.1	Annual herb. Coastal bluff scrub, valley and foothill grassland. Sometimes on serpentine soil, open sunny sites, swales. Most recently cited on roadside and eroding cliff face. Elevations: 15-1360ft. (5-415m.) Blooms Apr-Jun.
Trifolium hydrophilum saline clover	None/None G2/S2 1B.2	Annual herb. Marshes and swamps, valley and foothill grassland, vernal pools. Mesic, alkaline sites. Elevations: 0-985ft. (0-300m.) Blooms Apr-Jun.
Viburnum ellipticum oval-leaved viburnum	None/None G4G5/S3? 2B.3	Perennial deciduous shrub. Chaparral, cismontane woodland, lower montane coniferous forest. Elevations: 705-4595ft. (215-1400m.) Blooms May-Jun.
Invertebrates		
Bombus crotchii Crotch bumble bee	None/None G2/S1S2	Coastal California east to the Sierra-Cascade crest and south into Mexico. Food plant genera include Antirrhinum, Phacelia, Clarkia, Dendromecon, Eschscholzia, and Eriogonum.

Bombus occidentalis western bumble bee	None/None G2G3/S1	Once common and widespread, species has declined precipitously from central CA to southern B.C., perhaps from disease.
Branchinecta lynchi vernal pool fairy shrimp	FT/None G3/S3	Endemic to the grasslands of the Central Valley, Central Coast mountains, and South Coast mountains, in astatic rain-filled pools. Inhabit small, clear-water sandstone-depression pools and grassed swale, earth slump, or basalt-flow depression pools.
Desmocerus californicus dimorphus valley elderberry longhorn beetle	FT/None G3T2T3/S3	Occurs only in the Central Valley of California, in association with blue elderberry (Sambucus mexicana). Prefers to lay eggs in elderberries 2-8 inches in diameter; some preference shown for "stressed" elderberries.
Speyeria callippe callippe callippe silverspot butterfly	FE/None G5T1/S1	Restricted to the northern coastal scrub of the San Francisco peninsula. Hostplant is Viola pedunculata. Most adults found on E-facing slopes; males congregate on hilltops in search of females.
Syncaris pacifica California freshwater shrimp	FE/SE G2/S2	Endemic to Marin, Napa, and Sonoma counties. Found in low elevation, low gradient streams where riparian cover is moderate to heavy. Shallow pools away from main streamflow. Winter: undercut banks with exposed roots. Summer: leafy branches touching water.
Fish		
Acipenser medirostris pop. 1 green sturgeon - southern DPS	FT/None G3T1/S1	Spawning site fidelity. Spawns in the Sacramento, Feather and Yuba Rivers. Presence in upper Stanislaus and San Joaquin Rivers may indicate spawning. Non-spawning adults occupy marine/estuarine waters. Delta Estuary is important for rearing juveniles. Spawning occurs primarily in cool (11-15 C) sections of mainstem rivers in deep pools (8-9 meters) with substrate containing small to medium sized sand, gravel, cobble, or boulder.
Hypomesus transpacificus Delta smelt	FT/SE G1/S1	Sacramento-San Joaquin Delta. Seasonally in Suisun Bay, Carquinez Strait and San Pablo Bay. Seldom found at salinities > 10 ppt. Most often at salinities < 2ppt.

Oncorhynchus mykiss irideus pop. 8 steelhead - central California coast DPS	FT/None G5T2T3Q/S2S3	DPS includes all naturally spawned populations of steelhead (and their progeny) in streams from the Russian River to Aptos Creek, Santa Cruz County, California (inclusive). Also includes the drainages of San Francisco and San Pablo Bays.
Pogonichthys macrolepidotus Sacramento splittail	None/None GNR/S3 SSC	Endemic to the lakes and rivers of the Central Valley, but now confined to the Delta, Suisun Bay and associated marshes. Slow moving river sections, dead end sloughs. Requires flooded vegetation for spawning and foraging for young.
Spirinchus thaleichthys longfin smelt	FC/ST G5/S1	Euryhaline, nektonic and anadromous. Found in open waters of estuaries, mostly in middle or bottom of water column. Prefer salinities of 15-30 ppt, but can be found in completely freshwater to almost pure seawater.
Amphibians		
Dicamptodon ensatus California giant salamander	None/None G3/S2S3 SSC	Known from wet coastal forests near streams and seeps from Mendocino County south to Monterey County, and east to Napa County. Aquatic larvae found in cold, clear streams, occasionally in lakes and ponds. Adults known from wet forests under rocks and logs near streams and lakes.
Rana boylii pop. 1 foothill yellow-legged frog - north coast DPS	None/None G3TNRQ/S3 SSC	Northern Coast Ranges north of San Francisco Bay Estuary, Klamath Mountains, and Cascade Range including watershed subbasins (HU 8) Lower Pit, Battle Creek, Thomes Creek, and Big Chico Creek in Lassen, Shasta, Tehama, and Butte Counties. Partly shaded shallow streams and riffles with a rocky substrate in a variety of habitats. Needs at least some cobble-sized substrate for egg-laying and at least 15 weeks to attain metamorphosis.
Rana draytonii California red-legged frog	FT/None G2G3/S2S3 SSC	Lowlands and foothills in or near permanent sources of deep water with dense, shrubby or emergent riparian vegetation. Requires 11-20 weeks of permanent water for larval development. Must have access to estivation habitat.

Taricha rivularis red-bellied newt	None/None G2/S2 SSC	Coastal drainages from Humboldt County south to Sonoma County, inland to Lake County. Isolated population of uncertain origin in Santa Clara County. Lives in terrestrial habitats, juveniles generally underground, adults active at surface in moist environments. Will migrate over 1 km to breed, typically in streams with moderate flow and clean, rocky substrate.
Reptiles		
Emys marmorata western pond turtle	None/None G3G4/S3 SSC	A thoroughly aquatic turtle of ponds, marshes, rivers, streams and irrigation ditches, usually with aquatic vegetation, below 6000 ft elevation. Needs basking sites and suitable (sandy banks or grassy open fields) upland habitat up to 0.5 km from water for egg-laying.
Masticophis lateralis euryxanthus Alameda whipsnake	FT/ST G4T2/S2	Typically found in chaparral and scrub habitats but will also use adjacent grassland, oak savanna and woodland habitats. Mostly south-facing slopes and ravines, with rock outcrops, deep crevices or abundant rodent burrows, where shrubs form a vegetative mosaic with oak trees and grasses.
Birds		
Accipiter cooperii Cooper's hawk	None/None G5/S4 WL	Woodland, chiefly of open, interrupted or marginal type. Nest sites mainly in riparian growths of deciduous trees, as in canyon bottoms on river flood-plains; also, live oaks.
Agelaius tricolor tricolored blackbird	None/ST G1G2/S1S2 SSC	Highly colonial species, most numerous in Central Valley and vicinity. Largely endemic to California. Requires open water, protected nesting substrate, and foraging area with insect prey within a few km of the colony.
Aquila chrysaetos golden eagle	None/None G5/S3 FP WL	Rolling foothills, mountain areas, sage-juniper flats, and desert. Cliff-walled canyons provide nesting habitat in most parts of range; also, large trees in open areas.

Asio flammeus short-eared owl	None/None G5/S3 SSC	Found in swamp lands, both fresh and salt; lowland meadows; irrigated alfalfa fields. Tule patches/tall grass needed for nesting/daytime seclusion. Nests on dry ground in depression concealed in vegetation.
Athene cunicularia burrowing owl	None/None G4/S3 SSC	Open, dry annual or perennial grasslands, deserts, and scrublands characterized by low-growing vegetation. Subterranean nester, dependent upon burrowing mammals, most notably, the California ground squirrel.
Buteo regalis ferruginous hawk	None/None G4/S3S4 WL	Open grasslands, sagebrush flats, desert scrub, low foothills and fringes of pinyon and juniper habitats. Eats mostly lagomorphs, ground squirrels, and mice. Population trends may follow lagomorph population cycles.
Buteo swainsoni Swainson's hawk	None/ST G5/S3	Breeds in grasslands with scattered trees, juniper-sage flats, riparian areas, savannahs, and agricultural or ranch lands with groves or lines of trees. Requires adjacent suitable foraging areas such as grasslands, or alfalfa or grain fields supporting rodent populations.
Charadrius nivosus nivosus western snowy plover	FT/None G3T3/S2 SSC	Sandy beaches, salt pond levees and shores of large alkali lakes. Needs sandy, gravelly or friable soils for nesting.
Circus hudsonius northern harrier	None/None G5/S3 SSC	Coastal salt and freshwater marsh. Nest and forage in grasslands, from salt grass in desert sink to mountain cienagas. Nests on ground in shrubby vegetation, usually at marsh edge; nest built of a large mound of sticks in wet areas.
Coturnicops noveboracensis yellow rail	None/None G4/S1S2 SSC	Summer resident in eastern Sierra Nevada in Mono County. Freshwater marshlands.
Cypseloides niger black swift	None/None G4/S2 SSC	Coastal belt of Santa Cruz and Monterey counties; central and southern Sierra Nevada; San Bernardino and San Jacinto mountains. Breeds in small colonies on cliffs behind or adjacent to waterfalls in deep canyons and sea-bluffs above the surf; forages widely.

Elanus leucurus white-tailed kite	None/None G5/S3S4 FP	Rolling foothills and valley margins with scattered oaks and river bottomlands or marshes next to deciduous woodland. Open grasslands, meadows, or marshes for foraging close to isolated, dense-topped trees for nesting and perching.
Falco peregrinus anatum American peregrine falcon	FD/SD G4T4/S3S4 FP	Near wetlands, lakes, rivers, or other water; on cliffs, banks, dunes, mounds; also, human-made structures. Nest consists of a scrape or a depression or ledge in an open site.
Geothlypis trichas sinuosa saltmarsh common yellowthroat	None/None G5T3/S3 SSC	Resident of the San Francisco Bay region, in fresh and salt water marshes. Requires thick, continuous cover down to water surface for foraging; tall grasses, tule patches, willows for nesting.
Laterallus jamaicensis coturniculus California black rail	None/ST G3T1/S1 FP	Inhabits freshwater marshes, wet meadows and shallow margins of saltwater marshes bordering larger bays. Needs water depths of about 1 inch that do not fluctuate during the year and dense vegetation for nesting habitat.
Melospiza melodia maxillaris Suisun song sparrow	None/None G5T3/S3 SSC	Resident of brackish-water marshes surrounding Suisun Bay. Inhabits cattails, tules and other sedges, and Salicornia; also known to frequent tangles bordering sloughs.
Melospiza melodia samuelis San Pablo song sparrow	None/None G5T2/S2 SSC	Resident of salt marshes along the north side of San Francisco and San Pablo bays. Inhabits tidal sloughs in the Salicornia marshes; nests in Grindelia bordering slough channels.
Pandion haliaetus osprey	None/None G5/S4 WL	Ocean shore, bays, freshwater lakes, and larger streams. Large nests built in tree-tops within 15 miles of a good fish-producing body of water.
Rallus obsoletus obsoletus California Ridgway's rail	FE/SE G3T1/S1 FP	Salt water and brackish marshes traversed by tidal sloughs in the vicinity of San Francisco Bay. Associated with abundant growths of pickleweed, but feeds away from cover on invertebrates from mud-bottomed sloughs.
Riparia riparia bank swallow	None/ST G5/S2	Colonial nester; nests primarily in riparian and other lowland habitats west of the desert. Requires vertical banks/cliffs with fine-textured/sandy soils near streams, rivers, lakes, ocean to dig nesting hole.

Xanthocephalus xanthocephalus yellow-headed blackbird	None/None G5/S3 SSC	Nests in freshwater emergent wetlands with dense vegetation and deep water. Often along borders of lakes or ponds. Nests only where large insects such as Odonata are abundant, nesting timed with maximum emergence of aquatic insects.
Mammals		
Antrozous pallidus pallid bat	None/None G4/S3 SSC	Found in a variety of habitats including deserts, grasslands, shrublands, woodlands, and forests. Most common in open, dry habitats with rocky areas for roosting. Roosts in crevices of rock outcrops, caves, mine tunnels, buildings, bridges, and hollows of live and dead trees which must protect bats from high temperatures. Very sensitive to disturbance of roosting sites.
Corynorhinus townsendii Townsend's big-eared bat	None/None G4/S2 SSC	Occurs throughout California in a wide variety of habitats. Most common in mesic sites, typically coniferous or deciduous forests. Roosts in the open, hanging from walls & ceilings in caves, lava tubes, bridges, and buildings. This species is extremely sensitive to human disturbance.
Nyctinomops macrotis big free-tailed bat	None/None G5/S3 SSC	Low-lying arid areas in Southern California. Need high cliffs or rocky outcrops for roosting sites. Feeds principally on large moths.
Reithrodontomys raviventris salt-marsh harvest mouse	FE/SE G1G2/S1S2 FP	Only in the saline emergent wetlands of San Francisco Bay and its tributaries. Pickleweed is primary habitat, but may occur in other marsh vegetation types and in adjacent upland areas. Does not burrow; builds loosely organized nests. Requires higher areas for flood escape.
Sorex ornatus sinuosus Suisun shrew	None/None G5T1T2Q/S1S2 SSC	Tidal marshes of the northern shores of San Pablo and Suisun bays. Require dense low-lying cover and driftweed and other litter above the mean hightide line for nesting and foraging.

Taxidea taxus American badger	None/None G5/S3 SSC	Most abundant in drier open stages of most shrub, forest, and herbaceous habitats, with friable soils. Needs sufficient food, friable soils and open, uncultivated ground. Preys on burrowing rodents. Digs burrows.
Sensitive Natural Communities		
Coastal Brackish Marsh	None/None G2/S2.1	
Northern Claypan Vernal Pool	None/None G1/S1.1	
Northern Coastal Salt Marsh	None/None G3/S3.2	Coastal salt marshes, alkaline flats. The USFWS Wetland Inventory (1996 national list) recognizes Sarcocornia pacifica as an OBL plant.
Northern Vernal Pool	None/None G2/S2.1	
Serpentine Bunchgrass	None/None G2/S2.2	All topographic locations. Soils may be deep with high clay content, loamy, sandy, or silty derived from mudstone, sandstone, or serpentine substrates.

Appendix C

Supporting Noise Information

Existing and Forecast Volumes

Roadway	Location	Existing Network				Build-Out Network			
		Facility Type	Number of Lanes	Speed Limit	Existing 2022 Count	Facility Type	Number of Lanes	Speed Limit	Future 2040 Forecast
Interstate 80	s/o SR 37	Nine-Lane Freeway	9	65	110,006	Nine-Lane Freeway	9	65	117,514
	s/o American Canyon Road	Nine-Lane Freeway	9	65	109,042	Nine-Lane Freeway	9	65	121,991
	s/o Red Top Road	Eight-Lane Freeway	8	65	112,650	Nine-Lane Freeway	8	65	128,806
	s/o SR 12	Eight-Lane Freeway	8	65	97,782	Eight-Lane Freeway	8	65	113,977
	n/o SR 12	Eight-Lane Freeway	8	65	136,706	Eight-Lane Freeway	8	65	155,682
State Route 29	s/o SR 37	Four-Lane Arterial	4	50 to 55	24,051	Four-Lane Arterial	4	50 to 55	26,059
	n/o SR 37	Four-Lane Arterial	4	50 to 55	43,483	Six-Lane Arterial	4	50 to 55	40,444
	s/o Mini Drive	Four-Lane Arterial	4	50 to 55	37,492	Six-Lane Arterial	4	50 to 55	37,666
	n/o Mini Drive	Four-Lane Arterial	4	50 to 55	43,469	Six-Lane Arterial	4	50 to 55	43,575
	n/o American Canyon Road	Four-Lane Arterial	4	50 to 55	49,579	Six-Lane Arterial	4	50 to 55	51,132
	s/o Napa Junction Road	Six-Lane Arterial	6	50 to 55	40,762	Six-Lane Arterial	6	50 to 55	36,053
	n/o Napa Junction Road	Four-Lane Highway	4	50 to 55	59,044	Six-Lane Highway	4	50 to 55	60,310
	n/o Green Island Road	Four-Lane Highway	4	50 to 55	60,263	Four-Lane Highway	4	50 to 55	62,189
	s/o SR 12	Six-Lane Highway	6	50 to 55	*59,200*	Six-Lane Highway	6	50 to 55	62,560
	n/o SR 12	Six-Lane Highway	6	50 to 55	*88,600*	Six-Lane Highway	6	50 to 55	106,300
Airport Blvd.	w/o SR 29	Four-Lane Collector	4	45	10,500	Four-Lane Collector	4	45	10,341
State Route 12	e/o N. Kelly Road	Four-Lane Highway	3	55	35,033	Four-Lane Highway	3	55	36,038
	w/o Red Top Road	Two-Lane Highway	2	55	37,179	Four-Lane Highway	2	55	38,106
State Route 37	w/o SR 29	Four-Lane Freeway	4	50 to 55	39,980	Four-Lane Freeway	4	50 to 55	39,074
	e/o SR 29	Four-Lane Freeway	4	50 to 55	62,495	Four-Lane Freeway	4	50 to 55	63,592
	e/o Fairgrounds Road	Four-Lane Freeway	4	50 to 55	*69,800*	Four-Lane Freeway	0	50 to 55	69,800
	e/o I-80	Six-Lane Freeway	6	50 to 55	42,000	Six-Lane Freeway	6	50 to 55	47,776
American Cyn Rd.	w/o SR 29	Four-Lane Arterial	4	45	15,330	Four-Lane Arterial	4	45	10,935
	e/o Flosden Road	Two-Lane Arterial	2	45	10,771	Two-Lane Arterial	2	45	14,194
	w/o I-80	Two-Lane Arterial	2	45	4,076	Two-Lane Arterial	2	45	7,610
Hiddenbrook Pkwy	e/o I-80	Two-Lane Collector	2	40	6,023	Two-Lane Collector	2	40	6,943
Flosden Road	s/o American Canyon Road	Four-Lane Arterial	4	45	21,510	Four-Lane Arterial	4	45	29,362
Newell Drive	n/o American Canyon Road	Four-Lane Arterial	4	35	9,685	Four-Lane Arterial	4	35	28,072
	s/o Napa Junction Road	-	-	-	-	Four-Lane Arterial	4	*35*	21,790
South Kelly Road	s/o SR 12	Two-Lane Collector	2	50	1,602	Two-Lane Collector	2	50	11,310
Devlin Road	n/o Green Island Road	Two-Lane Collector	-	-	-	Two-Lane Collector	2	40	5,224

Vehicle Mix: Existing and Forecast Volumes

Roadway	Location	Existing 2022				Future 2040			
		Auto	Medium Duty	Heavy Duty	Existing 2022 Count	Auto	Medium Duty	Heavy Duty	Future 2040 Forecast
Interstate 80	s/o SR 37	103,087	3,460	3,460	110,006	110,122	3,696	3,696	117,514
	s/o American Canyon Road	102,881	3,080	3,080	109,042	115,099	3,446	3,446	121,991
	s/o Red Top Road	106,037	3,306	3,306	112,650	121,245	3,780	3,780	128,806
	s/o SR 12	92,042	2,870	2,870	97,782	107,287	3,345	3,345	113,977
	n/o SR 12	125,441	5,632	5,632	136,706	142,854	6,414	6,414	155,682
State Route 29	s/o SR 37	23,544	254	254	24,051	25,509	275	275	26,059
	n/o SR 37	41,357	1,063	1,063	43,483	38,466	989	989	40,444
	s/o Mini Drive	35,689	902	902	37,492	35,854	906	906	37,666
	n/o Mini Drive	41,448	1,011	1,011	43,469	41,549	1,013	1,013	43,575
	n/o American Canyon Road	47,402	1,088	1,088	49,579	48,887	1,122	1,122	51,132
	s/o Napa Junction Road	37,966	1,398	1,398	40,762	33,580	1,237	1,237	36,053
	n/o Napa Junction Road	54,415	2,315	2,315	59,044	55,582	2,364	2,364	60,310
	n/o Green Island Road	54,176	3,043	3,043	60,263	55,908	3,141	3,141	62,189
	s/o SR 12	54,553	2,324	2,324	*59,200*	57,649	2,455	2,455	62,560
	n/o SR 12	82,761	2,919	2,919	*88,600*	99,295	3,503	3,503	106,300
Airport Blvd.	w/o SR 29	9,899	300	300	10,500	9,749	296	296	10,341
State Route 12	e/o N. Kelly Road	31,284	1,874	1,874	35,033	32,182	1,928	1,928	36,038
	w/o Red Top Road	33,312	1,933	1,933	37,179	34,143	1,982	1,982	38,106
State Route 37	w/o SR 29	37,861	1,059	1,059	39,980	37,003	1,035	1,035	39,074
	e/o SR 29	59,370	1,562	1,562	62,495	60,412	1,590	1,590	63,592
	e/o Fairgrounds Road	66,108	1,846	1,846	*69,800*	66,108	1,846	1,846	69,800
	e/o I-80	41,013	494	494	42,000	46,653	561	561	47,776
American Cyn Rd.	w/o SR 29	14,930	200	200	15,330	10,650	143	143	10,935
	e/o Flosden Road	10,684	44	44	10,771	14,079	57	57	14,194
	w/o I-80	3,648	214	214	4,076	6,811	400	400	7,610
Hiddenbrook Pkwy	e/o I-80	5,858	83	83	6,023	6,753	95	95	6,943
Flosden Road	s/o American Canyon Road	20,884	313	313	21,510	28,508	427	427	29,362
Newell Drive	n/o American Canyon Road	9,485	100	100	9,685	27,491	291	291	28,072
	s/o Napa Junction Road	-	-	-	-	*21,339*	*226*	*226*	21,790
South Kelly Road	s/o SR 12	1,586	8	8	1,602	11,197	57	57	11,310
Devlin Road	n/o Green Island Road	-	-	-	-	*261*	*2,481*	*2,481*	5,224

Time of Day Distribution

Roadway	Location	Existing 2022				Future 2040			
		7 a.m.-7 p.m.	7 p.m. - 10 p.m.	10 p.m. - 7 a.m.	Existing 2022 Count	7 a.m.-7 p.m.	7 p.m. - 10 p.m.	10 p.m. - 7 a.m.	Future 2040 Forecast
Interstate 80	s/o SR 37	85,166	14,686	10,154	110,006	90,979	15,688	10,847	117,514
	s/o American Canyon Road	84,420	14,557	10,065	109,042	94,445	16,286	11,261	121,991
	s/o Red Top Road	87,213	15,039	10,398	112,650	99,721	17,196	11,890	128,806
	s/o SR 12	75,702	13,054	9,026	97,782	88,240	15,216	10,521	113,977
	n/o SR 12	105,837	18,250	12,619	136,706	120,528	20,784	14,371	155,682
State Route 29	s/o SR 37	19,692	3,110	1,249	24,051	21,336	3,369	1,353	26,059
	n/o SR 37	34,302	5,783	3,398	43,483	31,904	5,379	3,161	40,444
	s/o Mini Drive	29,794	4,881	2,816	37,492	29,932	4,904	2,829	37,666
	n/o Mini Drive	35,449	5,512	2,508	43,469	35,535	5,525	2,514	43,575
	n/o American Canyon Road	40,432	6,287	2,861	49,579	41,698	6,484	2,950	51,132
	s/o Napa Junction Road	33,241	5,169	2,352	40,762	29,401	4,572	2,080	36,053
	n/o Napa Junction Road	48,150	7,487	3,407	59,044	49,183	7,647	3,480	60,310
	n/o Green Island Road	49,144	7,641	3,477	60,263	50,715	7,886	3,588	62,189
	s/o SR 12	48,278	7,507	3,416	*59,200*	51,018	7,933	3,610	62,560
	n/o SR 12	72,253	11,234	5,112	*88,600*	86,688	13,479	6,134	106,300
Airport Blvd.	w/o SR 29	8,831	462	1,207	10,500	8,697	455	1,189	10,341
State Route 12	e/o N. Kelly Road	25,912	2,831	6,291	35,033	26,655	2,912	6,471	36,038
	w/o Red Top Road	27,499	3,004	6,676	37,179	28,185	3,079	6,842	38,106
State Route 37	w/o SR 29	31,180	5,397	3,402	39,980	30,474	5,275	3,325	39,074
	e/o SR 29	48,740	8,437	5,318	62,495	49,595	8,585	5,412	63,592
	e/o Fairgrounds Road	54,437	9,423	5,940	*69,800*	54,437	9,423	5,940	69,800
	e/o I-80	32,756	5,670	3,574	42,000	37,261	6,450	4,066	47,776
American Cyn Rd.	w/o SR 29	12,528	1,722	1,080	15,330	8,937	1,228	770	10,935
	e/o Flosden Road	8,803	1,210	759	10,771	11,600	1,594	1,000	14,194
	w/o I-80	3,331	458	287	4,076	6,219	855	536	7,610
Hiddenbrook Pkwy	e/o I-80	4,757	771	495	6,023	5,484	888	571	6,943
Flosden Road	s/o American Canyon Road	17,605	2,381	1,524	21,510	24,032	3,250	2,080	29,362
Newell Drive	n/o American Canyon Road	8,220	1,045	420	9,685	23,825	3,029	1,218	28,072
	s/o Napa Junction Road	-	-	-	-	18,494	2,351	945	21,790
South Kelly Road	s/o SR 12	1,417	123	62	1,602	10,004	871	435	11,310
Devlin Road	n/o Green Island Road	-	-	-	-	5,133	0	91	5,224

Traffic Noise Calculator: FHWA 77-108 **Project Title: 19-08673 American Canyon General Plan EIR - Existing 2022**

	Output						Inputs													Auto Inputs	
	dBA at 50 feet			Distance to CNEL Contour																	
ID	$L_{eq-24hr}$	L_{dn}	CNEL	70 dBA	65 dBA	60 dBA	Roadway	Segment	ADT	Posted Speed Limit	Grade	% Autos	% Med Trucks	% Heavy Trucks	% Daytime	% Evening	% Night	Number of Lanes	Site Condition	Distance to Reciever	Ground Absorption	Lane Distance
1	80.3	83.0	83.6	404	870	1874	Interstate 80	s/o SR 37	110,006	65	0.0%	93.7%	3.1%	3.1%	77.4%	13.4%	9.2%	6	Soft	50	0.5	68
2	80.2	82.8	83.4	394	849	1829	Interstate 80	American Canyon	109,042	65	0.0%	94.4%	2.8%	2.8%	77.4%	13.4%	9.2%	6	Soft	50	0.5	68
3	80.4	83.0	83.6	405	873	1881	Interstate 80	s/o Red Top Road	112,650	65	0.0%	94.1%	2.9%	2.9%	77.4%	13.4%	9.2%	6	Soft	50	0.5	68
4	79.8	82.4	83.0	369	795	1712	Interstate 80	s/o SR 12	97,782	65	0.0%	94.1%	2.9%	2.9%	77.4%	13.4%	9.2%	6	Soft	50	0.5	68
5	81.6	84.3	84.9	492	1059	2282	Interstate 80	n/o SR 12	136,706	65	0.0%	91.8%	4.1%	4.1%	77.4%	13.4%	9.2%	6	Soft	50	0.5	68
6	70.8	72.4	73.2	82	176	378	State Route 29	s/o SR 37	24,051	55	0.0%	97.9%	1.1%	1.1%	81.9%	12.9%	5.2%	4	Soft	50	0.5	44
7	74.1	76.4	77.1	148	319	688	State Route 29	n/o SR 37	43,483	55	0.0%	95.1%	2.4%	2.4%	78.9%	13.3%	7.8%	4	Soft	50	0.5	44
8	73.4	75.7	76.3	132	285	614	State Route 29	s/o Mini Drive	37,492	55	0.0%	95.2%	2.4%	2.4%	79.5%	13.0%	7.5%	4	Soft	50	0.5	44
9	74.0	75.8	76.6	137	295	636	State Route 29	n/o Mini Drive	43,469	55	0.0%	95.4%	2.3%	2.3%	81.6%	12.7%	5.8%	4	Soft	50	0.5	44
10	74.5	76.3	77.1	148	319	687	State Route 29	American Canyon	49,579	55	0.0%	95.6%	2.2%	2.2%	81.6%	12.7%	5.8%	4	Soft	50	0.5	44
11	74.5	76.3	77.1	148	318	685	State Route 29	Napa Junction Rd	40,762	55	0.0%	93.1%	3.4%	3.4%	81.6%	12.7%	5.8%	6	Soft	50	0.5	68
12	76.1	77.9	78.6	188	405	874	State Route 29	Napa Junction Rd	59,044	55	0.0%	92.2%	3.9%	3.9%	81.6%	12.7%	5.8%	4	Soft	50	0.5	44
13	76.6	78.5	79.2	205	441	950	State Route 29	o Green Island Ro	60,263	55	0.0%	89.9%	5.1%	5.1%	81.6%	12.7%	5.8%	4	Soft	50	0.5	44
14	76.4	78.2	78.9	196	421	908	State Route 29	s/o SR 12	59,200	55	0.0%	92.2%	3.9%	3.9%	81.6%	12.7%	5.8%	6	Soft	50	0.5	68
15	77.8	79.6	80.4	245	528	1139	State Route 29	n/o SR 12	88,600	55	0.0%	93.4%	3.3%	3.3%	81.6%	12.7%	5.8%	6	Soft	50	0.5	68
16	66.2	69.3	69.5	46	100	215	Airport Blvd	w/o SR 29	10,500	45	0.0%	94.3%	2.9%	2.9%	84.1%	4.4%	11.5%	4	Soft	50	0.5	44
17	74.3	78.5	78.8	193	415	894	State Route 12	e/o N. Kelly Road	35,033	55	0.0%	89.3%	5.4%	5.4%	74.0%	8.1%	18.0%	3	Soft	50	0.5	32
18	74.5	78.7	78.9	197	424	914	State Route 12	w/o Red Top Road	37,179	55	0.0%	89.6%	5.2%	5.2%	74.0%	8.1%	18.0%	2	Soft	50	0.5	20
19	73.8	76.3	77.0	146	314	675	State Route 37	w/o SR 29	39,980	55	0.0%	94.7%	2.7%	2.7%	78.0%	13.5%	8.5%	4	Soft	50	0.5	44
20	75.7	78.2	78.8	194	418	900	State Route 37	e/o SR 29	62,495	55	0.0%	95.0%	2.5%	2.5%	78.0%	13.5%	8.5%	4	Soft	50	0.5	44
21	76.2	78.7	79.4	211	454	979	State Route 37	o Fairgrounds Ro	69,800	55	0.0%	94.7%	2.6%	2.6%	78.0%	13.5%	8.5%	4	Soft	50	0.5	44
22	73.5	76.0	76.6	138	298	642	State Route 37	e/o I-80	42,000	55	0.0%	97.7%	1.2%	1.2%	78.0%	13.5%	8.5%	6	Soft	50	0.5	68
23	66.8	68.9	69.5	46	100	216	American Canyon Rd	w/o SR 29	15,330	45	0.0%	97.4%	1.3%	1.3%	81.7%	11.2%	7.0%	4	Soft	50	0.5	44
24	64.4	66.5	67.1	32	69	148	American Canyon Rd	e/o Flosden Road	10,771	45	0.0%	99.2%	0.4%	0.4%	81.7%	11.2%	7.0%	2	Soft	50	0.5	20
25	63.3	65.4	66.0	27	58	125	American Canyon Rd	w/o I-80	4,076	45	0.0%	89.5%	5.3%	5.3%	81.7%	11.2%	7.0%	2	Soft	50	0.5	20
26	61.4	63.9	64.5	21	46	100	Hiddenbrook Pkwy	e/o I-80	6,023	40	0.0%	97.3%	1.4%	1.4%	79.0%	12.8%	8.2%	2	Soft	50	0.5	20
27	68.4	70.5	71.1	59	128	275	Flosden Road	s/o American Car	21,510	45	0.0%	97.1%	1.5%	1.5%	81.8%	11.1%	7.1%	4	Soft	50	0.5	44
28	61.9	63.4	64.0	20	43	93	Newell Drive	n/o American Car	9,685	35	0.0%	97.9%	1.0%	1.0%	84.9%	10.8%	4.3%	4	Soft	50	0.5	44
29	57.4	58.7	59.2	10	21	44	South Kelly Road	s/o SR 12	1,602	50	0.0%	99.0%	0.5%	0.5%	88.5%	7.7%	3.9%	2	Soft	50	0.5	20

Traffic Noise Calculator: FHWA 77-108 **Project Title: 19-08673 American Canyon General Plan - Future 2040**

	Output						Inputs													Auto Inputs	
	dBA at 50 feet			Distance to CNEL Contour																	
ID	$L_{eq\text{-}24hr}$	L_{dn}	CNEL	70 dBA	65 dBA	60 dBA	Roadway	Segment	ADT	Posted Speed Limit	Grade	% Autos	% Med Trucks	% Heavy Trucks	% Daytime	% Evening	% Night	Number of Lanes	Site Condition	Distance to Reciever	Ground Absorption	Lane Distance
1	80.6	83.3	83.9	422	909	1958	Interstate 80	s/o SR 37	117,514	65	0.0%	93.7%	3.1%	3.1%	77.4%	13.4%	9.2%	6	Soft	50	0.5	68
2	80.7	83.3	83.9	425	915	1971	Interstate 80	\merican Canyon	121,991	65	0.0%	94.4%	2.8%	2.8%	77.4%	13.4%	9.2%	6	Soft	50	0.5	68
3	81.0	83.6	84.2	443	955	2057	Interstate 80	s/o Red Top Road	128,806	65	0.0%	94.1%	2.9%	2.9%	77.4%	13.4%	9.2%	6	Soft	50	0.5	68
4	80.4	83.0	83.7	408	880	1896	Interstate 80	s/o SR 12	113,977	65	0.0%	94.1%	2.9%	2.9%	77.4%	13.4%	9.2%	6	Soft	50	0.5	68
5	82.2	84.8	85.5	536	1155	2489	Interstate 80	n/o SR 12	155,682	65	0.0%	91.8%	4.1%	4.1%	77.4%	13.4%	9.2%	6	Soft	50	0.5	68
6	71.1	72.8	73.5	86	185	399	State Route 29	s/o SR 37	26,059	55	0.0%	97.9%	1.1%	1.1%	81.9%	12.9%	5.2%	4	Soft	50	0.5	44
7	73.8	76.1	76.8	141	304	656	State Route 29	n/o SR 37	40,444	55	0.0%	95.1%	2.4%	2.4%	78.9%	13.3%	7.8%	4	Soft	50	0.5	44
8	73.4	75.7	76.4	133	286	616	State Route 29	s/o Mini Drive	37,666	55	0.0%	95.2%	2.4%	2.4%	79.5%	13.0%	7.5%	4	Soft	50	0.5	44
9	74.0	75.9	76.6	137	296	637	State Route 29	n/o Mini Drive	43,575	55	0.0%	95.4%	2.3%	2.3%	81.6%	12.7%	5.8%	4	Soft	50	0.5	44
10	74.7	76.5	77.2	151	325	701	State Route 29	\merican Canyon	51,132	55	0.0%	95.6%	2.2%	2.2%	81.6%	12.7%	5.8%	4	Soft	50	0.5	44
11	74.0	75.8	76.5	136	293	631	State Route 29	› Napa Junction Ro	36,053	55	0.0%	93.1%	3.4%	3.4%	81.6%	12.7%	5.8%	6	Soft	50	0.5	68
12	76.2	78.0	78.7	191	411	886	State Route 29	› Napa Junction Ro	60,310	55	0.0%	92.2%	3.9%	3.9%	81.6%	12.7%	5.8%	4	Soft	50	0.5	44
13	76.8	78.6	79.3	209	450	970	State Route 29	o Green Island Ro	62,189	55	0.0%	89.9%	5.1%	5.1%	81.6%	12.7%	5.8%	4	Soft	50	0.5	44
14	76.6	78.4	79.1	203	437	942	State Route 29	s/o SR 12	62,560	55	0.0%	92.2%	3.9%	3.9%	81.6%	12.7%	5.8%	6	Soft	50	0.5	68
15	78.6	80.4	81.2	277	597	1286	State Route 29	n/o SR 12	106,300	55	0.0%	93.4%	3.3%	3.3%	81.6%	12.7%	5.8%	6	Soft	50	0.5	68
16	66.2	69.2	69.4	46	99	213	Airport Blvd	w/o SR 29	10,341	45	0.0%	94.3%	2.9%	2.9%	84.1%	4.4%	11.5%	4	Soft	50	0.5	44
17	74.4	78.6	78.9	196	423	911	State Route 12	e/o N. Kelly Road	36,038	55	0.0%	89.3%	5.4%	5.4%	74.0%	8.1%	18.0%	3	Soft	50	0.5	32
18	74.6	78.8	79.0	200	431	930	State Route 12	w/o Red Top Road	38,106	55	0.0%	89.6%	5.2%	5.2%	74.0%	8.1%	18.0%	2	Soft	50	0.5	20
19	73.7	76.2	76.9	143	309	665	State Route 37	w/o SR 29	39,074	55	0.0%	94.7%	2.7%	2.7%	78.0%	13.5%	8.5%	4	Soft	50	0.5	44
20	75.8	78.2	78.9	196	422	910	State Route 37	e/o SR 29	63,592	55	0.0%	95.0%	2.5%	2.5%	78.0%	13.5%	8.5%	4	Soft	50	0.5	44
21	76.2	78.7	79.4	211	454	979	State Route 37	o Fairgrounds Ro	69,800	55	0.0%	94.7%	2.6%	2.6%	78.0%	13.5%	8.5%	4	Soft	50	0.5	44
22	74.1	76.5	77.2	151	325	699	State Route 37	e/o I-80	47,776	55	0.0%	97.7%	1.2%	1.2%	78.0%	13.5%	8.5%	6	Soft	50	0.5	68
23	65.3	67.5	68.1	37	80	172	American Canyon Rd	w/o SR 29	10,935	45	0.0%	97.4%	1.3%	1.3%	81.7%	11.2%	7.0%	4	Soft	50	0.5	44
24	65.6	67.7	68.3	38	83	178	American Canyon Rd	e/o Flosden Road	14,194	45	0.0%	99.2%	0.4%	0.4%	81.7%	11.2%	7.0%	2	Soft	50	0.5	20
25	66.0	68.1	68.7	41	88	190	American Canyon Rd	w/o I-80	7,610	45	0.0%	89.5%	5.3%	5.3%	81.7%	11.2%	7.0%	2	Soft	50	0.5	20
26	62.1	64.5	65.1	24	51	110	Hiddenbrook Pkwy	e/o I-80	6,943	40	0.0%	97.3%	1.4%	1.4%	79.0%	12.8%	8.2%	2	Soft	50	0.5	20
27	69.7	71.9	72.5	73	157	339	Flosden Road	s/o American Car	29,362	45	0.0%	97.1%	1.5%	1.5%	81.8%	11.1%	7.1%	4	Soft	50	0.5	44
28	66.6	68.0	68.7	41	88	189	Newell Drive	n/o American Car	28,072	35	0.0%	97.9%	1.0%	1.0%	84.9%	10.8%	4.3%	4	Soft	50	0.5	44
29	65.5	66.9	67.6	34	74	160	Newell Drive	s/o Napa Junctior	21,790	35	0.0%	97.9%	1.0%	1.0%	84.9%	10.8%	4.3%	4	Soft	50	0.5	44
30	65.9	67.2	67.7	35	75	163	South Kelly Road	s/o SR 12	11,310	50	0.0%	99.0%	0.5%	0.5%	88.5%	7.7%	3.9%	2	Soft	50	0.5	20
31	71.2	71.7	71.8	65	141	304	Devlin Road	n/o Green Island	5,224	40	0.0%	5.0%	47.5%	47.5%	98.3%	0.1%	1.6%	2	Soft	50	0.5	20

Roadway	Segment	Existing ADT	2040 Buildout ADT	Existing Traffic Noise Level at 50 feet (dBA CNEL)	2040 Traffic Noise Level at 50 feet (dBA CNEL)	Traffic Noise Increase (dBA CNEL)	Significant? (Y/N)
I-80	South of SR 37	110,006	117,514	83.6	83.9	0.3	N
I-80	South of American Canyon Road	109,042	121,991	83.4	83.9	0.5	N
I-80	South of Red Top Road	112,650	128,806	83.6	84.2	0.6	N
I-80	South of SR 12	97,782	113,977	83.0	83.7	0.7	N
I-80	North of SR 12	136,706	155,682	84.9	85.5	0.6	N
SR 29	South of SR 37	24,051	26,059	73.2	73.5	0.3	N
SR 29	North of SR 37	43,483	40,444	77.1	76.8	-0.3	N
SR 29	South of Mini Drive	37,492	37,666	76.3	76.4	0.0	N
SR 29	North of Mini Drive	43,469	43,575	76.6	76.6	0.0	N
SR 29	North of American Canyon Road	49,579	51,132	77.1	77.2	0.1	N
SR 29	South of Napa Junction Road	40,762	36,053	77.1	76.5	-0.5	N
SR 29	North of Napa Junction Road	59,044	60,310	78.6	78.7	0.1	N
SR 29	North of Green Island Road	60,263	62,189	79.2	79.3	0.1	N
SR 29	South of SR 12	59,200	62,560	78.9	79.1	0.2	N
SR 29	North of SR 12	88,600	106,300	80.4	81.2	0.8	N
Airport Boulevard	West of SR 29	10,500	10,341	69.5	69.4	-0.1	N
SR 12	East of North Kelly Road	35,033	36,038	78.8	78.9	0.1	N
SR 12	West of Red Top Road	37,179	38,106	78.9	79.0	0.1	N
SR 37	West of SR 29	39,980	39,074	77.0	76.9	-0.1	N
SR 37	East of SR 29	62,495	63,592	78.8	78.9	0.1	N
SR 37	East of Fairgrounds Road	69,800	69,800	79.4	79.4	0.0	N
SR 37	East of I-80	42,000	47,776	76.6	77.2	0.6	N
American Canyon Road	West of SR 29	15,330	10,935	69.5	68.1	-1.5	N
American Canyon Road	East of Flosden Road	10,771	14,194	67.1	68.3	1.2	N
American Canyon Road	West of I-80	4,076	7,610	66.0	68.7	2.7	Y
Hiddenbrook Parkway	East of I-80	6,023	6,943	64.5	65.1	0.6	N
Flosden Road	South of American Canyon Road	21,510	29,362	71.1	72.5	1.4	N
Newell Drive	North of American Canyon Road	9,685	28,072	64.0	68.7	4.6	Y
Newell Drive	South of Napa Junction Road	-	21,790	-	67.6	-	N
South Kelly Road	South of SR 12	1,602	11,310	59.2	67.7	8.5	Y
Devlin Road	North of Green Island Road	-	5,224	-	71.8	-	N

Noise Model Based on Federal Transit Adminstration General Transit Noise Assessment
Developed for Chicago Create Project
Copyright 2006, HMMH Inc.
Case: CFNR - Calistoga to Vallejo

RESULTS			
Noise Source	**Ldn (dB)**	**Leq - daytime (dB)**	**Leq - nighttime (dB)**
All Sources	65	41	59
Source 1	63	41	57
Source 2	60	24	54
Source 3	0	0	0
Source 4	0	0	0
Source 5	0	0	0
Source 6	0	0	0
Source 7	0	0	0
Source 8	0	0	0

Enter noise receiver land use category below.

LAND USE CATEGORY	
Noise receiver land use category (1, 2 or 3)	2

Enter data for up to 8 noise sources below - see reference list for source numbers.

NOISE SOURCE PARAMETERS						
Parameter	**Source 1**		**Source 2**		**Source 3**	
Source Num.	Freight Locomotive	9	Freight Cars	10		
Distance (source to receiver)	distance (ft)	35	distance (ft)	35		
Daytime Hours	speed (mph)		speed (mph)			
(7 AM - 10 PM)	trains/hour		trains/hour			
	locos/train		length of cars (ft) / train			
Nighttime Hours	speed (mph)	10	speed (mph)	10		
(10 PM - 7 AM)	trains/hour	0.45	trains/hour	0.45		
	locos/train	1	length of cars (ft) / train	900		
Wheel Flats?			% of cars w/ wheel flats	0.00%		
Jointed Track?	Y/N	n	Y/N	n		
Embedded Track?	Y/N	n	Y/N	n		
Aerial Structure?	Y/N	n	Y/N	n		
Barrier Present?	Y/N	n	Y/N	n		
Intervening Rows of of Buildings	number of rows		number of rows			

SOURCE REFERENCE LIST	
Source	**Number**
Commuter Electric Locomotive	1
Commuter Diesel Locomotive	2
Commuter Rail Cars	3
RRT/LRT	4
AGT, Steel Wheel	5
AGT, Rubber Tire	6
Monorail	7
Maglev	8
Freight Locomotive	9
Freight Cars	10
Hopper Cars (empty)	11
Hopper Cars (full)	12
Crossover	13
Automobiles	14
City Buses	15
Commuter Buses	16
Rail Yard or Shop	17
Layover Tracks	18
Bus Storage Yard	19
Bus Op. Facility	20
Bus Transit Center	21
Parking Garage	22
Park & Ride Lot	23

Noise Model Based on Federal Transit Adminstration General Transit Noise Assessment
Developed for Chicago Create Project
Copyright 2006, HMMH Inc.
Case: CFNR - Ignacio to Fairfield/Suisun

RESULTS			
Noise Source	**Ldn (dB)**	**Leq - daytime (dB)**	**Leq - nighttime (dB)**
All Sources	65	38	59
Source 1	63	38	57
Source 2	60	21	55
Source 3	0	0	0
Source 4	0	0	0
Source 5	0	0	0
Source 6	0	0	0
Source 7	0	0	0
Source 8	0	0	0

Enter noise receiver land use category below.

LAND USE CATEGORY	
Noise receiver land use category (1, 2 or 3)	2

Enter data for up to 8 noise sources below - see reference list for source numbers.

NOISE SOURCE PARAMETERS						
Parameter	**Source 1**		**Source 2**		**Source 3**	
Source Num.	Freight Locomotive	9	Freight Cars	10		
Distance (source to receiver)	distance (ft)	50	distance (ft)	50		
Daytime Hours	speed (mph)		speed (mph)			
(7 AM - 10 PM)	trains/hour		trains/hour			
	locos/train		length of cars (ft) / train			
Nighttime Hours	speed (mph)	25	speed (mph)	25		
(10 PM - 7 AM)	trains/hour	0.6	trains/hour	0.6		
	locos/train	1	length of cars (ft) / train	900		
Wheel Flats?			% of cars w/ wheel flats	0.00%		
Jointed Track?	Y/N	n	Y/N	n		
Embedded Track?	Y/N	n	Y/N	n		
Aerial Structure?	Y/N	n	Y/N	n		
Barrier Present?	Y/N	n	Y/N	n		
Intervening Rows of of Buildings	number of rows		number of rows			

SOURCE REFERENCE LIST	
Source	**Number**
Commuter Electric Locomotive	1
Commuter Diesel Locomotive	2
Commuter Rail Cars	3
RRT/LRT	4
AGT, Steel Wheel	5
AGT, Rubber Tire	6
Monorail	7
Maglev	8
Freight Locomotive	9
Freight Cars	10
Hopper Cars (empty)	11
Hopper Cars (full)	12
Crossover	13
Automobiles	14
City Buses	15
Commuter Buses	16
Rail Yard or Shop	17
Layover Tracks	18
Bus Storage Yard	19
Bus Op. Facility	20
Bus Transit Center	21
Parking Garage	22
Park & Ride Lot	23

FRA Grade Crossing Noise Model

User Input	
Noise Situation (Pick from List)	1
Horn Lmax (dBA) @ 100 feet	104
Horn Location on Locomotive(Pick from List)	1
Non Train Noise Environment (pick from list)	2
Shielding (Pick from List)	3
Length of Impact Area (pick from list)	1
Existing Train Speed (mph)	10
Future Train Speed (mph)	10
Number of Existing Trains in one Direction	2
Number of Future Trains in one Direction	2
Existing Number of Day Trains (7 am to 10 p.m.)	1.25
Future Number of Day Trains (7 am to 10 p.m.)	1.25
Existing Number of Night Trains (10 p.m. to 7 am)	0.75
Future Number of Night Trains (10 p.m. to 7 am)	0.75
Existing Average Number of Cars	15
Future Average Number of Cars	15
Existing Average Number of Locomotives	1
Future Average Number of Locomotives	1

Noise Situation	
Horns Existing and Future	1
Horns in Future Only	2
No Horns Existing and Future	3

Horn Location on Locomotive			
National Average (50% front, 50% middle)			1
All Front Mounted			2
All Middle Mounted			3
User Defined	80	% front mounted horns	4

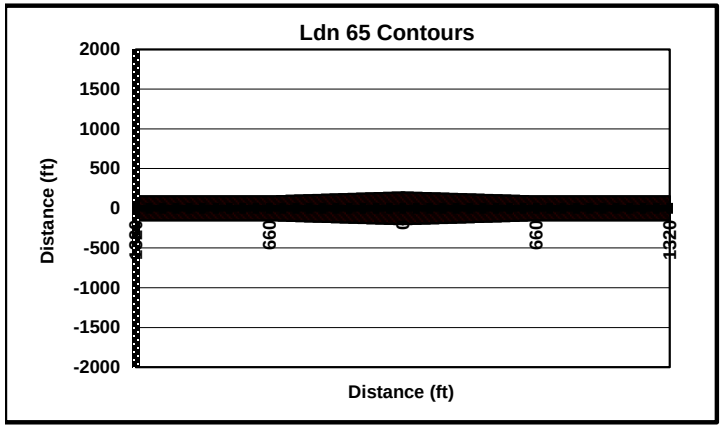
Non Train Noise Environment			
Urban			1
Suburban			2
Rural			3
User Defined Ldn =	50	dBA	4

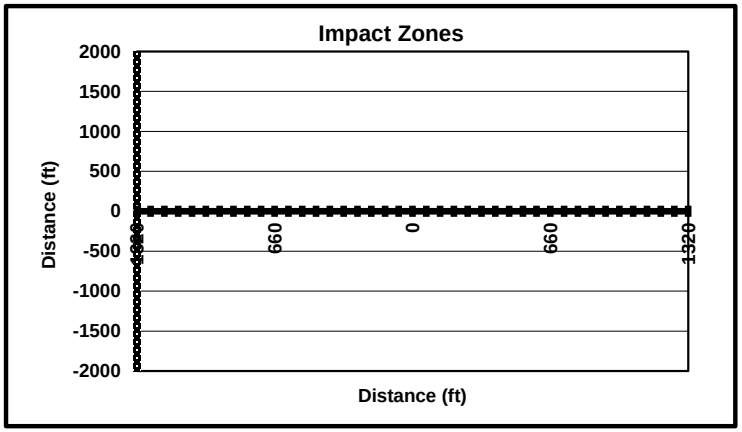
Shielding	
Dense Urban	1
Light Urban	2
Dense Suburban	3
Light Suburban	4
Rural	5
No Shielding	6

Length of Impact Area	
1/4 mile	1
20 seconds	2
15 seconds	3

Ldn 65 Contours Numeric Output (in feet)	
Existing 65 Ldn Contour at X-ing	199
Future 65 Ldn Contour at X-ing	199
Existing 65 Ldn Contour at 1/2 zone length	149
Future 65 Ldn Contour at 1/2 zone length	149
Zone Length	1320
1/2 Zone Length	660

Impact Zones Numeric Output (in feet)	
Impact Distance at X-ing	0
Severe Impact Distance at X-ing	0
Impact Distance at 1/2 zone length	0
Severe Impact Distance at 1/2 zone length	0
Zone Length	1320
1/2 Zone Length	660





FRA Grade Crossing Noise Model

User Input	
Noise Situation (Pick from List)	1
Horn Lmax (dBA) @ 100 feet	104
Horn Location on Locomotive(Pick from List)	1
Non Train Noise Environment (pick from list)	2
Shielding (Pick from List)	3
Length of Impact Area (pick from list)	1
Existing Train Speed (mph)	25
Future Train Speed (mph)	25
Number of Existing Trains in one Direction	2.5
Number of Future Trains in one Direction	2.5
Existing Number of Day Trains (7 am to 10 p.m.)	1.5625
Future Number of Day Trains (7 am to 10 p.m.)	1.5625
Existing Number of Night Trains (10 p.m. to 7 am)	0.9375
Future Number of Night Trains (10 p.m. to 7 am)	0.9375
Existing Average Number of Cars	15
Future Average Number of Cars	15
Existing Average Number of Locomotives	1
Future Average Number of Locomotives	1

Noise Situation	
Horns Existing and Future	1
Horns in Future Only	2
No Horns Existing and Future	3

Horn Location on Locomotive			
National Average (50% front, 50% middle)			1
All Front Mounted			2
All Middle Mounted			3
User Defined	80	% front mounted horns	4

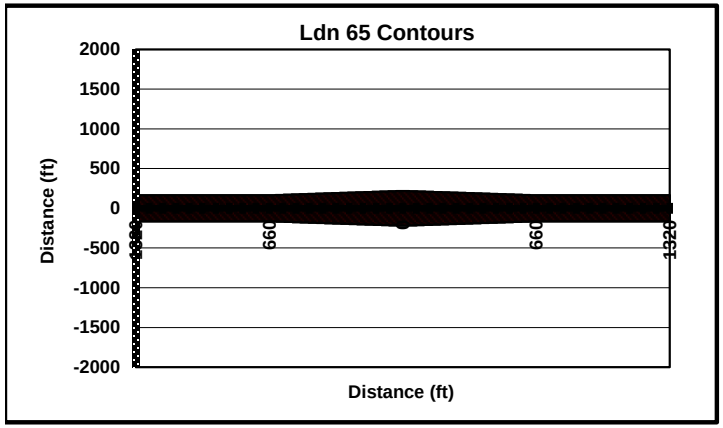
Non Train Noise Environment			
Urban			1
Suburban			2
Rural			3
User Defined Ldn =	50	dBA	4

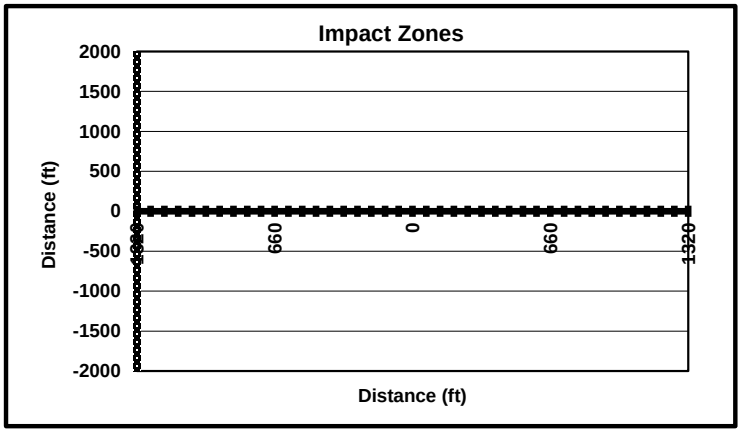
Shielding	
Dense Urban	1
Light Urban	2
Dense Suburban	3
Light Suburban	4
Rural	5
No Shielding	6

Length of Impact Area	
1/4 mile	1
20 seconds	2
15 seconds	3

Ldn 65 Contours Numeric Output (in feet)	
Existing 65 Ldn Contour at X-ing	218
Future 65 Ldn Contour at X-ing	218
Existing 65 Ldn Contour at 1/2 zone length	163
Future 65 Ldn Contour at 1/2 zone length	163
Zone Length	1320
1/2 Zone Length	660

Impact Zones Numeric Output (in feet)	
Impact Distance at X-ing	0
Severe Impact Distance at X-ing	0
Impact Distance at 1/2 zone length	0
Severe Impact Distance at 1/2 zone length	0
Zone Length	1320
1/2 Zone Length	660





From: Brent Cooper
Sent: Thursday, March 20, 2025 6:22 PM
To: Kara Vernor
Cc: Erica Ahmann Smithies; William He; Jason Holley; Carlotta Sainato; Gianna Meschi; Bill Ross - External; Communications
Subject: Napa County Bicycle Coalition Crawford Way Apartment and General Plan Comments

Hello Kara,

I would like to thank you for your thoughtful comments on the 2040 General Plan update. We greatly value our partnership with the Napa County Bicycle Coalition.

We agree with nearly all your proposed changes and have notated your comment letter to identify the changes that have been incorporated into the General Plan.

One area of your comment letter that staff is unable to accommodate involves the Bike Coalition's recommendations for service standards. Examples include committing to a specific percentage VMT reduction by 2045, completing 50% of our active transportation network by 2040, street sweeping schedules, and similar suggestions.

While staff does not necessarily disagree with the intent and benefits of these standards, they require City Council policy direction related to general plan implementation. Your letter will be included in the agenda packet for all three Commissions (Planning, OSATS, and PCS) as well as the City Council packet, which ensures that your ideas will reach our Commissioners and Council members.

We appreciate your interest in the General Plan Update and look forward to continuing to discuss ideas for improved active transportation in American Canyon.

Best regards,

Brent Cooper, AICP
Community Development Director
City of American Canyon | 4381 Broadway Street, Suite 201, CA 94503
(707) 647-4335 | americancanyon.gov

NAPA COUNTY BICYCLE COALITION

December 28, 2024

Jason Holley, City Manager, City of American Canyon
4381 Broadway Street, Suite 201,
American Canyon, CA 94503

RE: 2040 General Plan Update

Dear Mr. Holley,

The Napa County Bicycle Coalition—which works to make biking in Napa County safe, accessible, and convenient—appreciates many of the goals and guiding principles of the draft 2040 General Plan ("the Plan"), including the intention to "Include funding for the City's Bicycle Plan updates and bikeway improvements consistent with the Bicycle Plan in the City's transportation financing program and TIF, recognizing the multi-modal travel needs of the City." We appreciate the attention throughout the Plan to active transportation and to how it is recognized as a key strategy to meet climate goals.

We also noticed several opportunities where we believe new or updated language would make the plan stronger and better set it up for success. Those changes are detailed in the table below, but we also wanted to note the following to give context to our requests and recommendations:

- We would like to see the Open Space, Active Transportation, and Sustainability Commission (OSATS) explicitly included in decision-making on active transportation facilities, especially when the City of American Canyon is considering deviating from its Active Transportation Plan, on which, presumably, the OSATS will have provided input. This will help leverage the unique perspective and expertise the OSATS can provide and to increase the return on investment the City has made in convening this advisory body.
- We urge the City to be as specific and measurable as possible in setting goals and policies. If including specific targets, such as those related to reducing Vehicle Miles Traveled or implementing the Active Transportation Plan, comes with concerns, then inserting "strive to meet…", or a similar phrase is an option, too. Setting and including specific targets helps all staff and community members to be on the same page, it signals true commitment, and it aids in setting appropriate timelines.
- We request that the City consider including policies related to Safe Routes to School, a partnership that is integral to increasing safety and educating and encouraging active transportation users. Funding for Safe Routes programming is tenuous each year and will need the ongoing collaboration of all jurisdictions to ensure its sustainability. Currently, the American Canyon Police Department supports Safe Routes programming in American Canyon by sharing the quarterly data that is required to secure funding, and a representative will begin participating in the Safe Routes to School Advisory Committee in 2025. As well, a policy related to securing and maintaining a Bicycle Friendly Communities designation would help build on current momentum toward this goal and would help maintain the effort into the future.

Napa County Bicycle Coalition's
Recommended Changes to the Draft 2040 General Plan

Policy	Current Language	Suggested Revisions/Comments/Questions
MOB-1.2	Complete Street Standards. Review current arterial, collector, and local street standards and update as necessary to conform to best practice classification standards and NACTO complete streets guidelines.	*Consider also including the recently released 5th Edition of Comprehensive Bike Guide by AASHTO, which will be incorporated into NVTA's Active Transportation Plan update.*
MOB-1.4	Development Review. Evaluate new development to ensure that the safety, comfort, and convenience of pedestrians, bicyclists and transit users are given equal level of consideration to motor vehicle operators.	Development Review. Evaluate new development to ensure that the safety, comfort, and convenience of pedestrians, bicyclists and transit users are given an equal or greater level of consideration to motor vehicle operators. *(Note: this change will help reduce VMT).* Response: Change made.
MOB-1.7	Promote Walking and Bicycling. Promote walking and bicycling for transportation, recreation, and improvement of public Health.	Promote Walking and Bicycling. Promote walking and bicycling for transportation, recreation, and improvement of public Health and the environment. Response: Change made.
MOB-1.9	SR 29 Mobility. Work with regional partners, including Caltrans, NVTA, and other agencies to explore a complete streets approach that will expand the travel capacity of SR 29.	SR 29 Mobility. Work with regional partners, including Caltrans, NVTA, and other agencies to explore a complete streets approach that will expand the travel capacity of SR 29 and establish a low-stress method for crossing for students walking and biking to school and other active transportation users Response: Change made.
MOB-1.15	Existing Facility Use. Make efficient use of existing transportation facilities and improve these facilities as necessary in accordance with the Circulation Map.	Existing Facility Use. Make efficient use of existing transportation facilities and improve these facilities as necessary in accordance with the Circulation Map and NVTA Active Transportation Plan. Response: Change made.
MOB-1.17	Reduce Vehicle Miles Traveled. Through layout of land uses, improved alternate travel modes, and provision of more direct routes, strive to reduce the total vehicle miles traveled by city and non-residents traveling to American Canyon to work or shop.	Reduce Vehicle Miles Traveled. Through layout of land uses, improved alternate travel modes, and provision of more direct routes for all modes of travel, ~~strive to~~ reduce the total vehicle miles traveled by city and non-residents ~~traveling to American Canyon to work or shop~~ by 30% by 2045 (with 2019 levels as the baseline), per the California Air Resources Board's Scoping Plan. Response: Revised to add all modes of travel. Will inform PC and CC that NCBC is requesting VMT performance measure.
MOB-1.22	Non-motorized Circulation System. Provide safe and direct pedestrian routes and bikeways between places.	Non-motorized Circulation System. Provide safe, low-stress, and direct pedestrian routes and bikeways between places. **Aim to complete at least 50% of the planned bike and pedestrian network outlined in NVTA's Active Transportation Plan by 2040.** Response: Revised to add low stress. Will inform PC and CC that NCBC is requesting bike and ped network performance measure.

MOB-1.24	Bicycle Facilities. Bicycle facilities shall be provided to complete a continuous bikeway system, consistent with state standards, as shown on the Bikeway Plan Map. In cases where existing right of way	Bicycle Facilities. Bicycle facilities shall be provided to complete a continuous, low-stress bikeway system, consistent with ~~state standards~~ the Active Transportation Plan ~~as shown on the Bikeway Plan Map~~. In cases where existing right of

	constraints limit development of Class II or Class IV facilities, Class Ill signage and demarcation may be permitted at the discretion of the City Engineer. Deviations from these standards and from the routing shown on the diagram shall be permitted with the approval of the City Engineer.	way constraints limit development of Class I, II or IV facilities, ~~Class Ill signage and demarcation may be permitted at the discretion of the City Engineer~~ the City of American Canyon will strive to provide an alternative low-stress route, rather than installing facilities that are not low-stress. Deviations from these standards and from the routing shown on the diagram shall be first reviewed by the Open Space, Active Transportation, and Sustainability Commission and will be permitted with the approval of the City Engineer only when an Exception Standard has been met with substantial evidence. Response: Revised the policy to address a greater range of possibilities in the future and better clarify responsibility for technical approvals by the City Engineer and policy approvals by the City Council.
MOB-2.2	Context Sensitive Design. Improve multimodal transportation safety by expanding the City' s non- motorized transportation infrastructure using context sensitive design.	Context Sensitive Design. Apply a context sensitive design lens to improve multimodal transportation safety while expanding the City's non- motorized transportation infrastructure ~~using context sensitive design~~. Response: Revised the policy per recommendation.
MOB-2.3	Bicycle Safety. Increase the safety of those traveling by bicycle by sweeping debris from and repairing bicycle paths and lanes.	Bicycle ~~Safety~~ Facilities Maintenance. Increase the safety of those traveling by bicycle by sweeping debris from bicycle paths and lanes at least twice per month and repairing and restriping worn or damaged facilities. Response: Revised the policy per recommendation except the 2 times per month performance measure.
MOB-2.4	Improved Bikeway Visibility. Use visual cues, such as brightly colored paint on bike lanes or a one-foot painted buffer strip, along bicycle routes to provide a visual signal to drivers to watch out for bicyclists and nurture a " share the lane" ethic, prioritizing bikeways with recent automobile- bicycle collisions.	Upgrade Existing Bikeways using all means available—such as conflict markings, buffers, rumble strips, and delineators—to make bikeways safer and lower stress and to catch up with evolving best practices, prioritizing bikeways with recent automobile- bicycle collisions and those that are routes to school. Response: Revised the policy per recommendation.

MOB-2.5	Speeds on Residential and Arterial Streets. Explore innovative ways to reduce vehicular speeds through residential neighborhoods to posted speed limits, such as implementing traffic calming strategies such as: enhanced cross walks, lighted crosswalks, reducing lane widths, and others.	Speeds on Residential, Collector, and Arterial Streets. ~~Explore innovative ways to~~ Implement American Canyon's Traffic Calming Program that includes evidence-based ~~ways to~~ methods of reducing vehicular speeds through residential neighborhoods ~~to posted speed limits~~, such as ~~implementing traffic calming strategies~~: enhanced cross walks, lighted crosswalks, reducing lane widths, and others. Response: Reworded policy to emphasize the need to consider best practices in traffic calming measures.
MOB 2.7		**Partner with public, nonprofit, and community stakeholders** to secure dedicated funding **for the education and infrastructure needs of the Countywide Safe Routes To School Partnership** to provide safe and equitable access for students going by active transportation to local schools. Response: Added this new policy.
MOB 1.29		Secure and maintain status as a Bicycle Friendly Community. Response: Added this new policy.

ENV-9.5	Vehicle Miles Travelled Reduction. Reduce vehicle miles travelled by encouraging future land uses that feature a compact mixed- use urban form connected with pedestrian and bicycle trails.	Vehicle Miles Travelled Reduction. Reduce vehicle miles travelled by 30% by 2045 (with 2019 levels as the baseline), per the California Air Resources Board's Scoping Plan by encouraging future land uses that feature a compact mixed-use urban form connected with pedestrian and bicycle trails.
ENV-10.10	Active Transportation. Improve active transportation options within the city by connecting local bikeways and trails to City bus stops and public transportation centers.	Active Transportation. Improve active transportation options within the city by connecting local bikeways and trails to City bus stops, public transportation centers, and major destinations, and **aiming to complete at least 50% of the planned bike and pedestrian network by 2040.**
ENV-11.9	Countywide Bicycle and Pedestrian Plans. Work with the County to implement the best practices provided within the American Canyon edition of the Napa Countywide Bicycle Plan and Napa Countywide Pedestrian Plan.	Countywide Bicycle and Pedestrian Plans. Work with the County to implement the best practices provided within the American Canyon edition of the most up-to-date Napa Countywide Bicycle Plan and Napa Countywide Pedestrian Plan/Active Transportation Plan, **aiming to complete at least 50% of the planned bike and pedestrian network by 2040.**
MOB-Figure 6 Pg M-17	MOB- Figure 6: Standard Roadway Cross Sections	*Update this figure or note that 5' bike lanes excluding gutter pan with 3' buffers containing delineators are standard for bike lanes along all types of arterials and often for major collectors, too.*
Types of Bikeways Pg M-21	Types of Bikeways	*Update to include Class 2Bs.*

Thank you for your consideration of these changes. Given the significance and scope of this Plan, and the opportunity it presents to address our climate emergency and create a meaningful shift to Complete Streets, we urge all involved to ensure the document reflects more commitment to its goals and truly enables and empowers the City to realize the 2040 General Plan.

Should you have any questions about the above comments, please contact me at (707) 258-6318 or at kvernor@napabike.org. Thank you for your time and your ongoing hard work on this Plan.

Sincerely,

Kara Vernor
Executive Director

American Canyon 2040 General Plan Update

Final Environmental Impact Report

SCH# 2022070038

prepared by

City of American Canyon
4381 Broadway Street, Suite 201
American Canyon, California 94503
Contact: Brent Cooper, AICP, Community Development Director

prepared with the assistance of

Rincon Consultants, Inc.
449 15th Street, Suite 303
Oakland, California 94612

March 2025

RINCON CONSULTANTS, INC. SINCE 1994

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Appendices

Revised Appendix B Special Status Species

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1 Introduction

1.1 Final EIR Contents

This Final Environmental Impact Report (EIR) has been prepared by the City of American Canyon (City) to evaluate the potential environmental impacts of the proposed 2040 General Plan Update Project (hereafter also referred to as "project").

Pursuant to *California Environmental Quality Act* (CEQA) *Guidelines* Sections 15088 and 15132, the City of American Canyon, as the lead agency, is required to evaluate comments on environmental issues received from persons who have reviewed the Draft EIR and to prepare written responses to those comments. This document together with the Draft EIR (incorporated by reference) comprise the Final EIR for the project. This Final EIR includes individual responses to each letter received during the public review period for the Draft EIR. In accordance with *CEQA Guidelines* Section 15088(c), the written responses describe the disposition of significant environmental issues raised.

The City has provided a good faith effort to respond to all significant environmental issues raised by the comments. The Final EIR also includes minor clarifications, corrections, or revisions to the Draft EIR suggested by certain comments. The Final EIR includes the following contents:

- Section 1: Introduction
- Section 2: Responses to Comments on the Draft EIR
- Section 3: Minor Revisions to the Draft EIR
- Section 4: Recirculation Not Warranted

1.2 Draft EIR Public Review Process

Pursuant to CEQA, lead agencies are required to consult with public agencies with jurisdiction over a proposed project and to provide the general public with an opportunity to comment on the Draft EIR.

The City of American Canyon filed a notice of completion (NOC) with the Governor's Office of Planning and Research to begin a minimum of a 45-day public review period (Public Resources Code [PRC] Section 21161), which began on September 27, 2024, and ended on December 27, 2024. The Draft EIR was made available on the City's website.[1] In addition, the Draft EIR was made available for review at the City's offices at 4381 Broadway Street, Suite 201; the City Library at 300 Crawford Way; and the Active Adults Center at 2185 Elliot Drive. A Notice of Availability (NOA) of the Draft EIR was published on September 27, 2024. As a result of these notification efforts, the City received eight written comments on the content of the Draft EIR. Section 2, "Responses to Comments on the Draft EIR," identifies these commenting parties, their respective comments, and responses to these comments. None of the comments received, or the responses provided, constitute "significant new information" by CEQA standards (*CEQA Guidelines* Section 15088.5).

[1] Draft EIR for the project is available here: https://portal.laserfiche.com/Portal/DocView.aspx?id=232476&repo=r-f53bdda4

1.3 EIR Certification Process and Project Approval

Before adopting the project, the lead agency is required to certify that the EIR has been completed in compliance with CEQA, that the decision-making body reviewed and considered the information in the EIR, and that the EIR reflects the independent judgment of the lead agency.

Upon certification of an EIR, the lead agency makes a decision on the project analyzed in the EIR. A lead agency may: (a) disapprove a project because of its significant environmental effects; (b) require changes to a project to reduce or avoid significant environmental effects; or (c) approve a project despite its significant environmental effects, if the proper findings and statement of overriding considerations are adopted (*CEQA Guidelines* Sections 15042 and 15043).

In approving a project, for each significant impact of the project identified in the EIR, the lead or responsible agency must find, based on substantial evidence, that either: (a) the project has been changed to avoid or substantially reduce the magnitude of the impact; (b) changes to the project are within another agency's jurisdiction and such changes have or should be adopted; or (c) specific economic, social, or other considerations make the mitigation measures or project alternatives infeasible (*CEQA Guidelines* Section 15091). Pursuant to PRC Section 21061.1, feasible means capable of being accomplished in a successful manner within a reasonable period of time, taking into account, economic, environmental, legal, social, and technological factors.

While the information in the EIR does not constrain the City's ultimate decision under its land use authority, the City must respond to each significant effect and mitigation measure identified in the EIR as required by CEQA by making findings supporting its decision. If an agency approves a project with unavoidable significant environmental effects, it must prepare a written Statement of Overriding Considerations that sets forth the specific social, economic, or other reasons supporting the agency's decision and explains why the project's benefits outweigh the significant environmental effects (*CEQA Guidelines* Section 15093).

When an agency makes findings on significant effects identified in the EIR, it must adopt a reporting or monitoring program for mitigation measures that were adopted or made conditions of project approval to mitigate significant effects (*CEQA Guidelines* Section 15091[d]).

2 Responses to Comments on the Draft EIR

This section includes comments received during public circulation of the Draft Environmental Impact Report (EIR) prepared for the City of American Canyon 2040 General Plan Update project. The comment letters included herein were submitted to the City of American Canyon by public agencies, an organization, and individuals. The City prepared these responses to written comments received to address the environmental concerns raised by the commenters and to indicate where and how the Draft EIR addresses pertinent environmental issues. The Draft EIR was circulated for a 111-day public review period that began on September 27, 2024, and ended on December 27, 2024. The City of American Canyon received nine comment letters on the Draft EIR. The commenters and the page number on which each commenter's letter appear are listed below.

Letter No. and Commenter		Page No.
1	Napa Climate NOW!	2-2
2	Maia Medalle	2-10
3	Jodi Cruz	2-12
4	Caltrans	2-14
5	Yvonne Baginski	2-22
6	California Department of Fish and Wildlife	2-38
7	Napa County Bicycle Coalition	2-67
8	Clark Morrison	2-77
9	Napa Valley Transportation Authority	2-79

2.1 Comment Letters and Responses

Written responses to each comment letter received on the Draft EIR are provided in this section. All letters received on the Draft EIR are provided in their entirety. The comment letters have been numbered sequentially and each separate issue raised by the commenter, if more than one, has been assigned a number. The responses to each comment identify first the number of the comment letter, and then the number assigned to each issue (Response 1-1, for example, indicates that the response is for the first issue raised in comment Letter 1).

Revisions made to the text of the Draft EIR are provided in Section 3, *Minor Revisions to the Draft EIR*, including corrected information, data, or intent. Where a comment results in a revision to the Draft EIR text, a notation is made in the response indicating that the text is revised. Within the *Minor Revisions to the Draft EIR*, revisions in text are signified by strikeouts (~~strikeouts~~) where text is removed and by underlined font (underlined font) where text is added.

Following public review of an EIR, lead agencies are directed to "evaluate comments on environmental issues received from persons who reviewed the draft EIR and prepare a written response" (*CEQA Guidelines* Section 15088(a)). Some of the comments that were received on the Draft EIR did not address specific environmental issues or effects associated with the project or the adequacy of the analysis contained in the Draft EIR. No additional analysis or response is required for these types of comments. All comments, however, will be noted and made available to applicable decision-makers as they consider the project.

Letter 1

Dear Planning Commissioners,

The website eComment portal can accommodate part of our comment Please accept our complete comment, including reference materials, below. 1-1

Thank you for all you are doing to develop a General Plan to guide the development of American Canyon through 2040. The goals and policies you adopt are crucial to safeguarding the lives and livelihoods of American Canyon residents and, in the process, helping all of Napa County and beyond in becoming more climate resilient.

We are writing this letter today to weigh in on this important General Plan workshop discussion; namely, whether American Canyon should retain its 2030 net-zero focus as a firm commitment. Current drafts of the General Plan Policy Document and Draft EIR do not specify this goal. On behalf of residents throughout Napa County, we urge you to stand strong in support of the 2030 goal, along with each of the other jurisdictions in Napa County, Napa Valley Unified School District, Napa RCD, and surrounding communities. 1-2

American Canyon has been a leader in the county, inspiring other jurisdictions with its climate-positive initiatives – water savings, residential energy efficiency scoring requirements above minimum building code levels, solar installations, no new gas stations, open space commitments, new bike lanes, and more. These initiatives are serving the vital interests of American Canyon residents and are important building blocks toward climate resilience. They are also in line with the 2030 net zero climate pollution goal. 1-3

Pulling back from a firm 2030 commitment could easily undermine these initiatives in the coming years, which face recurring challenges from interested parties. Pulling back could also delay or prevent the adoption of additional measures needed to protect city residents and environs, and discourage collective Countywide Climate Action Committee efforts. As guardians of the public trust, elected government officials and agencies, and committees and commissions established in the public interest, such as the Planning Commission, are in a unique position to weigh the benefits and costs of development from a holistic community perspective. And now, more than ever, there is a need for this kind of leadership as climate change continues to accelerate unabated. 1-4 1-5

The science is clearly on the side of 2030. In the latest intergovernmental consensus report (IPCC AR6), the world's climate scientists agreed that the earth is very likely to exceed the dangerous threshold of 1.5°C above normal on a sustained basis by the early 2030s, and as early as 2030. (The planet has already surpassed this threshold, first in 2015 and again this year.) As you know, record heat waves, hurricanes, flooding, and wildfires have put communities across the country at extreme risk, along with whole ecosystems vital to our environment and economy. Smoke blanketing large parts of the county are another stark reminder of what we have lived through in recent years, with clear respiratory and other health consequences for American Canyon residents. 1-6

Community resources, such as Napa County Resource Conservation District, are committed to 2030 and stand ready to support cities in making the transition to net zero by 2030 through innovative farm, forest, urban and wild lands management. Our schools are committed to 2030. And state and federal resources, including millions in infrastructure and other climate funds made available through the 2022 Inflation Reduction Act, are now available to help American Canyon meet its 2030 goal. 1-7

In short, the 2030 goal post is not an artificial date established for aspirational or political purposes, but rather is grounded in unfortunate changes in climate that we simply cannot afford to ignore. Decisions and delays of the past several decades have put today's elected officials, residents, corporations, and youth in the untenable position of having to make extremely hard choices. And every single year we delay taking decisive action to make our home more climate resilient, climate scientists remind us that our opportunity to do so diminishes. That's because as the globe warms, devastating feedback loops are being set into motion that are accelerating the change. 1-8

At the same time, it is helpful to consider that the changes we make now can still make a difference, and indeed, support a thriving economy. In addition, it is crucial to recognize that the cost of working to achieve net zero will ultimately pay off, while the cost of inaction or delay will be much, much greater — not only in dollars and cents, but in the devastating impacts on people's lives.

Please support the retention of 2030 as a firm net zero goal in all planning and development, for our children's sake. 1-9

Sincerely,
Napa Climate NOW! Steering Committee:
Lynne Baker – nurse, grandmother
Chris Benz – retired winemaker, grandmother
Linda Brown – environmental standards and climate accounting professional, mother
Marilyn Knight-Mendelson – retired educator, grandmother
Jim Wilson – retired quality assurance professional, grandfather

1-9

Addendum - References to commitment to a goal of net zero climate pollution by or before 2030

The City of American Canyon website, Climate & Sustainability, states in its Overview:

The City of American Canyon prides itself on being leaders in environmental action, responsible growth and a sustainable future.

It refers to the RCAAP Project Website

In 2021, each local government adopted Resolutions or Proclamations regarding the "Countywide Commitment to Address Climate Change." The resolutions include efforts to:

- *A climate emergency exists and threatens our region, state, country, and world.*
- *Each jurisdiction commits to a goal of net zero climate pollution by or before 2030 and to implement both immediate and sustained actions to achieve the goal.*
- *Each jurisdiction recognizes the need to work with community organizations, businesses, schools, regional partners, and jurisdictions to support comprehensive, immediate, and sustained action to achieve collaboratively with each other and alongside community organizations, businesses, schools, and regional partners goals of net zero climate pollution by or before 2030.*

1-10

Napa County's Procurement Website outlines the specific requirements for the Regional Climate Action and Adaptation Plan (RCAAP), and stipulates the shared goal of the regional GHG reduction effort is to achieve net zero GHG emissions by 2030.

Napa County RFP - Regional Climate Action and Adaptation Plan ConsultantRFP No. PBES092301

The purpose of the RCAAP is to prepare a comprehensive plan for the Cities of American Canyon, Calistoga, Napa, and St. Helena, the Town of Yountville, and the County of Napa to achieve the goal of carbon neutrality (net zero greenhouse gas (GHG) emissions) by the year 2030.

It also notes the date that each of the cities adopted climate emergency resolutions with 2030 net zero emissions commitments, including American Canyon's:

City of American Canyon adopted Resolution No. 2022-07 on February 1, 2022, which set a goal of net zero climate pollution by or before 2030.

The City of Napa, a partner in the Regional Climate Action and Adaptation Plan (RCAAP), has a newly adopted General Plan that incorporates a Climate Change and Sustainability Element. It establishes goals and policies consistent with its Climate Emergency Resolution's 2030 net zero goal:

Policy CCS 1-1 which seeks to achieve net zero climate pollutants from public and private operations within the City by 2030. It references its April 5, 2022 Climate Emergency Resolution R2022-030, and lists 57 climate actions in support of the 2030 goal.

During preparation of the Draft General Plan, on April 5, 2022, the City Council adopted Resolution R2022-030, a resolution declaring a climate emergency, furthering the City's commitment to combating Climate Change. This

resolution added the City of Napa to a growing list of communities committed to a goal of Net Zero Climate pollution by 2030 and demonstrates the City's commitment to implementing goals and policies in the General Plan through actionable tasks and projects. Additionally, the resolution calls upon the City to evaluate all planning and policy decisions with the lens of this commitment to climate change initiatives.

1-10

Allison Bencsik, American Canyon High School student and Co-President, Napa Schools for Climate Action, presents during a hearing on Napa's proposed General Plan:

On behalf of Napa Schools for Climate Action, we wanted to thank you for listening to our concerns and for proceeding with the Climate Emergency Resolution! It has been incredible to see all the other cities and the county pass a Climate Emergency Resolution and, most importantly, commit to achieving net zero climate pollution by or before 2030. It would be amazing to see the Napa City Council make this same level of commitment in its General Plan. You, along with our schools and cities who have set the same goal, would send the message that we are in a true emergency and that you take your responsibility to our younger generation seriously.

American Canyon City Council:

- made a Climate Emergency Proclamation on 11/16/21
- passed a Climate Emergency Resolution on 2/1/22, resolving that
    - NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of American Canyon hereby declares the following:
      1. That a Climate Emergency exists, and that it threatens our city, state, country, and the planet;
      2. That the City of American Canyon joins a growing list of communities committed to a goal of Net Zero Climate Pollution, measured in terms of net contribution to excess trapped heat, by or before 2030, and further commits to evaluate all planning and policy decisions through the lens of this pledge, and to implement both immediate and sustained actions in support of its achievement; and
      3. That the City Council recognizing the need for full community participation and support, commits to providing leadership and services in working with community organizations, businesses, schools, and regional partners and jurisdictions to educate, mobilize, expand, and accelerate local, regional and statewide support for comprehensive, immediate, and sustained action to achieve its goal of net zero climate pollution by or before 2030; and
      4. That the City Council will consider amendments to its General Plan and its 2012 Energy Efficiency/Climate Action Plan, consistent with its commitment to net zero climate pollution by or before 2030.

- BE IT FURTHER RESOLVED that the City Council directs its Ad Hoc Climate Action Committee to complete the following:
  1. Develop specific recommendations and measurable outcomes to achieve the goal of Net Zero Climate Pollutants by 2030 in the following areas:
  a. Transportation
  b. Buildings
  c. Renewable Energy and Storage
  d. Other Environmental issues, including but not limited to, water conservation, urban agriculture and food composting, and recycling
  e. Carbon Sequestration
  f. Public Awareness and Education regarding individual actions, including individual lifestyles and business operations
  g. Climate Resiliency Efforts
  2. Work with City staff, stakeholders and community leaders and organizations and the public at large.
  3. Identify funding sources and grant opportunities.
  4. Present its findings and recommendations within six months.

Napa Valley Register Top Story, 2/6/22: American Canyon declares climate emergency

American Canyon has declared a climate change emergency and set the goal of net-zero climate pollution by 2030. "Our work has just begun," Mayor Leon Garcia said after the City Council took action on Feb. 1.

American Canyon City Council Ad Hoc Climate Action Committee was commissioned in response to the Climate Emergency Resolution. Two student members from Schools for Climate Action served on the committee.

Interim CAP report was received by the City Council on 9/6/22, including:

Develop specific recommendations and measurable outcomes to achieve the goal of Net Zero Climate Pollutants by 2030 in the following areas: a. Transportation; b. Buildings; c. Renewable Energy and Storage; d. Other Environmental issues, including but not limited to, water conservation, urban agriculture and food compos0ng, and recycling; e. Carbon Sequestration; f. Public Awareness and Education regarding individual ac0ons, including individual lifestyles and business operations; and g. Climate Resiliency Efforts

Napa Valley Unified School District adopted a Climate Emergency Resolution on 5/23/19 that states, in part:

BE IT FURTHER RESOLVED, that Napa Valley Unified School District Board of Education support local climate mobilization efforts to reduce the sources of excess trapped heat that are responsible for climate change, and to increase resiliency for all residents, with special attention to the needs of marginalized and vulnerable communities, in order to achieve the goal of net zero climate pollution by or before 2030

The City of American Canyon partnered with NVUSD/American Canyon High School to initiate public outreach. 864 students participated in the Climate Challenge.

Climate Challenge Rally was attended by NVUSD and City of American Canyon officials on 2/8/23 when climate goals were presented:

NVUSD commitment to *achieve the goal of net zero climate pollution by or before 2030.*
City of American Canyon commitment to *achieve its goal of net zero climate pollution by or before 2030.*
All jurisdictions acknowledged a Climate Emergency and committed to achieving net zero climate pollutants by 2030

Open Space, Alternative Transportation and Sustainability Commission:

Hand-off of the Ad Hoc Climate Action Committee's Draft CAP to OSATS on 4/5/23, with 34 actions to support the goal as presented by Ad Hoc Climate Action Committee members Mark Joseph and Pierre Washington:

1. Net Zero Climate Pollutants by 2030
2. Evaluate Planning and Policy decisions through the lens of this pledge; and
3. Established an Ad Hoc Climate Action Committee to develop an action plan

1-10

Allison Bencsik served as OSATS Youth Commissioner. She spoke repeatedly during her tenure in support of emergency-level climate action, consistent with American Canyon's Climate Emergency Resolution and Draft CAP. 1-10

Letter 1

COMMENTER: Napa Climate NOW!

DATE: October 23, 2024

Response 1-1

The commenter requests that attached reference material be included as part of the comment and expresses appreciation for the development of an updated General Plan.

This comment is noted and does not require revisions to the Draft EIR.

Response 1-2

The commenter states that current drafts of the General Plan Policy Document and Draft EIR do not retain a 2030 net-zero focus as a firm commitment. The commenter states that the City should stand in support of the 2030 goal, along with the jurisdictions in Napa County, Napa Valley Unified School District, Napa RCD, and surrounding communities.

The commenter expresses support for the City Council's approved Climate Emergency Resolution (Resolution 2022-07) which recognizes the need to provide leadership and services in working with community organizations, businesses, schools, and regional partners and jurisdictions to educate, mobilize, expand, and accelerate local, regional, and statewide support for comprehensive, immediate, and sustained action to achieve its goal of net zero climate pollution by or before 2030. The Climate Emergency Resolution serves as a guiding framework and a statement of intent on future actions, but it does not have the legal authority to mandate compliance within the Draft EIR.

The threshold for evaluating greenhouse gas emissions under CEQA assesses whether the project would conflict with any applicable plans, policies, or regulations aimed at reducing greenhouse gas emissions. As discussed on Page 4.5-22 of the Draft EIR, Mitigation Measure GHG-3 requires that the City draft and adopt the American Canyon qualified Climate Action Plan (CAP) by the end of 2025. This plan will outline how American Canyon will meet the State's 2030 goal of 40 percent below 1990 emissions levels and 2045 goal of carbon neutrality. As discussed on Page 4.5-23 of the Draft EIR, individual projects that may occur prior to adoption and implementation of the CAP may not be consistent with State emissions goals, nor are exact emissions reductions known at the time of adoption of the 2040 General Plan. Until the CEQA greenhouse gas (GHG) thresholds are adopted and the CAP is updated, implementation of the project during this interim period would not be consistent with State GHG reduction plans and impacts related to GHG emissions would be significant and unavoidable.

No additional revisions to the Draft EIR are required in response to this comment.

Response 1-3

The commenter notes American Canyon's various climate-positive initiatives, including water savings, enhanced residential energy efficiency, solar installations, a ban on new gas stations, commitments to open space, and new bike lanes. These efforts contribute to the community's climate resilience and align with the 2030 net zero climate pollution goal.

This comment does not pertain to the Draft EIR or CEQA. Therefore, no additional revisions to the Draft EIR are required in response to this comment.

Response 1-4

The commenter states that retreating from a firm 2030 commitment could undermine current initiatives, delay or prevent new protective measures, and discourage collective climate action efforts.

The commenter supports the City Council's approved Climate Emergency Resolution (Resolution 2022-07). As discussed under Response 1-3, above, CEQA assesses whether a project conflicts with existing plans, policies, or regulations to reduce greenhouse gas emissions. The 2030 Net Zero goal is a policy decision, not the CEQA standard. As discussed under Response 1-3, Mitigation Measure GHG-3 seeks to bring the City into compliance with State carbon neutrality goals by the end of 2025. Because this interim period would not be consistent with State GHG reduction plans, impacts related to GHG emissions would be significant and unavoidable. Therefore, no revisions to the Draft EIR are required in response to this comment.

Response 1-5

The commenter highlights that elected officials and public interest committees, like the Planning Commission, are uniquely positioned to evaluate development holistically, especially as climate change accelerates.

This comment does not pertain to the Draft EIR or CEQA. Therefore, no revisions to the Draft EIR are required in response to this comment.

Response 1-6

The commenter states that scientific consensus supports the 2030 climate goal, warning that the earth is likely to exceed the 1.5°C threshold by the early 2030s. They highlight recent extreme weather events and their health impacts on American Canyon residents as evidence of the urgent need for action.

This comment does not pertain to the Draft EIR or CEQA. Therefore, no revisions to the Draft EIR are required in response to this comment.

Response 1-7

The commenter notes that community resources, like the Napa County Resource Conservation District, and schools are committed to the 2030 net zero goal. They also mention that state and federal funds from the 2022 Inflation Reduction Act are available to support American Canyon in achieving this goal.

The threshold for evaluating greenhouse gas emissions under CEQA involves assessing whether the project would conflict with any applicable plans, policies, or regulations aimed at reducing greenhouse gas emissions. It is important to note that the 2030 Net Zero goal is a policy decision and not the standard used for CEQA evaluations. Mitigation Measure GHG-3 seeks to bring the City into compliance with State carbon neutrality goals by the end of 2025. Because this interim period would not be consistent with State GHG reduction plans, impacts related to GHG emissions would be significant and unavoidable. Therefore, no revisions to the Draft EIR are required in response to this comment.

Response 1-8

The commenter argues that the 2030 goal is essential due to unavoidable climate changes. They stress that past delays have forced difficult decisions on current officials and residents and that each year of inaction reduces the chance to enhance climate resilience, as warming triggers accelerating feedback loops. They also note that proactive changes can support a thriving economy and that the cost of achieving net zero will be less than the cost of inaction.

The threshold for evaluating greenhouse gas emissions under CEQA involves assessing whether the project would conflict with any applicable plans, policies, or regulations aimed at reducing greenhouse gas emissions or if the project would generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment. As discussed under Response 1-7, above, the 2030 Net Zero goal is a policy decision and does not serve as the standard for CEQA evaluations. Mitigation Measure GHG-3 seeks to bring the City into compliance with State carbon neutrality goals by the end of 2025. Because this interim period would not be consistent with State GHG reduction plans, impacts related to GHG emissions would be significant and unavoidable. Therefore, no revisions to the Draft EIR are required in response to this comment.

Response 1-9

The commenter urges support for maintaining the 2030 net zero goal in all planning and development, emphasizing its importance for future generations.

As discussed under Response 1-7, above, CEQA assesses if a project conflicts with existing plans, policies, or regulations to reduce greenhouse gas emissions. The 2030 Net Zero goal is a policy decision, not the CEQA standard. Mitigation Measure GHG-3 seeks to bring the City into compliance with State carbon neutrality goals by the end of 2025. Because this interim period would not be consistent with State GHG reduction plans, impacts related to GHG emissions would be significant and unavoidable. Therefore, no revisions to the Draft EIR are needed in response to this comment.

Response 1-10

The commenter provides an addendum which references mentions of Net Zero 2030 by the City of American Canyon website and City Council resolutions and proclamations, Napa County Procurement website, the City of Napa Regional Climate Action and Adaptation Plan, American Canyon City Council Ad Hoc Climate Action Committee, Napa Valley Unified School District (NVUSD), Open Space, and Alternative Transportation and Sustainability Commission.

As discussed in Responses 1-7 through 1-9, the threshold for evaluating greenhouse gas emissions under CEQA involves assessing whether the project would conflict with any applicable plans, policies, or regulations aimed at reducing greenhouse gas emissions. Mitigation Measure GHG-3 seeks to bring the City into compliance with State carbon neutrality goals by the end of 2025. Because this interim period would not be consistent with State GHG reduction plans, impacts related to GHG emissions would be significant and unavoidable. Therefore, no revisions to the Draft EIR are required in response to this comment.

Letter 2

New eComment for Planning Commission

Maia Medalle submitted a new eComment.

Meeting: Planning Commission

Item: 3.) General Plan Technical Update Draft Environmental Impact Report (DEIR) Public Review Workshop

eComment: Good evening American Canyon Planning Commissioners, My name is Maia Medalle, I am a Junior at American Canyon High School, and alongside other high school students, I have worked tirelessly as a representative of Napa Schools 4 Climate Action. Napa Schools for Climate Action is a group composed of passionate students, teachers, staff, local government officials, and citizens all across Napa County & the NVUSD. Our motto is that no school should be a silent witness to climate injustice. I write to you to acknowledge the need for a 2030 net-zero focus in our General Plan. In the past year, Napa Schools 4 Climate Action has put endless amounts of energy into drafting and fighting for the adoption of our " Call To Climate Restoration Action" within NVUSD and successfully were able to have it adopted this past April. This resolution acknowledges the importance of restoring atmospheric carbon levels to pre-industrial levels and aiming for net-zero climate pollution, by or before the decisive year of 2030. The adoption of our resolution in our school district solidified the commitment of our community to our future, the youth's future. I recognize this same commitment made by the leaders of our town, my hometown. Your dedication to the future of our earth has been seen through the declaration of a climate emergency and the ban on new and expanding gas stations, yet past actions aren't enough to guarantee our future. We must continue to work toward progress, and this is why I urge you to consider the 2030 net-zero focus as a commitment, instead of just a goal. As the bearers of my generation's future, I strongly compel you to recognize the urgency of including this commitment in the draft of your General Plan. Our future is in your hands, and my generation looks to you, trusting you will make the right decisions. I thank you for your time and consideration, Maia Medalle Napa Schools 4 Climate Action

2-1

2-2

2-3

2-4

Letter 2

COMMENTER: Maia Medalle

DATE: October 24, 2024

Response 2-1

The commenter introduces themselves as a Junior at American Canyon High School, and mentions their work with Napa Schools 4 Climate Action, a group of students, teachers, staff, local government officials, and citizens from across Napa County and NVUSD.

This comment does not pertain to the Draft EIR or CEQA. Therefore, no revisions to the Draft EIR are required in response to this comment.

Response 2-2

The commenter states the need for a 2030 net zero focus within the General Plan.

Mitigation Measure GHG-3 seeks to bring the City into compliance with State carbon neutrality goals by the end of 2025. Therefore, no revisions to the Draft EIR are required in response to this comment.

Response 2-3

The commenter describes how Napa Schools 4 Climate Action worked to draft and advocate for the "Call To Climate Restoration Action" resolution, which was adopted by NVUSD in April. This resolution aims to restore atmospheric carbon levels to pre-industrial levels and achieve net-zero climate pollution by 2030, solidifying the community's commitment to the future.

The approved Climate Emergency Resolution (Resolution 2022-07). Consistent with this resolution, Mitigation Measure GHG-3 seeks to bring the City into compliance with State carbon neutrality goals by the end of 2025. Therefore, no revisions to the Draft EIR are required in response to this comment.

Response 2-4

The commenter acknowledges the town leaders' commitment to climate action, citing the declaration of a climate emergency and the ban on new gas stations. They urge the leaders to treat the 2030 net-zero focus as a firm commitment rather than just a goal, emphasizing the urgency of including this in the General Plan for the sake of future generations.

As discussed under Response 1-7, above, CEQA assesses if a project conflicts with existing plans, policies, or regulations to reduce greenhouse gas emissions. The 2030 Net Zero goal is a policy decision, not the CEQA standard. However, Mitigation Measure GHG-3 seeks to bring the City into compliance with State carbon neutrality goals by the end of 2025.. Therefore, no revisions to the Draft EIR are required in response to this comment.

Letter 3

New eComment for Planning Commission

Jodl Cruz submitted a new eComment.

Meeting: Planning Commission

Item: PUBLIC COMMENT

eComment: Good morning, We know that there will be a Planning Commission meeting tonight and as a representative and President of FilAm we are asking for help to request that the planning commission absolutely include Green Island as a study area. And we know that project is almost ready to proceed with the appropriate applications with the new city council, and will definitely improve and contribute to our city. Thank you very much 🙏🏻🙏🏻 Respectfully yours, Jod'l Cruz FilAm President

3-1

Letter 3

COMMENTER: Jodi Cruz

DATE: October 24, 2024

Response 2-1

The commenter introduces themselves as the President of FilAm and requests that the Planning Commission include the Green Island Vineyard property as a study area in their meeting. They mention that the project is nearly ready to proceed with the new City Council and will benefit the city.

The General Plan update scope of work which was evaluated by the Environmental Impact Report was described in the Notice of Preparation. The Notice of Preparation did not include consideration of adding the Green Island Vineyard property into the City's urban limit line. Adding the Green Island Vineyard property into the City's urban limit line may be considered in the future, but it is not part of the proposed General Plan project and therefore does not pertain to the Draft EIR or CEQA. Therefore, no revisions to the Draft EIR are required in response to this comment.

Letter 4

California Department of Transportation

DISTRICT 4
OFFICE OF REGIONAL AND COMMUNITY PLANNING
P.O. BOX 23660, MS–10D | OAKLAND, CA 94623-0660
www.dot.ca.gov

November 6, 2024

SCH #: 2022070038
GTS #: 04-NAP-2022-00452
GTS ID: 26948
Co/Rt/Pm: NAP/VAR/VAR

Brent Cooper, Community Development Director
City of American Canyon
4381 Broadway Street, Suite 201
American Canyon, CA 94503

Re: City of American Canyon General Plan Update — Draft Environmental Impact Report (DEIR)

Dear Brent Cooper:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the City of American Canyon General Plan Update. The Local Development Review (LDR) Program reviews land use projects and plans to ensure consistency with our mission and state planning priorities. The following comments are based on our review of the September 2024 DEIR. 4-1

Please note this correspondence does not indicate an official position by Caltrans on this project and is for informational purposes only.

Project Understanding

The proposed project consists of an update to the City's General Plan which will serve as a long-term framework for future growth and development.

Travel Demand Analysis

The project's vehicle miles traveled (VMT) analysis and significance determination are undertaken in a manner consistent with the City's adopted VMT policy. Per the DEIR, this project is found to have significant and unavoidable VMT impact. Caltrans commends the City for implementing policies in the General Plan to increase multi-modal transportation and reduce VMT. We encourage the City to document progress with annual monitoring reports to demonstrate effectiveness. 4-2

Please also consider the measures listed below that are quantified by the California Air Pollution Control Officers Association (CAPCOA) and shown to have different efficiencies reducing regional VMT:

- Increase Residential Density
- Increase Job Density
- Provide Transit-Oriented Development
- Integrate Affordable and Below Market Rate Housing
- Locate Project/Developments in Area with High Destination Accessibility
- Improve Destination Accessibility in Underserved Areas
- Implement Shared Vehicle Program (car/bike/E-bike/scooter)
- Create Urban Non-motorized zones
- Extend Transit Network Coverage or Hours
- Increase Transit Service Frequency
- Implement Transit-Supportive Roadway Treatments
- Provide Bus Rapid Transit
- Reduce Transit Fares
- Improve Transit Access, Safety, and Comfort
- Provide Bike Parking Near Transit
- Provide Electric Vehicle Charging Infrastructure
- Limit Residential Parking Supply
- Implement Market Price Public Parking (On-Street)
- Implement Area or Cordon Pricing
- Replace Traffic Controls with Roundabout
- Required Project Contributions to Transportation Infrastructure Improvement
- Install Park-and-Ride Lots

4-3

Please consider exploring the following options to help further reduce the VMT impact if the implementation of applicable TDM measures is insufficient to mitigate the project VMT impact to a less-than-significant level: VMT based Transportation Impact Fee program, VMT Mitigation Exchange and VMT Mitigation Bank. Please note that Caltrans has funded several local/regional agencies to study the feasibility of a variety of VMT mitigation programs through the Sustainable Transportation Planning Grant program (*link*). Caltrans welcomes the potential opportunities to work with the City.

4-4

The City may also consider encouraging fair share contributions from future development projects to multimodal projects that promote mode shift and reduce single-occupancy vehicle travel to mitigate VMT impacts. Caltrans suggest the following Regional Transportation Plan (Plan Bay Area 2050) projects for future fair share contribution considerations:

4-5

RTP ID	Project Description
21-T06-049	511 Bay Area Program includes funding to support the 511Bay Area Program, which provides multi-modal traveler information.
21-T07-052	Carpool/Vanpool Program includes funding to provide carpool-matching tools and encourage carpool behavior through outreach, education, rewards, incentives, and new technology.
21-T07-056	This program generally implements projects exempt from regional air quality conformity, but it does include non-exempt local roadway widenings or extensions. Improvements include local road extensions or new lanes, and intersection improvements such as channelization and signalization.
21-T10-067	This program includes funding to implement improvements to existing Napa VINE regional/local bus service. Improvements include frequency upgrades (30-minute peak headways); expanded service hours (from 4am- 12am); and Sunday service.
21-T10-070	This program includes funding to implement improvements to existing bus service in Priority Development Areas (PDAs) without existing high-frequency rail, ferry, or bus service. Improvements include frequency upgrades (30-minute peak headways) and reorganization and/or expansion of bus routes.
21-T12-118	This program includes funding to implement express bus enhancements between Napa (Redwood Park-and-Ride) and the Vallejo Ferry Terminal. Improvements include bus-on-shoulder facilities.

4-5 cont.

Multimodal Transportation Planning

Please review and include the reference to the *Caltrans District 4 Pedestrian Plan* (2021) and the *Caltrans District 4 Bike Plan* (2018) in the DEIR. These two plans studied existing conditions for walking and biking along and across the State Transportation Network (STN) in the nine-county Bay Area and developed a list of location-based and prioritized needs. 4-6

Please note that any Complete Streets reference should be updated to reflect Caltrans Director's Policy 37 (*link*) that highlights the importance of addressing the needs of non-motorists and prioritizing space-efficient forms of mobility, while also 4-7

facilitating goods movement in a manner with the least environmental and social impacts. This supersedes Deputy Directive 64-R1, and further builds upon its goals of focusing on the movement of people and goods.

4-7 cont.

Equity and Public Engagement

We will achieve equity when everyone has access to what they need to thrive no matter their race, socioeconomic status, identity, where they live, or how they travel. Caltrans is committed to advancing equity and livability in all communities. We look forward to collaborating with the City to prioritize projects that are equitable and provide meaningful benefits to historically underserved communities.

4-8

Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, please contact Llisel Ayon, Associate Transportation Planner, via LDR-D4@dot.ca.gov.

For future early coordination opportunities or project referrals, please visit Caltrans LDR website (*link*) or contact LDR-D4@dot.ca.gov.

Sincerely,

YUNSHENG LUO
Branch Chief, Local Development Review
Office of Regional and Community Planning

c: State Clearinghouse

Letter 4

COMMENTER: Yunsheng Luo, Branch Chief – Local Development Review Office of Regional and Community Planning, California Department of Transportation (Caltrans)

DATE: November 6, 2024

Response 4-1

The commenter thanks the City of American Canyon for involving Caltrans in the environmental review of the General Plan Update. They clarify that their comments are for informational purposes and do not represent an official Caltrans position. The commenter provides a summary of their understanding of the project which involves updating the City's General Plan to guide future growth and development.

This comment provides informational comments. No revisions to the Draft EIR are required in response to this comment.

Response 4-2

The commenter notes that the project's vehicle miles traveled (VMT) analysis aligns with the City's adopted VMT policy and acknowledges the significant and unavoidable VMT impact identified in the DEIR. Caltrans commends the City for its policies to enhance multimodal transportation and reduce VMT, and encourages annual monitoring reports to track progress.

No revisions to the Draft EIR are required in response to this comment.

Response 4-3

The commenter suggests considering various measures quantified by the California Air Pollution Control Officers Association (CAPCOA) to reduce regional vehicle miles traveled (VMT).

As discussed on pages 4.11-9 through 4.11-11 of the Draft EIR, the proposed General Plan would result in significant and unavoidable impacts on VMT. As included therein, the General Plan includes potentially self-mitigating policies which align with the CAPCOA measures provided by the commenter. These are outlined as follows:

Increasing residential and job density is a key strategy to reduce VMT by bringing people closer to their workplaces and amenities. The General Plan's MOB-1.1: Complete Streets policy supports this by ensuring streets are designed to accommodate all users, promoting higher density and mixed-use developments that reduce the need for long commutes. Additionally, Policy MOB-1.23: Pedestrian Connections to Employment Destinations, encourages the development of a network of continuous walkways within new commercial, town center, public, and industrial uses to improve workers' ability to walk safely around, to, and from their workplaces.

Providing transit-oriented development (TOD) and integrating affordable and below-market rate housing are crucial for creating accessible and inclusive communities. Policy MOB-1.4: Development Review, ensures that new developments prioritize the safety and convenience of pedestrians, bicyclists, and transit users, which is essential for successful TOD and affordable housing projects. Additionally, Policy MOB-1.6: Transportation Facility Construction and Modification, strives to provide for the movement of vehicles, commercial trucks, alternative and low energy vehicles, transit, bicyclists, and pedestrians appropriate for the road classification and adjacent land use

Locating projects in areas with high destination accessibility and improving destination accessibility in underserved areas are strategies that align with MOB-1.7: Promote Walking and Bicycling. By enhancing accessibility, more people are encouraged to walk or bike, reducing reliance on cars.

Implementing shared vehicle programs and creating urban non-motorized zones can significantly reduce VMT by offering alternatives to private car ownership. Policy MOB-1.17: Reduce Vehicle Miles Traveled aims to achieve this by improving alternate travel modes and providing more direct routes.

Providing bike parking near transit and electric vehicle charging infrastructure are essential for supporting sustainable transportation modes. Policy MOB-1.20: Bicycle Plan Funding supports this by ensuring that bikeway improvements are well-funded and integrated with the transit network

Lastly, the General Plan is a guiding document which will allow the City to work closely with Caltrans on future development projects that impact roadways, ensuring that all changes are beneficial and well-coordinated. Additionally, policies such as Policy MOB-1.9: SR 29 Mobility and Policy MOB-1.28: Coordination with Adjacent Jurisdictions ensure that transportation strategies are aligned with those of neighboring areas, creating a cohesive regional approach. This collaboration will help to streamline efforts, reduce redundancy, and promote a more efficient and effective transportation network for the entire region.

However, as discussed on page 4.11-11 of the Draft EIR, measures to reduce specific VMT per resident are challenging to implement and monitor in a meaningful way. Other than the self-mitigating measures and policies outlined above, it is infeasible that additional mitigation is likely to further reduce the citywide rate of VMT per resident. Further, because General Plan policies cannot realistically enforce mitigation programs or policies that might reduce VMT below the threshold, impacts would remain significant and unavoidable.

No additional revisions to the Draft EIR are required in response to this comment.

Response 4-4

The commenter suggests exploring additional options to reduce VMT impact if current TDM measures are insufficient. These options include a VMT-based Transportation Impact Fee program, VMT Mitigation Exchange, and VMT Mitigation Bank. They note that Caltrans has funded studies on VMT mitigation programs and welcomes opportunities to collaborate with the City.

The feasibility of additional mitigation strategies are discussed above in Response 4-3. The suggested VMT mitigation programs, such as a VMT-based Transportation Impact Fee program, VMT Mitigation Exchange, and VMT Mitigation Bank, are infeasible due to the programmatic nature of the project and staffing and financial limitations to coordinate and fund Furthermore, this comment represents an opinion, and not the policy of Caltrans. No additional revisions to the Draft EIR are required in response to this comment.

Response 4-5

The commenter suggests that the City encourage fair share contributions from future development projects to support multimodal projects, suggesting that this would promote mode shifts and reduce single-occupancy vehicle travel, helping to mitigate VMT impacts. The commenter provides Regional Transportation Plan (Plan Bay Area 2050) projects for future fair share contribution considerations.

As discussed on page 4.11-4 of the Draft EIR, the proposed project is within the jurisdiction of Plan Bay Area 2050 and could be subject to consideration of potential fair share contributions. While the

City will consider these recommendations for future collaboration with Caltrans and for future projects, it is important to note that certain projects may face feasibility challenges at this time. For example, the 511 Bay Area Program (RTP ID 21-T06-049) involves extensive funding and coordination to provide comprehensive multi-modal traveler information, which may not be immediately feasible for all future developments. Similarly, the Carpool/Vanpool Program (RTP ID 21-T07-052) requires significant outreach, education, and incentives to encourage carpool behavior, which may not be practical for every project proposed under the General Plan. Additionally, projects like the express bus enhancements between Napa and the Vallejo Ferry Terminal (RTP ID 21-T12-118) involve specific infrastructure improvements such as bus-on-shoulder facilities, which may not be applicable to all development areas. However, the City values the opportunity to collaborate with Caltrans and ABAG on future fair share contribution opportunities. No additional revisions to the Draft EIR are required in response to this comment.

Response 4-6

The commenter suggests including references to the Caltrans District 4 Pedestrian Plan and Bike Plan in the Draft EIR.

In response to this comment, the following revisions have been made to the Draft EIR Section 4.11, *Transportation*, Sub-Section 4.11.2, *Regulatory Framework*. The revision would not alter the impact analysis or findings of Section 4.11 and, as such, would not warrant recirculation of the Draft EIR.

Caltrans District 4 Pedestrian Plan

The Caltrans District 4 Pedestrian Plan, released in 2021, is a comprehensive guide aimed at improving pedestrian infrastructure across the nine-county Bay Area. This plan identifies existing conditions and prioritizes location-based needs to enhance pedestrian safety and accessibility. Developed in collaboration with local agencies, advocates, and the public, the plan serves as a crucial reference for planners and project designers. It promotes alternatives to driving, aiming to reduce congestion, lower greenhouse gas emissions, and encourage healthier lifestyles. The plan is part of the broader Bay Area Active Transportation Plan, which integrates pedestrian and bicycle needs into a cohesive strategy.

Caltrans District 4 Bike Plan

The Caltrans District 4 Bike Plan, finalized in 2018, evaluates the bicycling needs across the Bay Area's state transportation network. This plan identifies and prioritizes infrastructure improvements to enhance bicycle safety, mobility, and accessibility. It builds on the 2017 California State Bicycle and Pedestrian Plan and aims to create an integrated bicycle network that supports safe and convenient cycling for all ages and abilities. The plan was developed with input from the public and collaboration with local and regional partners, ensuring that proposed improvements align with local networks and address barriers to cycling.

Response 4-7

The commenter suggests updating Complete Streets references to reflect Caltrans Director's Policy 37, which supersedes Deputy Directive 64-R1.

In response to this comment, the following revisions have been made to the Draft EIR Section 4.11, *Transportation*, Sub-Section 4.11.2, *Regulatory Framework,* Page 4.11-3. The revision would not

alter the impact analysis or findings of Section 4.11 and, as such, would not warrant recirculation of the Draft EIR.

Complete Streets Act

The California Complete Streets Act (AB 1358) adopted in 2008, requires that cities and other public agencies incorporate "Complete Street" policies when updating their General Plan Circulation Element. The term "Complete Streets" refers to a balanced, multimodal transportation network that meets the needs of all users of streets, including bicyclists, children, persons with disabilities, motorists, movers of commercial goods, pedestrians, public transportation, and seniors. A "Complete Street" is one that provides safe and convenient travel in a manner that is suitable to the local context. Complete Streets make travel safe for all users, including bicyclists, pedestrians, motorists, transit vehicles, and people of all ages and abilities. Each street does not need to provide dedicated space to all users, but the network must accommodate the needs of all users.

In 2021, Caltrans adopted Director's Policy 37, a policy directive related to non-motorized travel throughout the State. Director's Policy 37 states:

The California Department of Transportation (Caltrans) recognizes that walking, biking, transit, and passenger rail are integral to our vision of delivering a brighter future for all through a world-class transportation network. Additionally, Caltrans recognizes that streets are not only used for transportation but are also valuable community spaces. Accordingly, in locations with current and/or future pedestrian, bicycle, or transit needs, all transportation projects funded or overseen by Caltrans will provide comfortable, convenient, and connected complete streets facilities for people walking, biking, and taking transit or passenger rail unless an exception is documented and approved. When decisions are made not to include complete streets elements in capital and maintenance projects, the justification will be documented with final approval by the responsible District Director. Opportunities for complete streets exist in all phases of project development from planning and design to construction, operations, and maintenance. Complete streets projects should prioritize underserved communities that have been historically harmed and segmented by the transportation network and should serve people of all ages and abilities. Furthermore, Caltrans commits to removing unnecessary policy and procedural barriers and partnering with communities and agencies to ensure projects on local and state transportation systems improve the connectivity to existing and planned pedestrian, bicycle, and transit facilities, and accessibility to existing and planned destinations, where possible.

Response 4-8

The commenter emphasizes Caltrans' commitment to achieving equity by ensuring everyone has access to what they need to thrive, regardless of race, socioeconomic status, identity, location, or mode of travel. They express eagerness to work with the City on projects that benefit historically underserved communities. They also thank the City for involving Caltrans in the environmental review process and provide contact information for further inquiries and future coordination.

This comment is noted and no additional revisions to the Draft EIR are required in response to this comment.

Letter 5

Memo to William He, Planner, City of American Canyon

November 10, 2024

Comments on EIR for General Plan

Thank you for the opportunity to comment. I am a member of the Napa Solano Audubon Society, the Napa County Sierra Club, Napa Climate NOW! and have graduated from the iNaturalist program as a certified California Naturalist. I also represent Napa and Solano as the Senior Senator for the California Senior Legislature.

I have tracked and researched land use, environmental decline, and widespread loss of wildlife in the American Canyon Region for several years. As the lead for the Committee to Stop Measure J, and the writer of the oppositional narrative for the ballot, I also have become somewhat aware of the politics of this community. In 2022, I received the Climate Champion of Napa County, specifically for the work done to defeat Measure J. 5-1

There's still so much left for us to consider. With projected economic growth and plans for this city, I see American Canyon's west side growing into a diesel fume death zone. 5-2

Watching one of California's most biologically diverse areas disappear, with the land being smothered with a blanket of cement, is devasting. It continues, unabated, no matter the concerns voiced by residents, environmental groups, and the California Department of Fish and Wildlife. No entity in American Canyon protects and speaks for the wildlife. There is no voice. 5-3

At the same time the land is being graded, vegetation stripped and trees cut down, the wine industry is facing a challenge. Interest in wine is dropping in the aging consumer base and changing preferences are reshaping the market. Reductions in wine consumption are most drastic with baby boomers, the largest population drinking wine. Predictions are that the wine industry is looking at a decades-long decline. 5-4

So, why continue to build more wine warehouses?

As the wine industry struggles with reduced demand, it also faces the struggles of a shrinking workforce.

We are also in a climate crisis changing how we live. Heat domes, heavier rains, changing weather patterns, and rising seas are now our reality. American Canyon is affected. Everything planned in EIR for this General Plan should be decided through the lens of the Climate Crisis. 5-5

American Canyon is not going to stop all economic growth. But, perhaps, it's time to consider doing things differently, with consideration to the environment, wildlife, and future of our children. Back, 30 years ago, when many of the land decisions were made between politicians and investors, the times were much different. The climate crisis was a speck in the distant future, the wineries were beginning to boom and American Canyon was incorporated to become a city and the development hub of Napa County. The stability of status quo reigned. 5-6 5-7

Now we're in 2025 and it's a different world. We cannot rely on agreements or plans made thirty years ago without acquiescing to the new reality. How will the city accommodate growth while conserving open space, wildlife, and natural resources? That is the real question of a General Plan. 5-8

Before land is permanently destroyed, the question thoroughly investigated should be the consequences of this action to all life. And, how can it be done with the least harm and highest good? 5-9

This General Plan should call for action in creating a baseline compilation and assessment of all private and public lands. There are at least 51 threatened/endangered/special plant species and 44 animal species with the potential to occur in American Canyon. The General Plan needs to create a database of baseline information to include detailed land cover maps, species accounts, species distribution models, land use data and estimates of what is located there and what is the activity. The goal is to find out what potential land needs to be set aside so there will be an open space, conserved area for wildlife. Where are the red-legged frogs, the Swainson Hawks, the Bald Eagles and White-Tailed Kites (to name a few), living? Should land be preserved for them? Who owns the land where critical habitats are located? Can conservation easements be considered and encouraged? Should American Canyon make plans to strategically purchase land and/or increase and promote voluntary conservation easements? Please consider adding these elements to the General Plan. 5-10 5-11 5-12

Also, consider the following suggestions:

Recognizing that people and wildlife don't mix, access areas should be limited in riparian corridors, or where damage to habitat will occur. 5-13

Habitat connectivity needs to be a priority. Grading/cutting down trees and destroying soil by discing should be avoided until a biological assessment is completed on any land. All these activities should be especially prohibited in biologically diverse and riparian habitat. 5-14

Because so much land has already been destroyed, the city could look at reparations and restoration. All nonfunctional space, for example, and landscaping could be reverted to natural native plantings and trees. A native plant ordinance can be adopted by the city mandating that all residential planting contains at least 70% native plants. 5-15

Increase buffer zones around nests and wildlife use areas to .5 mile (as recommended by CDFW). 5-16

Increase mitigation for tree replacement from 1:1 to 5:1. This reflects a truer survival rate of 20% of new tree plantings. Also, require all trees/vegetation replacement to be watered and cared for at least one year after planting. Failed mitigations are to be replaced. Require a one-year survival review, with failed plantings replaced as needed beforehand the year ends. 5-17 5-18

Develop a mitigation enforcement statute with accountability standards. Include consequences for failure to comply with mitigation. Require city review and final approval signoff on all mitigation efforts at completion. 5-19

Define vague statements such as “large” by actual numbers. One example: “If a qualified biologist determines a roost is used by a “large” number of bats. This is a subjective statement, and needs further clarification. Any development activity removing habitat need such as roosting treets, nesting trees, etc., needs to replace as close to the original site as possible. 5-20 5-21

Ban discing for weed control. It destroys habitat for animals living in the ground, including burrowing owls, lizards and snakes. (Yes, there have been sightings of burrowing owls in the American Canyon wetlands area.) 5-22

Prohibit capturing, killing or relocating animals without expressly written authorization from the CDFW or USFWS. Ban all killing of wildlife in construction zones. Place large signs at all the sites for wildlife injuries to be taken immediately to the Napa Wildlife Rescue Center. Include a map with a phone number. 5-23 5-24

Ban pesticides and bait stations on property within 500 feet of wildlife habitat creeks, sloughs, watering sites. . No overnight lighting on buildings within 500 feet of a wildlife area. 5-25 5-26

Require mitigation measures for warehouse/urban park developers to include an expansion of the urban forest, including participating in soil or compost application to sequester carbon and incentivizing rooftop gardens. 5-27

Support a regional plan, with Napa and Solano Counties for open space and wildlife protection. 5-28

Ban plastic grass in schools, residential, and in industrial development lands. 5-29

When planners require EIR's and Biological reviews, include data and information. from local environmental groups, i.e. the Audubon Society, Napa Plant Society, Beekeepers, ICare, etc.) Also include other recognized verification apps, including iNaturalist and ebird.org. Local bird watchers and regular walkers know more about what plants/animals are in an environment than outdated data in many other sites. Encourage the participation of local environmental groups in land use planning, especially in protecting critical habitat for special status species. 5-30 5-31

Ban diesel truck idling in the warehouse districts. Impose fines for any idling over 3 minutes. 5-32

American Canyon hire or assign dedicated staff to protect wildlife and preserve land for habitat. 5-33

Ban black asphalt in all new roads, developments, parking lots, and replace with permeable concrete. 5-34

And, finally, the 203 acres of what is currently Green Island Vineyard should be set aside as an area of study for a conservation easement. 5-35

Thank you for this opportunity for public comments. I hope these will considered and incorporated in the FEIR. 5-36

Yvonne Baginski

Letter 5

COMMENTER: Yvonne Baginski

DATE: November 10, 2024

Response 5-1

The commenter introduces themselves as a member of several environmental organizations and a certified California Naturalist, citing that they have tracked land use and environmental decline in the American Canyon Region for years.

No additional revisions to the Draft EIR are required in response to this comment.

Response 5-2

The commenter expresses concern that projected economic growth and city plans could turn American Canyon's west side into a heavily polluted area. They lament the potential loss of one of California's most biologically diverse regions to urban development.

The General Plan accommodates thoughtful growth within the city while preserving areas of biological significance. Section 4.3, *Biological Resources*, of the Draft EIR describes various biologically sensitive areas that occur or may occur in the planning area. While proposed General Plan and associated land use changes may result in impacts on biological resources, overall impacts to biological resources would be less than significant with implementation of Mitigation Measure BIO-1 through BIO-9. Mitigation efforts implemented through federal, state, and local policies minimize environmental impacts and protect public health.

Development within the western portion of American Canyon was evaluated in the Draft EIR and will be subject to adopted mitigation measures. No revisions to the Draft EIR are required in response to this comment.

Response 5-3

The commenter notes that despite concerns from residents, environmental groups, and the California Department of Fish and Wildlife, there is no entity in American Canyon advocating for wildlife protection.

The Draft EIR evaluates potential environmental impacts of future development proposed by the General Plan, as required by CEQA. Wildlife protection is addressed through implementation of applicable laws and standards. As discussed on page 4.3-12 of the Draft EIR, the proposed General Plan includes policies ENV-1.2 and ENV-1.3 which require new development and redevelopment located within sensitive habitats to provide a detailed assessment of the potential for impacts on these resources and supports habitat conservation efforts to set aside and preserve suitable habitats (with priority given for rare and endangered species) in accordance with state and federal resource agency requirements, respectively. Additionally, as discussed on page 4.3-21 of the Draft EIR, the proposed General Plan includes policy ENV-2.1 and ENV-2.2 which maintains American Canyon Creek within its natural waterway and requires new development to incorporate existing streams and creeks into proposed development plans in their natural state to prevent degradation, erosion, or sedimentation and help impart a unique character to the city. No revisions to the Draft EIR are required in response to this comment.

Response 5-4

The commenter highlights that while land is being developed and natural habitats are being destroyed, the wine industry is facing declining interest and a shrinking workforce. They question the rationale behind building more wine warehouses amid these challenges.

The proposed General Plan identifies a balance of land uses throughout the planning area. The Draft EIR evaluates proposed land uses, and provides programmatic mitigation measures to evaluate subsequent development projects, including wine warehouses. No revisions to the Draft EIR are required in response to this comment.

Response 5-5

The commenter emphasizes that the climate crisis, with its heat domes, heavier rains, changing weather patterns, and rising seas, is affecting American Canyon. They argue that the General Plan should consider the climate crisis.

Pages 4.5-1 through 4.5-5 of the Draft EIR discuss the existing setting with regards to climate change in American Canyon, with specific attention to effects on the water supply, ecosystems, hydrology and sea level rise. As discussed on page 4.5-22 of the Draft EIR, implementation of Mitigation Measures GHG-2 and GHG-3 would ensure that development facilitated by the project would be consistent with State emissions goals. However, individual projects that may occur prior to adoption of a City Climate Action Plan (CAP) would not be guaranteed to be consistent with State emissions goals, nor are exact emissions reductions known at the time of adoption of the 2040 General Plan. Until the CEQA GHG thresholds are adopted and the CAP is updated, implementation of the project during this interim period would not be consistent with BAAQMD GHG thresholds nor would it be consistent with State GHG reduction plans. Therefore, the project's impacts related to GHG emissions would be significant and unavoidable. No revisions to the Draft EIR are required in response to this comment.

Response 5-6

The commenter suggests that while economic growth in American Canyon will continue, it might be time to adopt new approaches that consider the environment, wildlife, and the future of children.

The General Plan is a comprehensive, programmatic document designed to guide the future development of American Canyon. It considers various factors, including the environment, wildlife, economic growth, and the overall future growth of the city. The Draft EIR thoroughly evaluates the objectives, goals, policies, and programs outlined in the General Plan. No revisions to the Draft EIR are required in response to this comment.

Response 5-7

The commenter reflects on how, previously, land decisions were made in a different context, with American Canyon becoming a development hub.

As discussed above within Response 5-6, the General Plan is a comprehensive, programmatic document designed to guide the future development of American Canyon. The Draft EIR thoroughly evaluates the objectives, goals, policies, and programs outlined in the General Plan. No revisions to the Draft EIR are required in response to this comment.

Response 5-8

The commenter questions how the city will balance growth with the conservation of open space, wildlife, and natural resources, emphasizing that this is the core issue for the General Plan.

As discussed above within Response 5-6, the General Plan is a comprehensive, programmatic document designed to guide the future development of American Canyon. The Draft EIR thoroughly evaluates the objectives, goals, policies, and programs outlined in the General Plan. No revisions to the Draft EIR are required in response to this comment.

Response 5-9

The commenter urges that before any land is permanently altered, the consequences for all life should be thoroughly investigated. They ask how development can be done with the least harm and the greatest benefit.

The primary purpose of the Draft EIR is to ensure that the potential consequences of future development under the proposed General Plan are thoroughly considered in accordance with the CEQA. The Draft EIR identifies significant impacts and proposes mitigation measures to minimize these impacts. Therefore, no revisions to the Draft EIR are required in response to this comment.

Response 5-10

The commenter suggests that the General Plan should include a baseline assessment of all private and public lands. They note the presence of at least 51 threatened or special plant species and 44 animal species in American Canyon. They recommend creating a database with detailed land cover maps, species accounts, distribution models, land use data, and activity estimates, with the goal of determining what potential land needs to be set aside so there will be an open space, conserved area for wildlife.

The Draft EIR includes the USFWS's IPaC, California Natural Diversity Database CNDDB, and CNPS's online Inventory of Rare and Endangered Plants of California (see Appendix B). As discussed within Response 6-34, an updated query was conducted in February 2025. Therein, it discusses that there are 52 plant species and 45 animal species with potential to occur within the planning area which meet at least one of the criteria for a special status species (see Revised Appendix B to this Final EIR). As discussed on pages 4.3-11 through 4.3-19 of the Draft EIR, the project could have the potential to have an adverse impact on special status species. However, implementation of federal, state, and local regulations and policies, as well as Mitigation Measures BIO-1 through BIO-9, would ensure development facilitated by the project would not have a substantial adverse effect on candidate, sensitive, or special status species by requiring Biological Resources Screening and Assessments, avoidance and minimization, habitat restoration, and preconstruction surveys.

In response to this comment, Impact BIO-1 on page 4.3-11 of the Draft EIR is revised as follows:

Impact BIO-1 THE PROJECT COULD HAVE THE POTENTIAL TO HAVE AN ADVERSE IMPACT ON SPECIAL STATUS SPECIES. IMPLEMENTATION OF FEDERAL, STATE, AND LOCAL REGULATIONS AND POLICIES, AS WELL AS MITIGATION MEASURES BIO-1 ~~AND BIO-2~~ THROUGH BIO-9, WOULD ENSURE DEVELOPMENT FACILITATED BY THE PROJECT WOULD NOT HAVE A SUBSTANTIAL ADVERSE EFFECT ON CANDIDATE, SENSITIVE, OR SPECIAL STATUS SPECIES. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION.

CEQA does not require a lead agency to prepare a baseline assessment of all private and public lands and create a detailed database for land conservation. No additional revisions to the Draft EIR are required in response to this comment.

Response 5-11

The commenter questions the locations of critical habitats for species like red-legged frogs, Swainson Hawks, Bald Eagles, and White-Tailed Kites. They ask whether land should be preserved for these species and who owns the land where these habitats are found.

Appendix B to the Draft EIR includes supporting details regarding species found within the plan area, including their listed status and habitat requirements. This appendix item has been updated and is included as Revised Appendix B to this Final EIR. Therein, it includes the details of the status of red-legged frogs, Swainson Hawks, Bald Eagles, and White-Tailed Kites. The City, through the General Plan, aims to protect and preserve habitats through policy and implementation of feasible mitigation measures. For example, as discussed on page 4.3-12 of the Draft EIR, the 2040 General Plan would include the following proposed policies that would help protect habitats:

- **Policy ENV-1.2: Sensitive Habitat Assessment and Impact Mitigation.** Require new development and redevelopment located within sensitive habitats, including coastal saltmarsh, mixed hardwood forest, oak savannah, vernal pools, and riparian habitats to provide a detailed assessment of the potential for impacts on these resources, and include measures to reduce any identifiable impacts.
- **Policy ENV-1.3: Habitat Conservation.** Support habitat conservation efforts to set aside and preserve suitable habitats, with priority given to habitats for rare and endangered species in American Canyon in accordance with state and federal resource agency requirements.

Compliance with the American Canyon Municipal Code and implementation of proposed policies in the 2040 General Plan would help ensure habitats are identified prior to project-specific siting and habitat areas are protected where applicable. Further, as noted in Response 5.2 above, Mitigation Measures BIO-1 through BIO-9 would also reduce impacts to biological resources. The policies noted above and mitigation measures identified in the Draft EIR are intended to avoid impacts to habitats and sensitive species within American Canyon and in certain instances would result in preservation of land that contains sensitive species or suggests methods to reduce or avoid an impact. No revisions to the Draft EIR are required in response to this comment.

Response 5-12

The commenter asks if conservation easements can be considered and encouraged. They suggest that American Canyon should plan to strategically purchase land and promote voluntary conservation easements, recommending these elements be added to the General Plan.

As discussed on page 4.3-12 of the Draft EIR, the proposed General Plan includes Policy ENV-1.3 which supports habitat conservation efforts to set aside and preserve suitable habitats, with priority given to habitats for rare and endangered species in American Canyon in accordance with state and

federal resource agency requirements. No revisions to the Draft EIR are required in response to this comment.

Response 5-13

The commenter suggests that access to riparian corridors should be restricted to prevent habitat damage, acknowledging that human presence can negatively impact wildlife.

Riparian corridors are protected areas which serve as habitats for a variety of wildlife within the city, as shown within Figure 4.3-1 of the Draft EIR which shows mapped riparian areas within the planning area. As discussed on page 4.3-20 of the Draft EIR, development and mobility improvements facilitated by the project would be subject to adopted City regulations to minimize impacts to riparian habitat, sensitive natural communities, and wetlands. Specifically, Section 19.24.050 of the American Canyon Municipal Code requires new development to be sited to preserve wetlands, including the retention of sufficient natural space and Section 19.24.040 restricts residential, commercial, and industrial uses in riparian corridors, limiting the potential for new development to substantially affect these areas. Further, as discussed under Impact BIO-1 and on page 4.3-21 of the Draft EIR, compliance with the NPDES Construction General Permit and MS4 Storm Water Permit would ensure that potential impacts to riparian habitat, sensitive natural communities, and wetlands would be less than significant.

To the commenter's second point regarding the impact of human presence in riparian corridors, it is important to note that while protecting these areas is crucial, the City cannot fully restrict human access to them, nor is that the purpose of the Draft EIR. No revisions to the Draft EIR are required in response to this comment.

Response 5-14

The commenter emphasizes the importance of prioritizing habitat connectivity. They argue that activities like grading, cutting down trees, and soil discing should be avoided until a biological assessment is conducted. These actions should be particularly prohibited in areas with high biological diversity and riparian habitats.

As discussed on pages 4.3-11 and 4.-3-12 of the Draft EIR, Section 19.24.060 of the American Canyon Municipal Code requires development in areas that encompass oak savannah, mixed hardwood forest, and coastal saltmarsh to maintain buffers from these habitats as recommended by the biological assessment report, maintain connectivity to surrounding habitats, and limit public access in areas where habitat damage may occur. In addition, the 2040 General Plan would include the following proposed policies that would help protect habitats:

- **Policy ENV-1.2: Sensitive Habitat Assessment and Impact Mitigation.** Require new development and redevelopment located within sensitive habitats, including coastal saltmarsh, mixed hardwood forest, oak savannah, vernal pools, and riparian habitats to provide a detailed assessment of the potential for impacts on these resources, and include measures to reduce any identifiable impacts.
- **Policy ENV-1.3: Habitat Conservation.** Support habitat conservation efforts to set aside and preserve suitable habitats, with priority given to habitats for rare and endangered species in American Canyon in accordance with state and federal resource agency requirements.

However, as discussed on page 4.3-12 of the Draft EIR, the Municipal Code is only applicable to "significant biological habitats" defined as riparian corridors, coastal saltmarsh, mixed hardwood

forest, oak savannah, vernal pools and wetlands (as defined by USFWS), and special-status species may occur in other habitats such as grasslands and eucalyptus stands, or less suitable habitats within the planning area. Given the City does not have substantial contiguous, high-quality habitat to support special status species in previously developed and disturbed areas of the City and existing American Canyon Municipal Code requirements designed to limit the disturbance of habitat, including critical habitat, development facilitated by the project would not result in significant direct impacts to special status species due to habitat loss, but may impact special status-species if individuals are present during vegetation removal or construction. Accordingly, the Draft EIR includes Mitigation Measure BIO-1 which requires projects on undeveloped parcels to perform a baseline Biological Resources Screening and Assessment. If the project would have the potential to impact biological resources, Mitigation Measures BIO-2 through BIO-9 would be required, as applicable, to reduce impacts to a less than significant level. Pending the results of the project-specific biological analysis, design alterations, further technical studies (e.g., protocol surveys) and consultations with the USFWS, CDFW, and/or other local, state, and federal agencies may be required. No revisions to the Draft EIR are required in response to this comment.

Response 5-15

The commenter suggests that the city should consider reparations and restoration efforts through converting nonfunctional spaces and landscaping back to natural native plantings and trees. Additionally, they recommend adopting a native plant ordinance requiring that at least 70 percent of residential plantings consist of native species.

The City Council has expressed interest in furthering the use of native plants in public and private landscaping. However, this would be a subsequent action to the General Plan and EIR. Therefore, this comment does not pertain to the Draft EIR or CEQA. No revisions to the Draft EIR are necessary in response to this comment.

Response 5-16

The commenter recommends increasing buffer zones around nests and wildlife use areas to 0.5 miles, following the California Department of Fish and Wildlife's (CDFW) guidelines.

As discussed on Page 4.3-1 of the Draft EIR, the City of American Canyon Municipal Code Section 19.24.060 includes requirements for development of areas designated as oak savannah, mixed hardwood forest, and coastal saltmarsh maintain a buffer from the edge of the designated habitat.

In addition, as outlined within Mitigation Measure BIO-1, for projects proposed within undeveloped parcels, the City shall require a baseline Biological Resources Screening and Assessment to determine whether projects proposed within undeveloped parcels have any potential to impact special-status biological resources. If the project would have the potential to impact biological resources, prior to construction, a qualified biologist shall conduct a project specific biological analysis to document the existing biological resources within a project footprint plus a minimum buffer of 500 feet around the project footprint, as is feasible, and to determine the potential impacts to those resources. Furthermore, buffers for nests are established within Mitigation Measure BIO-7.

Accordingly, these existing requirements are sufficient and meet the CDFW requirements and ensure that development projects would comply with both local and state regulations. No revisions to the Draft EIR are required in response to this comment.

Response 5-17

The commenter recommends increasing the tree replacement mitigation ratio from 1:1 to 5:1, reflecting a more accurate survival rate of 20 percent for new tree plantings.

The commenter's suggestion to increase the tree replacement ratio from 1:1 to 5:1 is infeasible because such a high tree replacement ratio is not always necessary or feasible. Often, there is inadequate space available for planting multiple trees in close proximity. Planting trees too close together can lead to competition for resources such as sunlight, water, and nutrients, which can stress the trees and ultimately be detrimental to their health. Furthermore, overcrowding can also increase the risk of disease and pest infestations.

It is crucial to balance the goals of tree replacement with the practical considerations of space and tree health. No revisions to the Draft EIR are required in response to this comment.

Response 5-18

The commenter suggests that all replacement trees and vegetation should be watered and maintained for at least one year after planting. They recommend replacing any failed mitigations and conducting a one-year survival review to ensure any unsuccessful plantings are replaced before the year ends.

The issue of landscape maintenance is addressed by the zoning code. According to American Canyon Municipal Code Section 19.22.040, trees and vegetation shall be continually maintained in good condition and kept clean and weeded. Good maintenance shall be interpreted to include: watering and maintaining water efficiency, weeding, pruning, insect and disease control, and replacement of plant materials and irrigation equipment as needed to preserve the health and appearance of plant materials.. No revisions to the Draft EIR are required in response to this comment.

Response 5-19

The commenter suggests creating a mitigation enforcement statute with clear accountability standards, including consequences for non-compliance and requiring city review and final approval of all mitigation efforts upon completion.

The City will prepare and adopt a Mitigation Monitoring and Reporting Program (MMRP) to track the implementation of mitigation measures identified in the Draft EIR. The purpose of the MMRP is to ensure that the mitigation measures are implemented effectively and in a timely manner. The MMRP includes a detailed list of all mitigation measures, a timeline for their implementation, identification of responsible parties, specific monitoring actions, and procedures for documenting and reporting progress. This program serves as a tool to track and verify that the mitigation measures are carried out as intended, ensuring accountability and transparency throughout the process. No revisions to the Draft EIR are required in response to this comment.

Response 5-20

The commenter suggests defining vague terms like "large" with specific numbers.

It is unclear which areas of the Draft EIR the commenter is referring to. Nevertheless, due to the programmatic nature of the analysis and associated mitigation, it is not always possible to define terms more specifically. However, the Draft EIR does define terms wherever possible to provide clarity and ensure a comprehensive understanding of the potential impacts and mitigation measures. No revisions to the Draft EIR are required in response to this comment.

Response 5-21

The commenter suggests that any development activity removing habitat, such as roosting or nesting trees, should replace these habitats as close to the original site as possible.

As discussed within Mitigation Measure BIO-8, all future development under the 2040 General Plan that will require the removal of large trees identified during the Biological Resources Screening and Assessment (Mitigation Measure BIO-1), prior to tree and/or structure removal, a qualified biologist shall conduct a focused survey of all trees and structures to be removed or impacted by construction activities to determine whether active roosts of special-status bats are present on site. If no signs of day roosting activity are observed, no further actions will be required. If bats or signs of day roosting by bats are observed, a qualified biologist will prepare specific recommendations such as partial dismantling to cause bats to abandon the roost, or humane eviction, both to be conducted during seasonal periods of bat activity, if required. Additionally, the qualified biologist shall determine compensatory mitigation for temporary or permanent habitat loss due to tree removal, in conjunction with CDFW. No revisions to the Draft EIR are required in response to this comment.

Response 5-22

The commenter advocates for banning discing as a weed control method, highlighting that it destroys habitats for ground-dwelling animals like burrowing owls, lizards, and snakes. They note that burrowing owls have been spotted in the American Canyon wetlands area.

The Draft EIR is a programmatic document and does not analyze details and designs specific to individual development projects, such as the use of discing as a weed control method. Furthermore, discing is a site-specific activity, and its appropriateness must be evaluated on a case-by-case basis. No revisions to the Draft EIR are required in response to this comment.

Response 5-23

The commenter suggests prohibiting the capture, killing, or relocation of animals without explicit authorization from CDFW or U.S. Fish and Wildlife Service (USFWS), and banning all wildlife killings in construction zones.

As discussed within Section 4.3, *Biological Resources*, of the Draft EIR, projects must comply with the Federal Endangered Species Act and the California Endangered Species Act, which prohibit the unauthorized capture, killing, or relocation of listed species. As discussed on Page 4.3-6 of the Draft EIR, the California Endangered Species Act allows for incidental take to otherwise lawful activities under CFGC Section 2081. The process of incidental take allows for the unintentional harm or harassment of these species during lawful activities, provided that specific permits are obtained. These permits require the implementation of measures to minimize and mitigate impacts on the

species. Project proponents wishing to obtain incidental take permits can do so through a permitting process outlined in California Code of Regulations (CCR) Section 783.

Additionally, the Draft EIR includes Mitigation Measure BIO-6 on page 4.3-16, which outlines the following requirements:

- All projects occurring within or adjacent to sensitive habitats that may support federally and/or state-listed endangered/threatened species shall have a CDFW- and/or USFWS-approved biologist present during all initial ground disturbing/vegetation clearing activities. Once initial ground disturbing/vegetation clearing activities have been completed, the biologist shall conduct daily pre-activity clearance surveys for endangered/threatened species. Alternatively, and upon approval of the CDFW and/or USFWS, the biologist may conduct site inspections at a minimum of once per week to ensure all prescribed avoidance and minimization measures are fully implemented.
- No endangered/threatened species shall be captured and relocated without express permission from the CDFW and/or USFWS.
- If at any time during project construction an endangered/threatened species enters the construction site or otherwise may be impacted by the project, all project activities shall cease. A CDFW/USFWS-approved biologist shall document the occurrence and consult with the CDFW and USFWS, as appropriate, to determine whether it is safe for project activities to resume.
- For all work occurring in areas where endangered/threatened species may be present and are at risk of entering the project site during construction, the applicant shall install exclusion fencing along the project boundaries prior to the start of construction (including staging and mobilization). The placement of the fence shall be at the discretion of the CDFW/USFWS-approved biologist. This fence shall consist of solid silt fencing placed at a minimum of three feet above grade and two feet below grade and shall be attached to wooden stakes placed at intervals of not more than five feet. The applicant shall inspect the fence weekly and following rain events and high wind events and shall maintain it in good working condition until all construction activities are complete.

These measures ensure that projects comply with the Federal Endangered Species Act and the California Endangered Species Act, and provide necessary protections for endangered and threatened species. No revisions to the Draft EIR are required in response to this comment.

Response 5-24

The commenter suggests placing large signs at all sites to direct wildlife injuries to the Napa Wildlife Rescue Center, including a map and phone number.

It is important to note that the Napa Wildlife Rescue Center has not indicated a desire for such signage. Additionally, the City does not have the authority to require the Napa Wildlife Rescue Center to take in injured animals from project sites. This comment is not related to the Draft EIR. No revisions to the Draft EIR are required in response to this comment.

Response 5-25

The commenter recommends banning pesticides and bait stations within 500 feet of wildlife habitats, including creeks, sloughs, and watering sites.

The activities outlined in the General Plan do not include specific details related to pesticide use or control. This matter falls within the jurisdiction of the Napa County Agricultural Commissioner's Office, which is responsible for the implementation and enforcement of pesticide regulations. The Napa County Agricultural Commissioner's Office oversees the safe use of pesticides through various programs and regulations designed to protect people, wildlife, and the environment. This includes monitoring pesticide applications near sensitive areas such as creeks, sloughs, and watering sites to minimize potential harm to wildlife habitats. For further information on pesticide use and control measures, please contact the Napa County Agricultural Commissioner's Office. This comment is not related to the Draft EIR. No revisions to the Draft EIR are required in response to this comment.

Response 5-26

The commenter recommends no overnight lighting on buildings within 500 feet of a wildlife area.

As discussed on pages 4.1-12, impacts to light pollution would be less than significant with mitigation. While the project would increase nighttime light, implementation of Mitigation Measure AES-2 would reduce operational light spillage to the extent feasible. The City has adopted California Green Building Code into its municipal code, which includes requirements to reduce light pollution. Overall, implementation of Mitigation Measure AES-2 would ensure that lighting and glare is minimized during operation of future development facilitated by the project, and impacts would be less than significant. No revisions to the Draft EIR are required in response to this comment.

Response 5-27

The commenter suggests that mitigation measures for warehouse and urban park developers should include expanding the urban forest, applying soil or compost to sequester carbon, and incentivizing rooftop gardens.

The Draft EIR is a programmatic document and does not analyze details and designs specific to individual development projects, such as development associated with warehouses and urban park developers. This comment is not related to the Draft EIR. No revisions to the Draft EIR are required in response to this comment.

Response 5-28

The commenter suggests supporting a regional plan with Napa and Solano Counties to protect open spaces and wildlife.

This comment does not pertain to the Draft EIR or CEQA. The City of American Canyon collaborates with Napa and Solano Counties on several regional plans to protect open space and wildlife. Most notably, development projects within the City must adhere to the General Plan, which includes policies for the protection of natural resources and open spaces. A prospective regional plan with Napa and Solano Counties would be a subsequent action that follows the General Plan and EIR. No revisions to the Draft EIR are required in response to this comment.

Response 5-29

The commenter suggests banning plastic grass in schools, residential, and in industrial development lands.

The Draft EIR is a programmatic document and does not analyze details and designs specific to individual development projects, such as the use of plastic grass in development. Public schools are not subject to local regulation. Consideration of other circumstances where plastic grass may be subject to local regulation would be a subsequent action that follows the General Plan and EIR. No revisions to the Draft EIR are required in response to this comment.

Response 5-30

The commenter suggests that future EIRs and Biological Resource Studies should include data and information from local environmental groups, such as the Audubon Society, Napa Plant Society, Beekeepers, and ICare.

CEQA does not mandate the inclusion of data and information from local environmental groups. Local environmental groups are encouraged to provide their input during the scoping and public review periods of future EIRs. During these times, they can submit relevant information from their sources to be considered in the environmental review process. No revisions to the Draft EIR are required in response to this comment.

Response 5-31

The commenter suggests including data from verification apps like iNaturalist and eBird.org in planning processes, stating an opinion that local bird watchers and regular walkers often have more current knowledge of local flora and fauna than outdated data sources. They also encourage involving local environmental groups in land use planning to protect critical habitats for special status species.

This comment is similar to Comment 5-30, please see the response above. As described therein, local environmental groups are always encouraged to provide their input during the scoping and public review periods of future EIRs. During these times, they can submit relevant information from their sources to be considered in the environmental review process. No revisions to the Draft EIR are required in response to this comment.

Response 5-32

The commenter suggests banning diesel truck idling in warehouse districts and imposing fines for idling over three minutes.

As stated in Section 4.5, *Greenhouse Gas Emissions*, the 5-minute idling time of nonworking vehicles would be consistent with the California Airborne Toxics Control Measure Title 13, Section 2485 of the California Code of Regulations requirements. Adherence to these requirements for nonworking vehicles would reduce GHG emissions associated with idling. No revisions to the Draft EIR are required in response to this comment.

Response 5-33

The commenter suggests that the City of American Canyon hire or assign dedicated staff to protect wildlife and preserve land for habitat.

Hiring new staff fall under the purview of the City's administrative and budgetary processes. This comment does not pertain to the Draft EIR or CEQA. No revisions to the Draft EIR are required in response to this comment.

Response 5-34

The commenter suggests banning black asphalt in all new roads, developments, parking lots, and replace with permeable concrete.

On page 4.3-11, the project would be subject to Bay Area Air Quality Management District Regulation 8, Rule 15 which dictates the reactive organic gases content of asphalt available for use during construction by regulating the sale and use of asphalt and limiting the ROG content in asphalt. No revisions to the Draft EIR are required in response to this comment.

Response 5-35

The commenter suggests that the 203 acres of Green Island Vineyard should be set aside as an area of study for a conservation easement.

This comment does not pertain to the Draft EIR or CEQA. The Green Island Vineyard is not included as part of the General Plan scope of work. No revisions to the Draft EIR are required in response to this comment.

Response 5-32

The commenter expresses gratitude for the opportunity to provide public comments and hopes their suggestions will be considered and incorporated into the Final EIR.

This comment is appreciated and no revisions to the Draft EIR are required in response to this comment.

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State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Bay Delta Region
2825 Cordelia Road, Suite 100
Fairfield, CA 94534
(707) 428-2002
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GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

Letter 6

November 20, 2024

Brent Cooper
City of American Canyon, Community Development Director
4381 Broadway Street, Suite 201
American Canyon, CA 94503
BCooper@americancanyon.gov

Subject: American Canyon 2040 General Plan Update, Program Environmental Impact Report, SCH No. 2022070038, Napa County

Dear Mr. Cooper:

6-1

The California Department of Fish and Wildlife (CDFW) received a Notice of Availability of a Draft Program Environmental Impact Report (EIR) from the City of American Canyon (City) for the American Canyon 2040 General Plan Update (Project) pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.[1] CDFW previously provided comments in response to the Notice of Preparation (NOP) of the EIR in a letter dated July 28, 2022.

After receiving a two-week extension from the City, CDFW is submitting comments on the EIR to inform the City, as the Lead Agency, of potentially significant impacts to biological resources associated with the Project.

CDFW ROLE

6-2

CDFW is a **Trustee Agency** with responsibility under CEQA pursuant to CEQA Guidelines section 15386 for commenting on projects that could impact fish, plant, and wildlife resources. CDFW is also considered a **Responsible Agency** if a project would require discretionary approval, such as permits issued under the California Endangered Species Act (CESA) or Native Plant Protection Act (NPPA), the Lake and Streambed Alteration Program, or other provisions of the Fish and Game Code that afford protection to the state's fish and wildlife trust resources.

PROJECT DESCRIPTION SUMMARY

Proponent: City of American Canyon

6-3

Objective: The Project would adopt and implement the American Canyon 2040 General Plan update per California Government Code section 65300 and the City's Climate Action Plan. The General Plan Update will reflect recent development decisions and changes in State law. Major components will include the following elements: Land Use, Circulation, Community Services, Open Space and Recreation, Conservation, Safety, Noise, and Housing. The General Plan Update includes buildout estimates of 3,379 residential units and 5,704,000 square feet of nonresidential development. It will serve as the City's primary guide for future land use and development decisions.

Location: The general planning area includes approximately 6.1 square miles of the City, the urban limit line, historic water service area, and sphere of influence. The City is in southern Napa County, approximately 5 miles south of the City of Napa, 25 miles northeast of the City of San Francisco, and approximately 20 miles north of the City of Oakland. The City is bordered by unincorporated Napa County and the Napa County Airport to the north, Sulphur Spring Mountains to the east, Solano County and the City of Vallejo to the south, and a salt marsh and wetland area including the Napa River to

[1] CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

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the west. The GPU planning area is centered at approximately 38.17941°N, -122.25472°W (NAD 83).

6-3 cont.

REGULATORY REQUIREMENTS

California Endangered Species Act and Native Plant Protection Act

Please be advised that a CESA Incidental Take Permit (ITP) must be obtained if the Project has the potential to result in "take" of plants or animals listed or candidates for listing under CESA or NPPA either during construction or over the life of the Project. **As described in CDFW's response letter to the NOP, the Project has the potential to impact the CESA listed as endangered species Delta smelt (*Hypomesus transpacificus*), and CESA listed as threatened species including Longfin smelt (*Spirinchus thaleichthys*), tricolored blackbird (*Agelaius tricolor*), and Swainson's hawk (*Buteo swainsoni*), the latter two of which are documented to nest in and near the Project area. Additionally, the Project has the potential to impact winter-run Chinook salmon (*Oncorhynchus tshawytscha*) and spring-run Chinook salmon (*Oncorhynchus tshawytscha*), which are CESA listed as endangered and threatened, respectively, and white sturgeon (*Acipenser transmontanus*) and burrowing owl (*Athene cunicularia*), which were recently approved as CESA candidate species (CDFW 2024). In addition to habitat removal and direct impacts, noise-generating or vegetation-disturbing activities, or activities resulting in visual disturbances, could result in take of nesting tricolored blackbird or Swainson's hawk and nesting or wintering burrowing owl. Plant species such as Mason's lilaeopsis (*Lilaeopsis masonii*), which is NPPA listed as rare, and Tiburon paintbrush (*Castilleja affinis* var. *neglecta*), which is CESA listed as endangered, may also occur in or near the Project and ground-disturbing activities could result in take of individuals. Due to the large Project area, additional species listed under CESA and NPPA may be impacted, as further described below**. Issuance of an ITP is subject to CEQA documentation; the CEQA document must specify impacts, mitigation measures, and a mitigation monitoring and reporting program. If the Project will impact CESA or NPPA listed species including, but not limited to those described above, early consultation is encouraged, as significant modification to the Project and mitigation measures may be required in order to obtain an ITP.

6-4

CEQA requires a Mandatory Finding of Significance if a project is likely to substantially restrict the range or reduce the population of a threatened or endangered species. (Pub. Resources Code, §§ 21001, subd. (c) & 21083; CEQA Guidelines, §§ 15380, 15064, & 15065.). Impacts must be avoided or mitigated to less-than-significant levels unless the CEQA Lead Agency makes and supports Findings of Overriding Consideration (FOC). The CEQA Lead Agency's FOC does not eliminate the Project proponent's obligation to comply with CESA.

6-5

Lake and Streambed Alteration

An LSA Notification, pursuant to Fish and Game Code section 1600 et seq., is required for project activities affecting lakes or streams and associated riparian habitat. Notification is required for any activity that may substantially divert or obstruct the natural flow; change or use material from the bed, channel, or bank including associated riparian or wetland resources; or deposit or dispose of material where it may pass into a river, lake, or stream. **Project sites may contain streams, therefore an LSA Notification may be warranted, as further described below.** Work within ephemeral streams, washes, watercourses with a subsurface flow, and floodplains are subject to LSA Notification requirements. CDFW would consider the CEQA document for the Project and may issue an LSA Agreement. CDFW may not execute the final LSA Agreement until it has complied with CEQA as a Responsible Agency.

6-6

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Raptors and Other Nesting Birds

CDFW has jurisdiction over actions that may result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections protecting birds, their eggs, and nests include sections 3503 (regarding unlawful take, possession or needless destruction of the nests or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird). Migratory birds are also protected under the federal Migratory Bird Treaty Act. 6-7

California Fully Protected Species

Fully Protected species may not be taken or possessed at any time and no licenses or permits may be issued for their take except as follows:

- Take is for necessary scientific research;
- Efforts to recover a fully protected, endangered, or threatened species, live capture and relocation of a bird species for the protection of livestock; or
- They are a covered species whose conservation and management is provided for in a Natural Community Conservation Plan (Fish & G. Code, §§ 3511, 4700, 5050, & 5515). 6-8

Specified types of infrastructure Projects may be eligible for an ITP for unavoidable impacts to fully protected species if certain conditions are met (Fish & G. Code, § 2081.15). Project proponents should consult with CDFW early in the Project planning process. **The Project has the potential to impact the following California Fully Protected species: salt marsh harvest mouse (*Reithrodontomys raviventris*), also CESA listed as endangered; California Ridgway's rail (*Rallus obsoletus obsoletus*), also CESA listed as endangered; California black rail (*Laterallus jamaicensis coturniculus*), also CESA listed as threatened; golden eagle (*Aquila chrysaetos*), American peregrine falcon (*Falco peregrinus anatum*), and white-tailed kite (*Elanus leucurus*).**

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below and in **Attachment 1** to assist the City in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. 6-9

I. Project Description and Related Impact Shortcoming

COMMENT 1: Program Environmental Impact Report Subsequent Project Review

The EIR is a Program EIR but does not include a checklist for subsequent project review. As described in CDFW's letter response to the NOP, while Program EIRs have a necessarily broad scope, as described in CDFW's NOP response letter, CDFW recommends providing as much information related to anticipated future activities as possible. CDFW recognizes that, pursuant to CEQA Guidelines section 15152, subdivision (c), if a Lead Agency is using the tiering process in connection with an EIR or large-scale planning approval, the development of detailed, site-specific information may not be feasible and can be deferred, in many instances, until such time as the Lead Agency prepares a future environmental document. This future environmental document would cover a Project of a more limited geographical scale and is appropriate if the deferred information does not prevent adequate identification of significant effects of the planning approval at hand. The CEQA Guidelines section 15168, subdivision (c)(4) states, "Where the later activities involve site-specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and the activity to determine whether the environmental effects of the operation were within the 6-10

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scope of the program EIR." Based on CEQA Guidelines section 15183.3 and associated Appendix N Checklist, and consistent with other program EIRs, CDFW recommends creating a procedure or checklist for evaluating subsequent Project impacts on biological resources to determine if they are within the scope of the Program EIR or if an additional environmental document is warranted. This checklist should be included as an attachment to the EIR. Also see an example in the Board of Forestry and Fire Protection's Appendix PD-3 - Project-Specific Analysis, available at https://bof.fire.ca.gov/projects-and-programs/calvtp-homepage-and-storymap/#:~:text=The%20CalVTP%20Program%20Environmental%20Impact,with%20the%20CalVTP%20Program%20EIR and template-psa-checklist-508-compliant.dotx https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fbof.fire.ca.gov%2Fmedia%2Fuqbpmcuq%2Ftemplate-psa-checklist-508-compliant.dotx&wdOrigin=BROWSELINK. Future analysis should include all special-status species and sensitive habitat including, but not limited to species considered rare, threatened, or endangered species pursuant to CEQA Guidelines, section 15380. 6-10 cont.

When used appropriately, the checklist should be accompanied by enough relevant information and reasonable inferences to support a "within the scope" of the EIR conclusion. For subsequent Project activities that may affect sensitive biological resources, a site-specific analysis should be prepared by a Qualified Biologist to provide the necessary supporting information. In addition, the checklist should cite the specific portions of the EIR, including page and section references, containing the analysis of the subsequent Project activities' significant effects and indicate whether it incorporates all applicable mitigation measures from the EIR. 6-11

II. Environmental Setting and Mitigation Measures Related Impact Shortcomings

Mandatory Findings of Significance: Does the Project have the potential to substantially reduce the number or restrict the range of an endangered, rare, or threatened species?

And,

Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or U.S. Fish and Wildlife Service (USFWS)? 6-12

COMMENT 2: Listed and other Special-Status Species Unmitigated Impacts

Issue, specific impacts, why they may occur and be potentially significant: If the Project may result in physical changes in the environment, such as facilitating development, then the Project could: 1) reduce the number or restrict the range of an endangered, rare, or threatened species, or 2) have a substantial adverse effect, either directly or through habitat modifications, on candidate, sensitive, or special-status species. The General Plan Area (EIR, page 2-4) has potential to support special-status species described in this letter. These species are documented to occur within 5 miles of the General Plan Area according to the California Natural Diversity Database (CNDDB). The EIR does not include specific and detailed mitigation measures for these species.

California Ridgeway's Rail and California Black Rail

The Project has the potential to impact nesting California Ridgeway's rail and California black rail through auditory or visual disturbances above ambient levels, or habitat removal. Disturbances from Project activities on or within 700 feet of suitable nesting habitat may result in California black rail and California Ridgeway's rail nest abandonment and loss of eggs or reduced health and vigor and loss of young. These species are CESA listed as threatened or endangered and are therefore considered to 6-13

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be a threatened or endangered species pursuant to CEQA Guidelines section 15380. Therefore, if an active nest is disturbed by the Project, the Project could result in a substantial reduction in the species' population, which would be a mandatory finding of significance pursuant to CEQA Guidelines section 15065, subdivision (a)(1). Suitable marsh habitat for both species is present along the western side of the General Plan Area, including areas near Fagan Marsh Ecological Reserve and the Napa-Sonoma Marshes Wildlife Area.

6-13 cont.

Salt Marsh Harvest Mouse

The Project has the potential to impact salt marsh harvest mouse through direct salt marsh habitat removal and injury or mortality of the species. Salt marsh harvest mouse is CESA listed as endangered and and is therefore considered to be an endangered species pursuant to CEQA Guidelines section 15380. Therefore, if salt marsh harvest mouse is impacted by the Project, the Project could result in a substantial reduction in the species' population, which would be a mandatory finding of significance pursuant to CEQA Guidelines section 15065, subdivision (a)(1).

6-14

Swainson's Hawk

If the work associated with the Project occurs during nesting season, any nesting Swainson's hawks within 0.5 miles of the Project site could be disturbed by Project activities resulting in nest abandonment or reduced health and vigor of young, and take of the species pursuant to CESA. Swainson's hawks is CESA listed as threatened and therefore is considered to be a threatened species pursuant to CEQA Guidelines section 15380. Therefore, if an active nest is disturbed by the Project, the Project could result in a substantial reduction in the species' population, which would be a mandatory finding of significance pursuant to CEQA Guidelines section 15065, subdivision (a)(1).

6-15

The Project could result in the removal of potential foraging habitat for Swainson's hawk, however no compensatory habitat mitigation is proposed. The breeding population of Swainson's hawks in California has declined by an estimated 91 percent since 1900 and the species continues to be threatened by on-going and cumulative loss of foraging habitat (CDFW 2016). Therefore, reduction of Swainson's hawk foraging habitat would be a potentially significant impact. **Napa County recently recognized the need to conserve Swainson's hawk foraging habitat to reduce impacts to less-than-significant and included Swainson's hawk foraging habitat compensation in their Mitigated Negative Declaration for E&P Technology Way - Building A & B Use Permit, State Clearinghouse No. 2024100855 (see MND at, https://ceqanet.opr.ca.gov/2024100855 specifically Mitigation Measure BIO-5 on page 12).**

Tricolored Blackbird

The Project may impact tricolored blackbird, which occurs in Napa County. The Project area encompasses the range and sections of predicted habitat for tricolored blackbird. If active tricolored blackbird nests are not detected by the proposed surveys or appropriate buffer zones are not established, tricolored blackbird could be disturbed by Project activities resulting in nest abandonment and loss of eggs or reduced health and vigor and loss of young. Tricolored blackbird is CESA listed as a threatened species and therefore is considered to be a threatened species pursuant to CEQA Guidelines section 15380. Therefore, if an active tricolored blackbird nest is disturbed by the Project, the Project may result in a substantial reduction in the number of a threatened species, which is considered a mandatory finding of significance pursuant to CEQA Guidelines section 15065, subdivision (a)(1).

6-16

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Burrowing Owl

The Project could result in burrowing owl nest abandonment, loss of young, reduced health and vigor of owlets, injury or mortality of adults, and permanent wintering (i.e., non-nesting) or nesting habitat loss. Additionally, the Project may result in a permanent reduction of burrowing owl foraging habitat in Napa County. Burrowing owl is a CESA candidate species and Species of Special Concern (SSC) because the species' population viability and survival are adversely affected by risk factors such as precipitous declines from habitat loss, fragmentation, and degradation; evictions from nesting sites without habitat mitigation; wind turbine mortality; human disturbance; and eradication of California ground squirrels (*Otospermophilus beecheyi*) resulting in a loss of suitable burrows required by burrowing owl for nesting, protection from predators, and shelter (Shuford and Gardali 2008; *Department of Fish and Game Staff Report on Burrowing Owl Mitigation* (2012); personal communication, CDFW Statewide Burrowing Owl Coordinator Esther Burkett, May 13, 2022). Preliminary analyses of regional patterns for breeding populations of burrowing owl have detected declines both locally in their central and southern coastal breeding areas, and statewide where the species has experienced breeding range retraction (*Department of Fish and Game Staff Report on Burrowing Owl Mitigation* (2012); personal communication, Esther Burkett, May 13, 2022). Burrowing owl have been extirpated from 16 percent of their former range and are at risk of being extirpated from another 13 percent of their range in the State (CDFW 2024). Information indicates a decline in burrowing owl range over time, burrowing owl has experienced population declines in regions of California and threats to burrowing owl, coupled with long-term population declines, suggest a high degree and immediacy of threat to burrowing owl in California (CDFW 2024). Burrowing owl is CESA candidate species and therefore is considered to be a threatened species pursuant to CEQA Guidelines section 15380. Therefore, if an active nest or wintering owl is disturbed by the Project, the Project could result in a substantial reduction in the species' population, which would be a mandatory finding of significance pursuant to CEQA Guidelines section 15065, subdivision (a)(1). 6-17

Special-Status Plants

The EIR includes mitigation measures BIO-2 and BIO-3 for special-status plants, however these measures do not require the Project to obtain a CESA ITP for impacts to CESA or NPPA listed plants, and therefore impacts to listed plants may not be mitigated to less-than-significant. 6-18

Special-Status Fishes and Aquatic Life

The General Plan Area covers or is adjacent to estuarine, riverine, and pelagic habitats that support special-status fishes including Delta smelt, CESA listed as endangered and federally listed as threatened; longfin smelt, CESA listed as threatened and federally listed as endangered; winter- and spring-run Chinook salmon, CESA listed as endangered and threatened, respectively, and white sturgeon, CESA candidate species. Note that Project activities can remotely impact special-status fishes (e.g. pollutants introduced upstream from fish habitat). The above fish species are CESA and federal Endangered Species Act (ESA) listed or candidate species and therefore are considered to be threatened or endangered species pursuant to CEQA Guidelines section 15380. Therefore, if these fish would be impacted by the Project, the Project could result in a substantial reduction in the species' population, which would be a mandatory finding of significance pursuant to CEQA Guidelines section 15065, subdivision (a)(1). CDFW recommends revising the EIR to include an assessment of special-status fishes and aquatic life including, but not limited to the above fish species, as well as an assessment of overall Project impacts regarding aquatic resources, streams, riparian areas, and in-water work (see Comments 3 and 4 below). 6-19

Recommended Mitigation Measures: To reduce potential impacts to listed and special-status species to less-than-significant and comply with CESA and NPPA, CDFW 6-20

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recommends including mitigation measures in the EIR which evaluate such foreseeable potentially significant impacts. Where future site-specific impacts may not be presently foreseeable based on the Project's broad scope, the checklist discussed in Comment 1 above should be used to determine if a future CEQA environmental document is required. CDFW would appreciate the opportunity to review a revised EIR and may have further comments once more specific-species information is provided. 6-20 cont.

For example, CDFW recommends including the mitigation measures below in this EIR:

Mitigation Measure BIO-10 (Fully Protected Species). A qualified biologist or biological monitor shall be present on site to survey and monitor for Fully Protected species, including salt marsh harvest mouse, California Ridgway's (formerly California Clapper) rail, and California black rail, during: a) all vegetation removal, b) the construction of exclusion fencing, and c) all work within 300 feet of tidal or pickleweed habitats. The qualified biologist or biological monitor shall have the authority to stop work if deemed necessary for any reason to protect these species, or any other special-status species. Take or possession of these Fully Protected species is prohibited and no permits may be issued for such, except in limited circumstances (Fish & G. Code, §§ 3511 & 4700). 6-21

Mitigation Measure BIO-11 (*California Ridgeway's Rail/Black Rail Avoidance and Surveys)*. A qualified biologist shall assess if suitable habitat for California Ridgway's rail or California black rail habitat occurs on or within 700 feet of the Project area and shall obtain CDFW's written acceptance of the assessment prior to the start of Project construction. Project activities within tidal marsh or suitable California Ridgway's rail or California black rail habitat, and within 700 feet of such habitat, shall be avoided during rail breeding season (January 15 – August 31 for California Ridgway's rail, February 1 – August 31 for California black rail) each year unless appropriately timed, yearly protocol level surveys are conducted, and survey methodology and results are submitted to and accepted by CDFW in writing. Surveys shall focus on suitable habitat that may be disturbed by Project activities during the breeding season to ensure that these species are not nesting in these locations. 6-22

If breeding rails are determined to be present, no activities, visual disturbance (direct line of sight) and/or an increase in the ambient noise level shall occur within 700 feet of areas where California Ridgway's rail and/or California black rail have been detected during the breeding season, unless otherwise approved in writing by CDFW. If surveys have not been conducted, all work shall be conducted 700 feet from California Ridgway's rail and/or California black rail habitat during nesting

Mitigation Measure BIO-12 (Salt Marsh Harvest Mouse – High Tide Restrictions). No Project activities shall occur within 50 feet of suitable tidal marsh habitat for the salt marsh harvest mouse within two hours before and after an extreme high tide event (6.5 feet or higher measured at the Golden Gate Bridge and adjusted to the timing of local high tides) or when adjacent marsh is flooded unless salt marsh harvest mouse proof exclusion fencing has been installed around the work area. 6-23

Mitigation Measure BIO-13 (Salt Marsh Harvest Mouse – Vegetation). Prior to impacting salt marsh habitat, a qualified biologist or biological monitor, familiar with salt marsh harvest mouse, shall walk through and inspect suitable habitat prior to vegetation removal and search for signs of harvest mice or other sensitive wildlife and plants. Following inspection, personnel, under the supervision of the qualified biologist, will disturb (e.g., flush) vegetation to force movement of salt marsh harvest mouse into adjacent marsh areas. Flushing of vegetation will first occur in the center of the site then progress toward the two sides away from the open water areas or in this case, away from impacted habitat. Immediately following vegetation flushing, personnel, under the supervision of the qualified biologist or biological monitor, will remove vegetation with hand tools (e.g., weed-eater, hoe, rake, trowel, shovel, grazing) so that vegetation is no taller than two inches. 6-24

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Mitigation Measure BIO-14 (Salt Marsh Harvest Mouse – Exclusion Fencing). After vegetation removal, a mouse proof barrier shall be placed along the edge of the area removed of vegetation to further reduce the likelihood of salt marsh harvest mouse returning to the area prior to construction. The fence shall be made of a heavy plastic sheeting material that does not allow salt marsh harvest mice to pass through or climb, and the bottom shall be buried to a depth of four inches so that salt marsh harvest mouse cannot crawl under the fence. Fence height shall be at least 12 inches higher than the highest adjacent vegetation with a maximum height of 4 feet. All supports for the exclusion fencing shall be placed on the inside of the work area. An approximately two-foot wide de-vegetated buffer shall be created along the habitat side of the exclusion fence. 6-25

Mitigation Measure BIO-15 (Salt Marsh Harvest Mouse – Inspections). The salt marsh harvest mouse exclusion fencing shall remain in operating condition throughout the duration of all project activities in salt marsh habitat. The qualified biologist or biological monitor shall daily inspect the integrity of the exclusion fencing to ensure there are no gaps, tears or damage. Maintenance of the fencing shall be conducted as needed. Any necessary repairs to the fencing shall be completed within 24 hours of the initial observance of the damage. Any mice found along or outside the fence shall be closely monitored until they move away from the project area. 6-26

Mitigation Measure MM-BIO-16 (Swainson's Hawk Surveys and Avoidance Buffer): If Project activities are scheduled during the nesting season for Swainson's hawks (March 1 to September 15), prior to beginning work on the Project, a qualified biologist shall conduct surveys according to the *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley*, unless otherwise approved by CDFW in writing[2] Survey methods shall be closely followed by starting early in the nesting season (late March to early April) to maximize the likelihood of detecting an active nest (nests, adults, and chicks are more difficult to detect later in the growing season because trees become less transparent as vegetation increases). Surveys shall be conducted: 1) within a minimum 0.5-mile radius of the Project site or a larger area if needed to identify potentially impacted active nests, unless otherwise approved by CDFW in writing, and 2) for at least the two survey periods immediately prior to initiating Project-related construction activities. Surveys shall occur annually for the duration of the Project. The qualified biologist shall have a minimum of two years of experience implementing the survey methodology resulting in detections. If active Swainson's hawk nests are detected, the Project shall immediately inform CDFW and implement a 0.5-mile construction avoidance buffer around the nest until the nest is no longer active as determined by a qualified biologist, unless otherwise approved by CDFW in writing. If take of Swainson's hawk cannot be avoided, the Project shall consult with CDFW pursuant to CESA and obtain an ITP. CDFW Bay Delta Region staff is available to provide guidance on the ITP application process. 6-27

Mitigation Measure MM-BIO-17 (Swainson's Hawk Foraging Habitat Mitigation): Impacts to Swainson's hawk foraging habitat shall be quantified by a qualified biologist based on the final Project design plans, and the Project shall obtain written acceptance of the acreage of habitat impacts from CDFW. Prior to Project construction, the Project shall provide Swainson's hawk foraging habitat mitigation at a minimum 1:1 ratio which shall include: 1) permanent preservation of the species' foraging habitat through a conservation easement and implementing and funding a long-term management plan in perpetuity, or 2) purchase of Swainson's hawk foraging habitat credits at a CDFW-approved mitigation bank, unless otherwise required by an ITP issued for Swainson's hawk. 6-28

Mitigation Measure MM-BIO-18 (Tricolored Blackbird Avoidance): If nesting tricolored blackbird or evidence of their presence is found during nesting bird surveys within 500 6-29

[2] Swainson's Hawk Technical Advisory Committee, 2000. https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83990&inline

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feet of Project activities, CDFW shall be notified immediately and work shall not occur without written approval from CDFW allowing the Project to proceed. Project activities shall not occur within 500 feet of an active nest unless otherwise approved in writing by CDFW. If take of tricolored blackbird cannot be avoided, the Project shall consult with CDFW pursuant to CESA and obtain an ITP.

6-29 cont.

Mitigation Measure MM-BIO-19 (Burrowing Owl Surveys): A qualified biologist shall conduct a burrowing owl habitat assessment within 1,640 feet of the Project area pursuant to the California Department of Fish and Game (now CDFW) 2012 Staff Report on Burrowing Owl Mitigation (CDFW 2012 Staff Report, available here: https://wildlife.ca.gov/Conservation/Survey-Protocols#377281284-birds), unless otherwise approved in writing by CDFW. The qualified biologist shall have a minimum of two years of experience implementing the CDFW 2012 Staff Report survey methodology resulting in detections. The habitat assessment shall focus on searching the CNDDB and potentially other sources for any burrowing owl records on or within one mile of the Project area, vegetation type and height, suitable burrows (with an opening greater than11 centimeters [cm] in diameter and a depth of greater than 150 cm), burrow surrogates (culverts, piles of concrete rubble, piles of soil, burrows created along soft banks of ditches and canals, pipes, and similar structures), and presence of burrowing owl sign (tracks, molted feathers, cast pellets, prey remains, egg shell fragments, owl white wash, and nest burrow decoration material), and the presence of burrowing owl individuals or pairs. If the habitat assessment does not identify suitable habitat and surveys are not conducted as described below, an additional habitat assessment shall be conducted within 14 days prior to construction and if new potentially suitable burrowing owl refugia are present surveys shall be conducted as described below, unless otherwise approved in writing by CDFW. The results of the habitat assessment shall be emailed to the CDFW contact below, or if unavailable another CDFW representative, and the Project shall obtain CDFW's written approval of the habitat assessment prior to starting Project activities.

6-30

If suitable burrowing owl habitat is observed, four surveys shall be conducted to detect the presence of burrowing owl pursuant to the CDFW 2012 Staff Report. The site visits shall be spread evenly throughout the breeding or non-breeding season. The Project shall obtain CDFW's written approval of the survey results prior to starting Project activities. In addition, a take avoidance survey shall be completed within 14 days prior to the start of construction, as described in the CDFW 2012 Staff Report.

If burrowing owl is detected, the Project shall immediately notify CDFW. The Project shall avoid impacts to the burrowing owl and implement a 1,640-foot buffer area around the owl site in which no Project activities shall occur, unless otherwise approved in writing by CDFW. A Qualified Biologist shall monitor any detected owl to ensure it is not disturbed.

If the Project cannot ensure burrowing owl and their burrows are fully avoided, the Project shall consult with CDFW and obtain a take authorization or otherwise demonstrate compliance with CESA. Take is likely to occur and the Project shall obtain an ITP if: 1) burrowing owl surveys of the Project site detect burrowing owl occupancy of burrows or burrow surrogates, or 2) there is sign of burrowing owl occupancy on the Project site within the past three years and habitat has not had any substantial change that would make it no longer suitable within the past three years. Occupancy means a site that is assumed occupied if at least one burrowing owl has been observed occupying a burrow or burrow surrogate within the last three years. Occupancy of suitable burrowing owl habitat may also be indicated by burrowing owl sign including its molted feathers, cast pellets, prey remains, eggshell fragments, or excrement at or near a burrow entrance or perch site. If burrowing owl, or their burrows or burrow surrogates, are detected within 500 meters (1,640 feet) of the Project site during burrowing owl surveys, but not on the Project site, the Project shall consult with CDFW to determine if avoidance is feasible or an ITP is warranted and shall obtain an ITP if deemed necessary by CDFW.

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Mitigation Measure MM-BIO-20 (Burrowing Owl Foraging Habitat Mitigation): Impacts to burrowing owl foraging habitat shall be mitigated as described in *Mitigation Measure MM-BIO-17* above, except habitat shall be for burrowing owl, unless otherwise required by an ITP for burrowing owl. 6-31

Mitigation Measure MM-BIO-21 (Listed Plant Species Permitting). If the Project may result in impacts to CESA or NPPA listed plants, the Project shall obtain an ITP from CDFW prior to Project construction and shall comply with the ITP. 6-32

Mitigation Measure MM-BIO-22 (Special Status Fish Protection): In water work shall be avoided where special-status fish such as Delta smelt, longfin smelt, winter- and spring-run Chinook salmon and white sturgeon may occur, as determined by a qualified biologist based on a review of CNDDB and consultation with CDFW. If take of the above fish species or any CESA listed or candidate aquatic listed species cannot be avoided, the Project shall obtain a CESA ITP from CDFW prior to commencing Project activities and shall comply with the ITP. 6-33

COMMENT 3: Biological Setting, EIR Section 4.3.1 and Appendix B

Issue, specific impacts, why they may occur and be potentially significant: Section 4.3.1 of the EIR describes the biological setting of the Project area to be used for assessing impacts to land cover, special-status species, nesting birds, sensitive vegetation communities and critical habitat, and wildlife movement corridors.

Appendix B - Supporting Biological Resources Information, is referenced in this section of the EIR (page 4.3 -3): “There are 51 plant species and 44 animal species with potential to occur within the Planning Area which meet at least one of the criteria for a special-status species, described above (Appendix B).” However, Appendix B does not reflect recent status updates of several species with potential to occur and be impacted by the Project and thus does accurately characterize the most current biological setting of the Project with respect to special-status species such as burrowing owl and white sturgeon which are both CESA candidate species. 6-34

Recommended mitigation measure:

Mitigation Measure MM-BIO-23 (Biological Setting). CDFW recommends revising Appendix B and associated sections of the EIR to ensure an accurate biological setting and assessment of potential impacts to special-status species.

III. Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by CDFW or USFWS?

COMMENT 4: Riparian Habitat, Wetlands, and Lake and Streambed Alteration Notification

Issue, specific impacts, why they may occur and be potentially significant: The Project could result in potentially significant impacts to riparian habitat, wetlands, or other sensitive natural communities. 6-35

Recommended Mitigation Measures: If impacts to riparian habitat, wetlands, or other sensitive natural communities may occur, to reduce potential impacts to less-than-significant, CDFW recommends including the below mitigation measures.

Mitigation Measure MM-BIO-24 (Habitat Restoration and Compensation, and Impacts to Streams and Riparian Areas): The Project shall implement restoration onsite or offsite to mitigate temporary or permanent impacts to sensitive natural communities and wetlands at a minimum 1:1 (restore onsite temporary impacts) or 3:1 (permanent impacts) mitigation to impact ratio for acres and linear feet of impacts, or provide habitat compensation including permanent protection of habitat at the same ratio through a

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conservation easement and preparing and funding implementation of a long-term management plan, unless otherwise approved in writing by CDFW.

Prior to the commencement of Project activities, the Project shall conduct a thorough assessment for potential impacts to streams and riparian habitat including, but not limited to impacts resulting trail clearing, earth moving, and vegetation removal. If impacts to the bed, bank, channel, or riparian area of the streams cannot be avoided, the Project shall notify CDFW for potential Project impacts to the streams pursuant to Fish and Game Code section 1600 et seq., and shall comply with the LSA Agreement, if issued. More information for the Notification process is available at https://wildlife.ca.gov/Conservation/Environmental-Review/LSA.The Project shall not commence activities with potential to impact the stream until the LSA process has been completed. Impacts to the streams and riparian habitat shall be mitigated by restoring riparian habitat at a minimum 3:1 mitigation to impact ratio in area and linear feet for permanent impacts, all temporary impact areas shall be restored, and trees shall be replaced at an appropriate ratio based on size and species, unless otherwise approved in writing by CDFW. An LSA, if issued, may include additional avoidance and minimize measures to protect fish and wildlife resources. Projects shall also obtain permits from the Regional Water Quality Control Board (RWQCB) and U.S. Army Corps of Engineers (USACE) pursuant to the Clean Water Act if applicable.

6-35 cont.

COMMENT 5: CDFW Napa-Sonoma Marshes Wildlife Area

Issue, specific impacts, why they may occur and be potentially significant: The General Plan Area overlaps with CDFW's Napa-Sonoma Marshes Wildlife Area, which is a highly sensitive habitat area supporting several listed and special-status species. Any Project impacts to this area would be potentially significant.

Recommended Mitigation Measure:

Mitigation Measure MM-BIO-25 (CDFW Napa-Sonoma Marshes Wildlife Area): Prior to any Project activities within or adjacent to the CDFW Napa-Sonoma Marshes Wildlife Area, the Project shall coordinate with CDFW and obtain CDFW's approval to access the Wildlife Area and implement any fish and wildlife protection measures required by CDFW.

6-36

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special-status species and natural communities detected during Project surveys to CNDDB. The CNDDB field survey form can be filled out and submitted online at the following link: https://wildlife.ca.gov/Data/CNDDB/Submitting-Data. The types of information reported to CNDDB can be found at the following link: https://www.wildlife.ca.gov/Data/CNDDB/Plants-and-Animals.

6-37

ENVIRONMENTAL DOCUMENT FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the environmental document filing fee is required in order for the underlying project approval to be operative, vested, and final. (See Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

6-38

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CONCLUSION

CDFW appreciates the opportunity to comment on the EIR to assist the City in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Nicholas Magnuson, Environmental Scientist, at Nicholas.Magnuson@wildlife.ca.gov or (707) 815-4166; or Melanie Day, Senior Environmental Scientist (Supervisory), at Melanie.Day@wildlife.ca.gov or (707) 210-4415.

Sincerely,

DocuSigned by:
Erin Chappell
B77E9A6211EF486...

Erin Chappell
Regional Manager
Bay Delta Region

Attachment 1: Draft Mitigation and Monitoring Reporting Plan

ec: Office of Planning and Research, State Clearinghouse (SCH No. 2022070038)
Laureen Thompson, CDFW Bay Delta Region, Laureen.Thompson@wildlife.ca.gov

6-51

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REFERENCES

CDFW. 2024. California Natural Diversity Database (CNDDB) Management Framework. California Department of Fish and Wildlife. Sacramento, CA. Website https://wildlife.ca.gov/Data/BIOS [accessed August 7, 2024].

California Department of Fish and Wildlife (CDFW). 2024. Petition Evaluation for Western Burrowing Owl (*Athene cunicularia hypugaea*). Report to the Fish and Game Commission. California Department of Fish and Wildlife, P.O. Box 944209, Sacramento, CA.

CDFW. 2016. Status Review: Swainson's Hawk (*Buteo swainsoni*) in California, reported to the California Fish and Game Commission, five-year status report. State of California Natural Resources Agency, Sacramento, CA. https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=133622&inline

CDFW. 2012. Department of Fish and Game Staff Report on Burrowing Owl Mitigation. State of California Natural Resources Agency, Sacramento, CA.

Shuford, W. D., and Gardali, T., editors. 2008. California Bird Species of Special Concern: A ranked assessment of species, subspecies, and distinct populations of birds of immediate conservation concern in California. Studies of Western Birds 1. Western Field Ornithologists, Camarillo, California, and California Department of Fish and Game, Sacramento.

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ATTACHMENT 1

Draft Mitigation and Monitoring Reporting Plan

CDFW provides the following language to be incorporated into the Mitigation and Monitoring Program for the Project as examples of mitigation measures. As stated in the enclosed letter, CDFW recommends that the EIR should evaluate potential Project impacts to special-status species and include additional specific mitigation measures for foreseeable potentially significant impacts.

Biological Resources (BIO)			
Mitigation Measures	**Description**	**Timing**	**Responsible Party**
MM-BIO-10	*(Fully Protected Species).* A qualified biologist or biological monitor shall be present on site to survey and monitor for Fully Protected species, including salt marsh harvest mouse, California Ridgway's (formerly California Clapper) rail, and California black rail, during: a) all vegetation removal, b) the construction of exclusion fencing, and c) all work within 300 feet of tidal or pickleweed habitats. The qualified biologist or biological monitor shall have the authority to stop work if deemed necessary for any reason to protect these species, or any other special-status species. Take or possession of these Fully Protected species is prohibited and no permits may be issued for such, except in limited circumstances (Fish & G. Code, §§ 3511 & 4700).	Prior to and during ground disturbance	Project Applicant
MM-BIO-11	*(California Ridgeway's Rail/Black Rail Avoidance and Surveys).* A qualified biologist shall assess if suitable habitat for California Ridgway's rail or California black rail habitat occurs on or within 700 feet of the Project area and shall obtain CDFW's written acceptance of the assessment prior to the start of Project construction. Project activities within tidal marsh or suitable California Ridgway's rail or California black rail habitat, and within 700 feet of such habitat, shall be avoided during rail breeding season (January 15 – August 31 for California Ridgway's rail, February 1 – August 31 for California black rail) each year unless appropriately timed, yearly protocol level surveys are conducted, and survey methodology and results are submitted to and accepted by CDFW in writing. Surveys shall focus on suitable habitat that may be disturbed by Project activities during the breeding season to ensure that these species are not nesting in these locations. If breeding rails are determined to be present, no activities, visual disturbance (direct line of sight) and/or an increase in the ambient noise level shall occur within 700 feet of areas where California Ridgway's rail and/or California black rail have been detected during the breeding season, unless otherwise approved in writing by CDFW. If surveys have not been conducted, all work shall be conducted 700 feet from California Ridgway's rail and/or California black rail habitat during nesting	Prior to and during ground disturbance	Project Applicant
MM-BIO-12	*(Salt Marsh Harvest Mouse – High Tide Restrictions).* No project activities shall occur within 50 feet of suitable tidal marsh habitat for the salt marsh harvest mouse within two (2) hours before and after an extreme high tide event (6.5 feet or higher measured at the Golden Gate Bridge and adjusted to the timing of local high tides) or when adjacent marsh is flooded unless salt marsh harvest	Prior to and during ground disturbance	Project Applicant

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	mouse proof exclusion fencing has been installed around the work area.		
MM-BIO-13	*(Salt Marsh Harvest Mouse – Vegetation).* Prior to impacting salt marsh habitat, a qualified biologist or biological monitor, familiar with salt marsh harvest mouse, shall walk through and inspect suitable habitat prior to vegetation removal and search for signs of harvest mice or other sensitive wildlife and plants. Following inspection, personnel, under the supervision of the qualified biologist, will disturb (e.g., flush) vegetation to force movement of salt marsh harvest mouse into adjacent marsh areas. Flushing of vegetation will first occur in the center of the site then progress toward the two sides away from the open water areas or in this case, away from impacted habitat. Immediately following vegetation flushing, personnel, under the supervision of the qualified biologist or biological monitor, will remove vegetation with hand tools (e.g., weed-eater, hoe, rake, trowel, shovel, grazing) so that vegetation is no taller than 2 inches.	Prior to and during ground disturbance	Project Applicant
MM-BIO-14	*(Salt Marsh Harvest Mouse – Exclusion Fencing).* After vegetation removal, a mouse proof barrier shall be placed along the edge of the area removed of vegetation to further reduce the likelihood of salt marsh harvest mouse returning to the area prior to construction. The fence shall be made of a heavy plastic sheeting material that does not allow salt marsh harvest mice to pass through or climb, and the bottom shall be buried to a depth of 4 inches so that salt marsh harvest mouse cannot crawl under the fence. Fence height shall be at least 12 inches higher than the highest adjacent vegetation with a maximum height of 4 feet. All supports for the exclusion fencing shall be placed on the inside of the work area. An approximately 2-foot wide de-vegetated buffer shall be created along the habitat side of the exclusion fence.	Prior to and during ground disturbance	Project Applicant
MM-BIO-15	*(Salt Marsh Harvest Mouse – Inspections).* The salt marsh harvest mouse exclusion fencing shall remain in operating condition throughout the duration of all project activities in salt marsh habitat. The qualified biologist or biological monitor shall daily inspect the integrity of the exclusion fencing to ensure there are no gaps, tears or damage. Maintenance of the fencing shall be conducted as needed. Any necessary repairs to the fencing shall be completed within 24 hours of the initial observance of the damage. Any mice found along or outside the fence shall be closely monitored until they move away from the project area.	Prior to and during ground disturbance	Project Applicant
MM-BIO-16	*(Swainson's Hawk Surveys and Avoidance Buffer):* If Project activities are scheduled during the nesting season for Swainson's hawks (March 1 to September 15), prior to beginning work on the Project, a qualified biologist shall conduct surveys according to the Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley, unless otherwise approved by CDFW in writing Survey methods shall be closely followed by starting early in the nesting season (late March to early April) to maximize the likelihood of detecting an active nest (nests, adults, and chicks are more difficult to detect later in the growing season because trees become less transparent as vegetation increases). Surveys shall be conducted: 1) within a minimum 0.5-mile radius of the Project site or a larger area if needed to identify potentially impacted	Prior to and during ground disturbance	Project Applicant

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	active nests, unless otherwise approved by CDFW in writing, and 2) for at least the two survey periods immediately prior to initiating Project-related construction activities. Surveys shall occur annually for the duration of the Project. The qualified biologist shall have a minimum of two years of experience implementing the survey methodology resulting in detections. If active Swainson's hawk nests are detected, the Project shall immediately inform CDFW and implement a 0.5-mile construction avoidance buffer around the nest until the nest is no longer active as determined by a qualified biologist, unless otherwise approved by CDFW in writing. If take of Swainson's hawk cannot be avoided, the Project shall consult with CDFW pursuant to CESA and obtain an ITP. CDFW Bay Delta Region staff is available to provide guidance on the ITP application process.		
MM-BIO-17	*(Swainson's Hawk Foraging Habitat Mitigation):* Impacts to Swainson's hawk foraging habitat shall be quantified by a qualified biologist based on the final Project design plans, and the Project shall obtain written acceptance of the acreage of habitat impacts from CDFW. Prior to Project construction, the Project shall provide Swainson's hawk foraging habitat mitigation at a minimum 1:1 ratio which shall include: 1) permanent preservation of the species' foraging habitat through a conservation easement and implementing and funding a long-term management plan in perpetuity, or 2) purchase of Swainson's hawk foraging habitat credits at a CDFW-approved mitigation bank, unless otherwise required by an ITP issued for Swainson's hawk.	Prior to ground disturbance	Project Applicant
MM-BIO-18	*(Tricolored Blackbird Avoidance):* If nesting tricolored blackbird or evidence of their presence is found during nesting bird surveys within 500 feet of Project activities, CDFW shall be notified immediately and work shall not occur without written approval from CDFW allowing the Project to proceed. Project activities shall not occur within 500 feet of an active nest unless otherwise approved in writing by CDFW. If take of tricolored blackbird cannot be avoided, the Project shall consult with CDFW pursuant to CESA and obtain an ITP.	Prior to and during ground disturbance	Project Applicant
MM-BIO-19	*(Burrowing Owl Surveys):* A qualified biologist shall conduct a burrowing owl habitat assessment within 1,640 feet of the Project area pursuant to the California Department of Fish and Game (now CDFW) 2012 Staff Report on Burrowing Owl Mitigation (CDFW 2012 Staff Report, available here: https://wildlife.ca.gov/Conservation/Survey-Protocols#377281284-birds), unless otherwise approved in writing by CDFW. The qualified biologist shall have a minimum of two years of experience implementing the CDFW 2012 Staff Report survey methodology resulting in detections. The habitat assessment shall focus on searching the CNDDB and potentially other sources for any burrowing owl records on or within one mile of the Project area, vegetation type and height, suitable burrows (with an opening of >11 cm in diameter and a depth of >150 cm), burrow surrogates (culverts, piles of concrete rubble, piles of soil, burrows created along soft banks of ditches and canals, pipes, and similar structures), and presence of burrowing owl sign (tracks, molted feathers, cast pellets, prey remains, egg shell fragments, owl white wash, and nest burrow decoration material), and the presence of burrowing owl individuals or pairs. If the habitat assessment does not identify suitable habitat and surveys are not conducted as described below, an additional habitat assessment shall be conducted within 14 days prior to construction and if	Prior to and during ground disturbance	Project Applicant

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	new potentially suitable burrowing owl refugia are present surveys shall be conducted as described below, unless otherwise approved in writing by CDFW. The results of the habitat assessment shall be emailed to the CDFW contact below, or if unavailable another CDFW representative, and the Project shall obtain CDFW's written approval of the habitat assessment prior to starting Project activities. If suitable burrowing owl habitat is observed, four surveys shall be conducted to detect the presence of burrowing owl pursuant to the CDFW 2012 Staff Report. The site visits shall be spread evenly throughout the breeding or non-breeding season. The Project shall obtain CDFW's written approval of the survey results prior to starting Project activities. In addition, a take avoidance survey shall be completed within 14 days prior to the start of construction, as described in the CDFW 2012 Staff Report. If burrowing owl is detected, the Project shall immediately notify CDFW. The Project shall avoid impacts to the burrowing owl and implement a 1,640-foot buffer area around the owl site in which no Project activities shall occur, unless otherwise approved in writing by CDFW. A Qualified Biologist shall monitor any detected owl to ensure it is not disturbed. If the Project cannot ensure burrowing owl and their burrows are fully avoided, the Project shall consult with CDFW and obtain a take authorization or otherwise demonstrate compliance with CESA. Take is likely to occur and the Project shall obtain an ITP if: 1) burrowing owl surveys of the Project site detect burrowing owl occupancy of burrows or burrow surrogates, or 2) there is sign of burrowing owl occupancy on the Project site within the past three years and habitat has not had any substantial change that would make it no longer suitable within the past three years. Occupancy means a site that is assumed occupied if at least one burrowing owl has been observed occupying a burrow or burrow surrogate within the last three years. Occupancy of suitable burrowing owl habitat may also be indicated by burrowing owl sign including its molted feathers, cast pellets, prey remains, eggshell fragments, or excrement at or near a burrow entrance or perch site. If burrowing owl, or their burrows or burrow surrogates, are detected within 500 meters (1,640 feet) of the Project site during burrowing owl surveys, but not on the Project site, the Project shall consult with CDFW to determine if avoidance is feasible or an ITP is warranted and shall obtain an ITP if deemed necessary by CDFW.		
MM-BIO-20	*(Burrowing Owl Foraging Habitat Mitigation):* Impacts to burrowing owl foraging habitat shall be mitigated as described in Mitigation Measure MM-BIO-17 above, except habitat shall be for burrowing owl, unless otherwise required by an ITP for burrowing owl.	Prior to ground disturbance	Project Applicant
MM-BIO-21	*(Listed Plant Species Permitting)*. If the Project may result in impacts to CESA or NPPA listed plants, the Project shall obtain an ITP from CDFW prior to Project construction and shall comply with the ITP.	Prior to and during ground disturbance	Project Applicant
MM-BIO-22	*(Special Status Fish Protection):* In water work shall be avoided where special-status fish such as Delta smelt, longfin smelt, winter- and spring-run Chinook salmon, and white sturgeon may occur, as determined by a qualified biologist based on a review of CNDDB and consultation with CDFW. If take of the above fish species or any CESA listed or candidate aquatic listed species	Prior to and during ground disturbance	Project Applicant

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	cannot be avoided, the Project shall obtain a CESA ITP from CDFW prior to commencing Project activities and shall comply with the ITP.		
MM-BIO-23	*(Biological Setting)*. CDFW recommends revising Appendix B and associated sections of the EIR to ensure an accurate biological setting and assessment of potential impacts to special-status species.	Prior to adopting the Final EIR	Lead Agency
MM-BIO-24	*(Habitat Restoration and Compensation, and Impacts to Streams and Riparian Areas):* The Project shall implement restoration onsite or offsite to mitigate temporary or permanent impacts to sensitive natural communities and wetlands at a minimum 1:1 (restore onsite temporary impacts) or 3:1 (permanent impacts) mitigation to impact ratio for acres and linear feet of impacts, or provide habitat compensation including permanent protection of habitat at the same ratio through a conservation easement and preparing and funding implementation of a long-term management plan, unless otherwise approved in writing by CDFW. Prior to the commencement of Project activities, the Project shall conduct a thorough assessment for potential impacts to streams and riparian habitat including, but not limited to impacts resulting trail clearing, earth moving, and vegetation removal. If impacts to the bed, bank, channel, or riparian area of the streams cannot be avoided, the Project shall notify CDFW for potential Project impacts to the streams pursuant to Fish and Game Code section 1600 et seq., and shall comply with the LSA Agreement, if issued. More information for the Notification process is available at https://wildlife.ca.gov/Conservation/Environmental-Review/LSA.The Project shall not commence activities with potential to impact the stream until the LSA process has been completed. Impacts to the streams and riparian habitat shall be mitigated by restoring riparian habitat at a minimum 3:1 mitigation to impact ratio in area and linear feet for permanent impacts, all temporary impact areas shall be restored, and trees shall be replaced at an appropriate ratio based on size and species, unless otherwise approved in writing by CDFW. An LSA, if issued, may include additional avoidance and minimize measures to protect fish and wildlife resources. Projects shall also obtain permits from the RWQCB and USACE pursuant to the Clean Water Act if applicable.	Prior to and during ground disturbance	Project Applicant
MM-BIO-25	*(CDFW Napa-Sonoma Marshes Wildlife Area):* Prior to any Project activities within or adjacent to the CDFW Napa-Sonoma Marshes Wildlife Area, the Project shall coordinate with CDFW and obtain CDFW's approval to access the Wildlife Area and implement any fish and wildlife protection measures required by CDFW.	Prior to and during ground disturbance	Project Applicant

Letter 6

COMMENTER: Erin Chappell, Regional Manager – Delta Bay Region, California Department of Fish and Wildlife

DATE: **November 20, 2024**

Response 6-1

The commenter notes that the California Department of Fish and Wildlife (CDFW) previously commented on the Notice of Preparation (NOP) of the EIR in a letter dated July 28, 2022. The commenter is now submitting comments on the EIR to inform the City of potential significant impacts to biological resources associated with the project.

The comment does not pertain to the adequacy of the Draft EIR, and no response is required.

Response 6-2

The commenter states that CDFW is considered as both a Trustee Agency and a Responsible Agency.

Page 1-6 of the Draft EIR recognizes the CDFW as a Trustee and Responsible Agency for the project, stating the following:

> "The California Department of Fish and Wildlife (CDFW) has responsibility for issuing take permits and streambed alteration agreements for any projects with the potential to affect plant or animal species listed by the State of California as rare, threatened, or endangered or that would disturb waters of the State."

No revisions to the Draft EIR are required in response to this comment.

Response 6-3

The commenter provides a summary of the project, the project's location, and the project's timeframe.

The comment does not pertain to the adequacy of the Draft EIR, and no response is required.

Response 6-4

The commenter states that if the project has the potential to result in take of plants and/or animals listed under the California Endangered Species Act (CESA). The commenter opines that a CESA Incidental Take Permit (ITP) must be obtained and encourages early consultation due to the possibility of significant modification to the project and mitigation measures in order to obtain a CESA Permit.

As discussed on pages 4.3-5 and 4.3-6 of the Draft EIR, impacts to state or federally listed species would require state and/or federal Incidental Take Permits. The Draft EIR determined that impacts to special-status species would be less than significant with mitigation, independent from regulatory permitting requirements. Mitigation Measure BIO-1 on page 4.3-13 of the Draft EIR stipulates that for projects within undeveloped parcels, a Biological Resources Screening and Assessment should occur to inform which additional mitigation measures, including as applicable to state-listed species, should apply. Mitigation Measure BIO-1 also states: "Pending the results of the project-specific biological analysis, design alterations, further technical studies (e.g., protocol surveys) and

consultations with the USFWS, CDFW, and/or other local, state, and federal agencies may be required." As such, consultation with CDFW regarding impacts to state-listed species would occur, as appropriate based on project-level impacts. Please see Responses 6-12 regarding special-status species. No revisions to the Draft EIR are required in response to this comment.

Response 6-5

The commenter summarizes CEQA requirements regarding Mandatory Finding of Significance for threatened or endangered species and Findings of Overriding Consideration.

The Draft EIR identifies potentially significant impacts of the project, including potentially significant impacts to biological resources. All potentially significant biological resource impacts of the project would be reduced to a less than significant level with implementation of mitigation measures found in Section 4.3, *Biological Resources*, of the Draft EIR. Specifically, Mitigation Measures BIO-1 through BIO-9 would mitigate impacts to threatened or endangered species to less than significant levels. Therefore, a Statement of Overriding Considerations is not required for biological resources, as this is a requirement only when a significant impact is unavoidable (CEQA Guidelines Section 15093). Therefore, the Draft EIR provides determinations of potentially significant impacts of the project. Therefore, no revisions to the Draft EIR are necessary in response to this comment.

Response 6-6

The commenter states that the project would impact streams and therefore a Lake and Streambed Alteration (LSA) Notification(s) may be required and obtained from the CDFW.

As discussed on pages 4.3-3, 4.3-8 and 4.3-9, 4.3-20 and 4.3-21, streams and wetlands under CDFW jurisdiction are present in the Planning Area. The American Canyon Municipal Code requires new development to be sited to preserve wetlands, including the retention of sufficient natural space and Section 19.24.040 of the Municipal Code restricts residential, commercial, and industrial uses in riparian corridors, limiting the potential for new development to substantially affect these areas. Further, as discussed under Impacts BIO-1 and on Page 4.3-20 and 4.3-21 of the Draft EIR, compliance with the NPDES Construction General Permit and MS4 Storm Water Permit would ensure that potential impacts to riparian habitat, sensitive natural communities, and wetlands would be less than significant. Mitigation Measure BIO-1 also states: "Pending the results of the project-specific biological analysis, design alterations, further technical studies (e.g., protocol surveys) and consultations with the CDFW may be required." As such, the City would submit an LSA Notification for impacts to CDFW jurisdiction, as appropriate based on project-level impacts. No revisions to the Draft EIR are necessary in response to this comment.

Response 6-7

The commenter states that the CDFW has jurisdiction over actions that may result in the disturbance or destruction of active nest sites or the unauthorized take of birds, and that migratory birds are also protected under the federal Migratory Bird Treaty Act.

The comment provides information on protections for nesting and migratory birds and does not pertain to the adequacy of the Draft EIR. The Draft EIR includes a section titled *California Fish and Game Code – Nesting Bird Protection* on page 4.3-7, which outlines the protections for nesting birds under California Fish and Game Code Sections 3503 and 3513. Additionally, the Draft EIR references the Migratory Bird Treaty Act under federal regulations in Section 4.3.2 on page 4.3-5, describing

the provisions of this federal law. No revisions to the Draft EIR are required in response to this comment.

Response 6-8

The commenter addresses the regulations for Fully Protected species, noting they cannot be taken or possessed except under specific circumstances, such as scientific research, recovery efforts, or inclusion in a Natural Community Conservation Plan. Certain infrastructure projects may qualify for an ITP if conditions are met. The commenter emphasizes consulting with CDFW early in the planning process and identifies several Fully Protected species that could be impacted by the project, including the salt marsh harvest mouse, California Ridgway's rail, California black rail, golden eagle, American peregrine falcon, and white-tailed kite.

As discussed within Revised Appendix B, there are 52 plant species and 45 animal species with potential to occur within the Planning Area, including six fully protected. Please see Responses 6-12 for additional information regarding special-status species. No revisions to the Draft EIR are required in response to this comment.

Response 6-9

The commenter states that they provide comments and recommendations to help the City identify and mitigate the project's significant or potentially significant impacts on biological resources. The commenter also states that these suggestions are detailed in Attachment 1 to the comment letter.

The commenter provides no specific comments on the adequacy of the Draft EIR, but rather introduces comments that follow later in the letter. Therefore, no revisions to the Draft EIR are necessary in response to this comment.

Response 6-10

The commenter notes that the EIR is a Program EIR but lacks a checklist for subsequent project review. They recommend including a checklist to evaluate future project impacts on biological resources, ensuring they fall within the scope of the Program EIR or require additional documentation. The commenter asserts this checklist should be attached to the EIR and include all special-status species and sensitive habitats.

While the Draft EIR does not include a formal checklist, Mitigation Measure BIO-1 provides a robust framework to evaluate project-specific impacts on biological resources. Mitigation Measure BIO-1 requires that for projects proposed on undeveloped parcels, a Qualified Biologist must conduct a Biological Resources Screening and Assessment to determine whether any special-status species, sensitive vegetation communities, or other biological resources may be affected. If biological resources are identified, a project-specific biological analysis is required. This analysis identifies applicable mitigation measures (BIO-2 through BIO-8) to reduce impacts to a less than significant level.

This approach aligns with CEQA Guidelines Section 15152(c), which allows detailed, site-specific information to be prepared at the project level as long as the EIR identifies broad environmental effects and mitigation frameworks. Since Mitigation Measure BIO-1 ensures future project-specific impacts will be evaluated and mitigated, a separate checklist is not necessary. The mitigation framework also supports the ongoing identification and protection of biological resources. The City would review all future development proposals in the Plan Area to determine whether they are

within the scope of the EIR or if additional CEQA review is required. No revisions to the Draft EIR are required in response to this comment.

Response 6-11

The commenter suggests that the checklist should include sufficient information and reasonable inferences to support a "within the scope" conclusion of the EIR. For activities affecting sensitive biological resources, a site-specific analysis by a Qualified Biologist is recommended. The commenter suggests the checklist should also reference specific EIR sections and pages, and indicate whether all applicable mitigation measures are incorporated.

Please see the Response to Comment 6-10 for a detailed explanation of how the Draft EIR evaluates subsequent project-specific impacts on biological resources. Mitigation Measure BIO-1 requires a site-specific biological analysis to be conducted by a Qualified Biologist for future projects on undeveloped parcels. This analysis documents the presence of sensitive biological resources and ensures that applicable mitigation measures from the EIR are incorporated to reduce impacts.

The biological analysis required by Mitigation Measure BIO-1 includes identification of all special-status species and sensitive habitats within the project area, application of relevant mitigation measures (BIO-2 through BIO-8), and consultations with CDFW, USFWS, and other agencies, where needed. While the Draft EIR does not include a formal checklist (as none is required by CEQA), the required biological analysis achieves the same purpose by ensuring that subsequent project activities are assessed for consistency with the EIR. This process provides sufficient documentation to demonstrate whether a project falls within the scope of the EIR. No revisions to the Draft EIR are necessary in response to this comment.

Response 6-12

The commenter notes that the project could significantly impact endangered, rare, or threatened species, or adversely affect candidate, sensitive, or special-status species through habitat modifications. The planning area has the potential to support these species, as documented within 5 miles according to the CNDDB. The commenter states the EIR lacks specific and detailed mitigation measures for these species.

As discussed in Impact BIO-1 on Draft EIR pages 4.3-11 through 4.3-13, implementation of General Plan Policies U-4.1 and U-4.8 require storm drainage maintenance and low impact development standards to protect water quality and special-status species that utilize aquatic and riparian habitats. As discussed in Impact BIO-2 on Draft EIR pages 4.3-20 through 4.3-21, implementation of General Plan Policies ENV-1.2 and ENV-1.3 require avoidance and preservation of sensitive habitat for rare and endangered species s, including coastal saltmarsh, mixed hardwood forest, oak savannah, vernal pools, and riparian habitats. Additionally, Mitigation Measures BIO-1 requires that for projects proposed on undeveloped parcels, a Qualified Biologist must conduct a Biological Resources Screening and Assessment to determine whether any special-status species, sensitive vegetation communities, or other biological resources may be affected. If biological resources are identified, a project-specific biological analysis is required. This analysis identifies applicable mitigation measures (BIO-2 through BIO-8) to reduce impacts to a less than significant level. Following the project-specific assessment, as required by Mitigation Measure BIO-1, additional mitigation measures may be required on individual projects depending on the findings of the biological resources evaluation, including botanical surveys, protocol-level wildlife surveys and habitat assessments, plant and wildlife avoidance and minimization measures, and habitat restoration at a minimum of 1:1 for project related impacts. Specific Mitigation Measures also

include nesting bird, roosting bat, and Crotch's Bumblebee Surveys and avoidance. Therefore, impacts to special-status species would be appropriately evaluated by a qualified biologist prior to project approval for projects tiering from the EIR. As such, no revisions to the Draft EIR are required in response to this comment.

Response 6-13

The commenter notes that the project could impact nesting California Ridgeway's rail and California black rail within 700 feet through disturbances or habitat removal. Disturbing an active nest could significantly reduce the species' population, a mandatory finding of significance under CEQA. Suitable marsh habitat for these species is present along the western side of the General Plan Area.

The General Plan Update does not propose development or change land use designations that would facilitate development within salt marsh habitat or within 700 feet of the salt marsh habitat. Rather, changes in the proposed General Plan Update within 700 feet of salt marsh habitat include land use amendments converting Low Residential to Open Space, thus removing some development potential compared to existing conditions. The American Canyon Municipal Code states that only public recreational facilities and outdoor recreation and sports are conditionally allowed within the Open Space zoning district. Accordingly, it can be concluded that the conversion from Low Residential to Open Space would not result in greater impacts.

Furthermore, as discussed in Impact BIO-1 on pages 4.3-11 through 4.3-13, implementation of General Plan Policy U-4.1 and U-4.8 requires storm drainage maintenance and low impact development standards to protect water quality and special-status species habitats. As discussed in Impact BIO-2 on Draft EIR pages 4.3-20 through 4.3-21, implementation of General Plan Policy ENV-1.2 and ENV-1.3 require avoidance and preservation of sensitive habitat for rare and endangered species, including coastal saltmarsh. Mitigation Measures BIO-1, BIO-5, and BIO-6 require a biological resources evaluation including the potential for agency consultation and permitting, protocol-level surveys and habitat assessments, and avoidance and minimization measures for project related impacts. As such, no revisions to the Draft EIR are required in response to this comment.

Response 6-14

The commenter notes that the project could impact the salt marsh harvest mouse through habitat removal and potential injury or mortality. If impacted, the project could significantly reduce the species' population, a mandatory finding of significance under CEQA Guidelines section 15065(a)(1).

Please see Response 6-13, which explains that the project would not impact salt marsh habitat. Therefore, impacts on salt marsh harvest mouse are not expected and no revisions to the Draft EIR are required.

Response 6-15

The commenter notes that if the project occurs during nesting season, it could disturb nesting Swainson's hawks within 0.5 miles, potentially causing nest abandonment or harm to young. Swainson's hawks are listed as threatened under CESA and CEQA. The project could also remove potential foraging habitat for Swainson's hawk, with no compensatory habitat mitigation proposed. The commenter adds that Napa County has recognized the need to conserve Swainson's hawk foraging habitat and included compensation measures in a recent Mitigated Negative Declaration.

Development facilitated by the project would occur primarily within existing development, and changes to land uses under the General Plan Update are primarily conversions of other uses to Open Space. Mitigation Measures BIO-1, BIO-5, and BIO-6 require a biological resources evaluation including the potential for agency consultation and permitting, protocol-level surveys and habitat assessments, and avoidance and minimization measures for project related impacts. Therefore, impacts to Swainson's hawk would be appropriately evaluated with coordination from a qualified biologist prior to project approval for projects tiering from the EIR. As such, no revisions to the Draft EIR are required in response to this comment.

Response 6-16

The commenter notes that the project may impact tricolored blackbirds, as the project area includes predicted habitat for this species. If active nests are not detected or appropriate buffer zones are not established, project activities could disturb the birds, leading to nest abandonment, loss of eggs, or harm to young.

Development facilitated by the project would occur primarily within existing development, and changes to the land uses under the General Plan Update are primarily conversions of other uses to Open Space. As discussed under Response 6-13, the American Canyon Municipal Code states that only public recreational facilities and outdoor recreation and sports are conditionally allowed within the Open Space zoning district. As such, no development would occur within zoned Open Space.

As discussed in Impact BIO-1 on Draft EIR pages 4.3-11 through 4.3-13, implementation of General Plan Policy U-4.1 and U-4.8 requires storm drainage maintenance and low impact development standards to protect water quality and special-status species habitats. As discussed in Impact BIO-2 on Draft EIR pages 4.3-20 through 4.3-21, implementation of General Plan Policies ENV-1.2 and ENV-1.3 require avoidance and preservation of sensitive habitat for rare and endangered species, including coastal saltmarsh and riparian habitats. Additionally, Mitigation Measures BIO-1, BIO-5, and BIO-6 require a biological resources evaluation, protocol-level surveys and habitat assessments, and avoidance and minimization measures for project related impacts. Therefore, impacts to tricolored blackbird would be appropriately evaluated by a qualified biologist prior to project approval for projects tiering from the EIR. As such, no revisions to the Draft EIR are required in response to this comment.

Response 6-17

The commenter notes that the project could lead to burrowing owl nest abandonment, loss of young, reduced health of owlets, injury or mortality of adults, and loss of wintering or nesting habitat. Additionally, the project may reduce burrowing owl foraging habitat in Napa County.

Development facilitated by the project would occur primarily within existing development, and changes to land use under the General Plan Update are primarily conversions of other uses to Open Space. As discussed in Impact BIO-1 in Section 4.3-11 through 4.3-13, Mitigation Measures BIO-1, BIO-5, and BIO-6 require a biological resources evaluation including potential permitting requirements, protocol-level surveys and habitat assessments, avoidance and minimization measures for project related impacts. As discussed in Impact BIO-2 on Draft EIR pages 4.3-20 through 4.3-21, implementation of General Plan Policies ENV-1.2 and ENV-1.3 require avoidance and preservation of sensitive habitat for rare and endangered species. Therefore, impacts to burrowing owl would be appropriately evaluated with coordination from a qualified biologist prior to project approval for projects tiering from the EIR. As such, no revisions to the Draft EIR are required in response to this comment.

Response 6-18

The commenter notes that while the EIR includes Mitigation Measures BIO-2 and BIO-3 for special-status plants, these measures do not require the project to obtain a CESA ITP for impacts to CESA or NPPA listed plants. Therefore, impacts to listed plants may not be mitigated to a less-than-significant level.

As discussed in Impact BIO-1 in Section 4.3-11 through 4.3-13, Mitigation Measures BIO-1, BIO-2, BIO-3, and BIO-4 require a biological resources evaluation including the potential for agency consultation and permitting, botanical surveys, avoidance and minimization measures, and habitat restoration at a minimum of 1:1 for project related impacts. Therefore, impacts to special status plants would be appropriately evaluated with coordination from a qualified biologist prior to project approval for projects tiering from the EIR. Obtaining a regulatory permit itself is not mitigation, and the City would obtain an ITP for impacts to state-listed plants should those impacts be anticipated to occur. As such, no revisions to the Draft EIR are required in response to this comment.

Response 6-19

The commenter notes that the planning area includes habitats that support special-status fish species such as Delta smelt, longfin smelt, winter- and spring-run Chinook salmon, and white sturgeon. The commenter recommends revising the EIR to assess impacts on special-status fish and aquatic life, as well as overall impacts on aquatic resources, streams, riparian areas, and in-water work.

Development facilitated by the project would occur primarily within existing development, and no development is proposed in riverine habitat. As discussed in Impact BIO-1 on pages 4.3-11 through 4.3-13, implementation of General Plan Policy U-4.1 and U-4.8 requires storm drainage maintenance and low impact development standards to protect water quality and special-status species habitats. As discussed in Impact BIO-2 on Draft EIR pages 4.3-20 through 4.3-21, implementation of General Plan Policy ENV-1.2 and ENV-1.3 require avoidance and preservation of sensitive habitat for rare and endangered species, including coastal saltmarsh. Mitigation Measures BIO-1, BIO-5, and BIO-6 require a biological resources evaluation including the potential for agency consultation and permitting, protocol-level surveys and habitat assessments, and avoidance and minimization measures for project related impacts. As such, no revisions to the Draft EIR are required in response to this comment.

Response 6-20

The commenter recommends including mitigation measures in the EIR to reduce impacts on listed and special-status species to less-than-significant levels and comply with CESA and NPPA. They suggest using a checklist to determine if future CEQA documentation is needed for unforeseeable site-specific impacts. CDFW requests the opportunity to review a revised EIR and may provide further comments with more specific species information.

Please see Responses 6-10, and 6-11 regarding project applicability within the scope of the EIR and the site-specific biological evaluation conducted under Mitigation Measure BIO-1. No revisions to the Draft EIR are required in response to this comment.

Response 6-21

The commenter suggests a new mitigation measure to address Fully Protected species.

Please see Responses 6-15, 6-16, 6-17, and 6-18 regarding project impacts to Swainson's hawks, tricolored blackbirds, burrowing owls, and CESA or NPPA listed plants. Based on these responses, additional mitigation measures are not warranted and no changes to the Draft EIR are required.

Response 6-22

The commenter suggests a new mitigation measure to address California Ridgeway's Rail/Black Rail avoidance and surveys.

Please see Responses 6-13 regarding project impacts to salt marsh habitats and California Ridgeway's Rail/Black Rail. Based on these responses, additional mitigation measures are not warranted and no changes to the Draft EIR are required.

Response 6-23

The commenter suggests a new mitigation measure to address salt marsh harvest mouse high tide restrictions.

Please see Responses 6-13 regarding project impacts to salt marsh habitats and salt marsh harvest mouse. Based on these responses, additional mitigation measures are not warranted and no changes to the Draft EIR are required.

Response 6-24

The commenter suggests a new mitigation measure to address salt marsh harvest mouse vegetation.

Please see Responses 6-13 regarding project impacts to salt marsh habitats and salt marsh harvest mouse. Based on these responses, additional mitigation measures are not warranted and no changes to the Draft EIR are required.

Response 6-25

The commenter suggests a new mitigation measure to address salt marsh harvest mouse exclusion fencing.

Please see Responses 6.13 regarding project impacts to salt marsh habitats and salt marsh harvest mouse. Based on these responses, additional mitigation measures are not warranted and no changes to the Draft EIR are required.

Response 6-26

The commenter suggests a new mitigation measure to address salt marsh harvest mouse inspections.

Please see Responses 6.13 regarding project impacts to salt marsh habitats and salt marsh harvest mouse. Based on these responses, additional mitigation measures are not warranted and no changes to the Draft EIR are required.

Response 6-27

The commenter suggests a new mitigation measure to address Swainson's hawk surveys and avoidance buffer.

Please see Responses 6.15 regarding project impacts to Swainson's hawk. Based on these responses, additional mitigation measures are not warranted and no changes to the Draft EIR are required.

Response 6-28

The commenter suggests a new mitigation measure to address Swainson's hawk foraging habitat.

Please see Responses 6.15 regarding project impacts to Swainson's hawk. Based on these responses, additional mitigation measures are not warranted and no changes to the Draft EIR are required.

Response 6-29

The commenter suggests a new mitigation measure to address tricolored blackbird avoidance.

Please see Responses 6.16 regarding project impacts to tricolored blackbird. Based on these responses, additional mitigation measures are not warranted and no changes to the Draft EIR are required.

Response 6-30

The commenter suggests a new mitigation measure to address burrowing owl surveys.

Please see Responses 6.17 regarding project impacts to burrowing owl. Based on these responses, additional mitigation measures are not warranted and no changes to the Draft EIR are required.

Response 6-31

The commenter suggests a new mitigation measure to address burrowing owl foraging habitat mitigation.

Please see Responses 6.17 regarding project impacts to burrowing owl. Based on these responses, additional mitigation measures are not warranted and no changes to the Draft EIR are required.

Response 6-32

The commenter suggests a new mitigation measure to address listed plant species permitting.

Please see Responses 6.18 and 6.12 regarding project impacts to special status plants. Based on these responses, additional mitigation measures are not warranted and no changes to the Draft EIR are required.

Response 6-33

The commenter suggests a new mitigation measure to address special status fish protection.

Please see Responses 6.13 regarding project impacts to salt marsh and river habitats. Based on these responses, additional mitigation measures are not warranted and no changes to the Draft EIR are required.

Response 6-34

The commenter notes that Section 4.3.1 of the Draft EIR describes the biological setting for assessing impacts on various ecological aspects. However, Appendix B, which lists potential special-status species in the planning area, does not reflect recent status updates for species like burrowing owl and white sturgeon, both CESA candidate species. Therefore, the commenter recommends revising Appendix B and associated sections of the EIR to ensure an accurate biological setting and assessment of potential impacts to special-status species.

The definition of special-status species has been updated in Revised Appendix B in accordance with this comment. Further, the following changes have been made to page 4.3-3 of the Draft EIR:

> The results of these scientific database queries are provided as Revised Appendix ~~B~~ of this EIR. There are ~~51~~ 52 plant species and ~~44~~ 45 animal species with potential to occur within the Planning Area which meet at least one of the criteria for a special status species, described above (Appendix B).

The updated table is included as Revised Appendix B to this Final EIR. No additional revisions to the Draft EIR are required.

Response 6-35

The commenter notes that the project could result in potentially significant impacts to riparian habitat, wetlands, or other sensitive natural communities and recommends a mitigation measure to address habitat restoration and compensation, and impacts to streams and riparian areas.

Please see Responses 6-6, 6-12 and 6-18 regarding project impacts to wetlands, riparian habitats, and sensitive plant communities. As stated therein, Mitigation Measure BIO-4 requires a Habitat Restoration Plan and impacts to be mitigated at a ratio not lower than 1:1 per acre of impact (and 1:1 per tree), and to be determined by the City in coordination with CDFW and USFWS as and if applicable. A requirement for 3:1 mitigation for permanent impacts may be a permitting requirement for impacts to CDFW jurisdiction, but is too restrictive to apply to all projects that may require a Habitat Restoration Plan (such as impacts to non-listed special-status CRPR 1B and 2 plant populations). Based on these responses, additional mitigation measures are not warranted and no changes to the Draft EIR are required.

Response 6-36

The commenter notes that the General Plan Area overlaps with CDFW's Napa-Sonoma Marshes Wildlife Area, which is a highly sensitive habitat area supporting several listed and special-status species. The commenter provides a mitigation measure to address impacts to the Napa-Sonoma Marshes Wildlife Area.

The General Plan Update does not propose development or land use designations that would facilitate development within Napa-Sonoma Marshes Wildlife Area. Changes to land use under the General Plan Update adjacent to salt marsh habitat include land use amendments converting Low Residential to Open Space. As discussed in Impact BIO-1 on pages 4.3-11 through 4.3-13, implementation of General Plan Policy U-4.1 and U-4.8 requires storm drainage maintenance and low impact development standards to protect water quality and special-status species habitats. As discussed in Impact BIO-2 on Draft EIR pages 4.3-20 through 4.3-21, implementation of General Plan Policy ENV-1.2 and ENV-1.3 require avoidance and preservation of sensitive habitat for rare and endangered species, including coastal saltmarsh. Mitigation Measures BIO-1, BIO-5, and BIO-6

require a biological resources evaluation including the potential for agency consultation and permitting, protocol-level surveys and habitat assessments, and avoidance and minimization measures for project related impacts.

Please see Responses 6.6, 6.12, 6.13, and 6.19 regarding project impacts to wetlands, sensitive plant communities, and salt marsh and river habitats. Based on these responses, additional mitigation measures are not warranted and no changes to the Draft EIR are required.

Response 6-37

The commenter asks that any special-status species and natural communities detected during project surveys be reported to the CNDDB.

The comment is noted. Any special-status species and natural communities detected during project surveys will be sent to the CNDDB for reporting. The comment does not pertain to the adequacy of the Draft EIR, and no revision to the EIR is required.

Response 6-38

The commenter reminds the City of CEQA filing fees. The commenter concludes their letter thanking the City for opportunity to comment and provides contact information to follow up.

The City thanks the commenter for their reminder of recording obligations and filing fees. This comment does not pertain to the Draft EIR or CEQA, other than describing the circulation of the Notice of Availability of the Draft EIR. Therefore, no additional revisions to the Draft EIR are required in response to this comment.

Letter 7

NAPA COUNTY BICYCLE COALITION

December 28, 2024

Jason Holley, City Manager, City of American Canyon
4381 Broadway Street, Suite 201,
American Canyon, CA 94503

RE: 2040 General Plan Update

Dear Mr. Holley,

The Napa County Bicycle Coalition—which works to make biking in Napa County safe, accessible, and convenient—appreciates many of the goals and guiding principles of the draft 2040 General Plan ("the Plan"), including the intention to "Include funding for the City's Bicycle Plan updates and bikeway improvements consistent with the Bicycle Plan in the City's transportation financing program and TIF, recognizing the multi-modal travel needs of the City." We appreciate the attention throughout the Plan to active transportation and to how it is recognized as a key strategy to meet climate goals. 7-1

We also noticed several opportunities where we believe new or updated language would make the plan stronger and better set it up for success. Those changes are detailed in the table below, but we also wanted to note the following to give context to our requests and recommendations: 7-2

- We would like to see the Open Space, Active Transportation, and Sustainability Commission (OSATS) explicitly included in decision-making on active transportation facilities, especially when the City of American Canyon is considering deviating from its Active Transportation Plan, on which, presumably, the OSATS will have provided input. This will help leverage the unique perspective and expertise the OSATS can provide and to increase the return on investment the City has made in convening this advisory body. 7-3
- We urge the City to be as specific and measurable as possible in setting goals and policies. If including specific targets, such as those related to reducing Vehicle Miles Traveled or implementing the Active Transportation Plan, comes with concerns, then inserting "strive to meet…", or a similar phrase is an option, too. Setting and including specific targets helps all staff and community members to be on the same page, it signals true commitment, and it aids in setting appropriate timelines. 7-4
- We request that the City consider including policies related to Safe Routes to School, a partnership that is integral to increasing safety and educating and encouraging active transportation users. Funding for Safe Routes programming is tenuous each year and will need the ongoing collaboration of all jurisdictions to ensure its sustainability. Currently, the American Canyon Police Department supports Safe Routes programming in American Canyon by sharing the quarterly data that is required to secure funding, and a representative will begin participating in the Safe Routes to School Advisory Committee in 2025. As well, a policy related to securing and maintaining a Bicycle Friendly Communities designation would help build on current momentum toward this goal and would help maintain the effort into the future. 7-5 7-6

Policy	Current Language	Suggested Revisions/Comments/Questions	
MOB-1.2	Complete Street Standards. Review current arterial, collector, and local street standards and update as necessary to conform to best practice classification standards and NACTO complete streets guidelines.	*Consider also including the recently released 5th Edition of Comprehensive Bike Guide by AASHTO, which will be incorporated into NVTA's Active Transportation Plan update.*	7-7
MOB-1.4	Development Review. Evaluate new development to ensure that the safety, comfort, and convenience of pedestrians, bicyclists and transit users are given equal level of consideration to motor vehicle operators.	Development Review. Evaluate new development to ensure that the safety, comfort, and convenience of pedestrians, bicyclists and transit users are given an equal or greater level of consideration to motor vehicle operators. *(Note: this change will help reduce VMT).*	7-8
MOB-1.7	Promote Walking and Bicycling. Promote walking and bicycling for transportation, recreation, and improvement of public Health.	Promote Walking and Bicycling. Promote walking and bicycling for transportation, recreation, and improvement of public Health and the environment.	7-9
MOB-1.9	SR 29 Mobility. Work with regional partners, including Caltrans, NVTA, and other agencies to explore a complete streets approach that will expand the travel capacity of SR 29.	SR 29 Mobility. Work with regional partners, including Caltrans, NVTA, and other agencies to explore a complete streets approach that will expand the travel capacity of SR 29 and establish a low-stress method for crossing for students walking and biking to school and other active transportation users	7-10
MOB-1.15	Existing Facility Use. Make efficient use of existing transportation facilities and improve these facilities as necessary in accordance with the Circulation Map.	Existing Facility Use. Make efficient use of existing transportation facilities and improve these facilities as necessary in accordance with the Circulation Map and NVTA Active Transportation Plan.	7-11
MOB-1.17	Reduce Vehicle Miles Traveled. Through layout of land uses, improved alternate travel modes, and provision of more direct routes, strive to reduce the total vehicle miles traveled by city and non-residents traveling to American Canyon to work or shop.	Reduce Vehicle Miles Traveled. Through layout of land uses, improved alternate travel modes, and provision of more direct routes for all modes of travel, ~~strive to~~ reduce the total vehicle miles traveled by city and non-residents ~~traveling to American Canyon to work or shop~~ by 30% by 2045 (with 2019 levels as the baseline), per the California Air Resources Board's Scoping Plan.	7-12
MOB-1.22	Non-motorized Circulation System. Provide safe and direct pedestrian routes and bikeways between places.	Non-motorized Circulation System. Provide safe, low-stress, and direct pedestrian routes and bikeways between places. **Aim to complete at least 50% of the planned bike and pedestrian network outlined in NVTA's Active Transportation Plan by 2040.**	7-13
MOB-1.24	Bicycle Facilities. Bicycle facilities shall be provided to complete a continuous bikeway system, consistent with state standards, as shown on the Bikeway Plan Map. In cases where existing right of way	Bicycle Facilities. Bicycle facilities shall be provided to complete a continuous, low-stress bikeway system, consistent with ~~state standards~~ the Active Transportation Plan ~~as shown on the Bikeway Plan Map~~. In cases where existing right of	7-14

	constraints limit development of Class II or Class IV facilities, Class Ill signage and demarcation may be permitted at the discretion of the City Engineer. Deviations from these standards and from the routing shown on the diagram shall be permitted with the approval of the City Engineer.	way constraints limit development of Class I, II or IV facilities, ~~Class Ill signage and demarcation may be permitted at the discretion of the City Engineer~~ the City of American Canyon will strive to provide an alternative low-stress route, rather than installing facilities that are not low-stress. Deviations from these standards and from the routing shown on the diagram shall be first reviewed by the Open Space, Active Transportation, and Sustainability Commission and will be permitted with the approval of the City Engineer only when an Exception Standard has been met with substantial evidence.	7-14 cont.
MOB-2.2	Context Sensitive Design. Improve multimodal transportation safety by expanding the City' s non- motorized transportation infrastructure using context sensitive design.	Context Sensitive Design. Apply a context sensitive design lens to improve multimodal transportation safety while expanding the City's non- motorized transportation infrastructure ~~using context sensitive design~~.	7-15
MOB-2.3	Bicycle Safety. Increase the safety of those traveling by bicycle by sweeping debris from and repairing bicycle paths and lanes.	Bicycle ~~Safety~~ Facilities Maintenance. Increase the safety of those traveling by bicycle by sweeping debris from bicycle paths and lanes at least twice per month and repairing and restriping worn or damaged facilities.	7-16
MOB-2.4	Improved Bikeway Visibility. Use visual cues, such as brightly colored paint on bike lanes or a one-foot painted buffer strip, along bicycle routes to provide a visual signal to drivers to watch out for bicyclists and nurture a " share the lane" ethic, prioritizing bikeways with recent automobile- bicycle collisions.	Upgrade Existing Bikeways using all means available—such as conflict markings, buffers, rumble strips, and delineators—to make bikeways safer and lower stress and to catch up with evolving best practices, prioritizing bikeways with recent automobile- bicycle collisions and those that are routes to school.	7-17
MOB-2.5	Speeds on Residential and Arterial Streets. Explore innovative ways to reduce vehicular speeds through residential neighborhoods to posted speed limits, such as implementing traffic calming strategies such as: enhanced cross walks, lighted crosswalks, reducing lane widths, and others.	Speeds on Residential, Collector, and Arterial Streets. ~~Explore innovative ways to~~ Implement American Canyon's Traffic Calming Program that includes evidence-based ~~ways to~~ methods of reducing vehicular speeds through residential neighborhoods ~~to posted speed limits~~, such as ~~implementing traffic calming strategies~~: enhanced cross walks, lighted crosswalks, reducing lane widths, and others.	7-18
MOB 2.7		**Partner with public, nonprofit, and community stakeholders** to secure dedicated funding **for the education and infrastructure needs of the Countywide Safe Routes To School Partnership** to provide safe and equitable access for students going by active transportation to local schools.	7-19
MOB 1.29		Secure and maintain status as a Bicycle Friendly Community.	7-20

ENV-9.5	Vehicle Miles Travelled Reduction. Reduce vehicle miles travelled by encouraging future land uses that feature a compact mixed- use urban form connected with pedestrian and bicycle trails.	Vehicle Miles Travelled Reduction. Reduce vehicle miles travelled by 30% by 2045 (with 2019 levels as the baseline), per the California Air Resources Board's Scoping Plan by encouraging future land uses that feature a compact mixed-use urban form connected with pedestrian and bicycle trails.
ENV-10.10	Active Transportation. Improve active transportation options within the city by connecting local bikeways and trails to City bus stops and public transportation centers.	Active Transportation. Improve active transportation options within the city by connecting local bikeways and trails to City bus stops, public transportation centers, and major destinations, and **aiming to complete at least 50% of the planned bike and pedestrian network by 2040.**
ENV-11.9	Countywide Bicycle and Pedestrian Plans. Work with the County to implement the best practices provided within the American Canyon edition of the Napa Countywide Bicycle Plan and Napa Countywide Pedestrian Plan.	Countywide Bicycle and Pedestrian Plans. Work with the County to implement the best practices provided within the American Canyon edition of the most up-to-date Napa Countywide Bicycle Plan and Napa Countywide Pedestrian Plan/Active Transportation Plan, **aiming to complete at least 50% of the planned bike and pedestrian network by 2040.**
MOB-Figure 6 Pg M-17	MOB- Figure 6: Standard Roadway Cross Sections	*Update this figure or note that 5' bike lanes excluding gutter pan with 3' buffers containing delineators are standard for bike lanes along all types of arterials and often for major collectors, too.*
Types of Bikeways Pg M-21	Types of Bikeways	*Update to include Class 2Bs.*

7-21

7-22

7-23

7-24

7-25

Thank you for your consideration of these changes. Given the significance and scope of this Plan, and the opportunity it presents to address our climate emergency and create a meaningful shift to Complete Streets, we urge all involved to ensure the document reflects more commitment to its goals and truly enables and empowers the City to realize the 2040 General Plan.

Should you have any questions about the above comments, please contact me at (707) 258-6318 or at kvernor@napabike.org. Thank you for your time and your ongoing hard work on this Plan.

7-26

Sincerely,

Kara Vernor
Executive Director

Letter 7

COMMENTER: Napa County Bike Coalition

DATE: **December 28, 2024**

Response 7-1

The commenter states that they appreciate the draft 2040 General Plan's goals and guiding principles. They specifically commend the Plan's intention to include funding for Bicycle Plan updates and bikeway improvements in the City's transportation financing program, recognizing the importance of active transportation in meeting climate goals.

This comment is noted and no revisions to the Draft EIR are required in response to this comment.

Response 7-2

The commenter identifies opportunities for new or updated language to strengthen the plan and set it up for success [as discussed in Responses 7-3 through 7-25, below], providing context for their requests and recommendations.

This comment is noted and no revisions to the Draft EIR are required in response to this comment.

Response 7-3

The commenter suggests explicitly including the Open Space, Active Transportation, and Sustainability Commission in decision-making on active transportation facilities, especially when deviating from the Active Transportation Plan.

This comment addresses organizational policy for the City but does not pertain to the Draft EIR or CEQA. Therefore, no revisions to the Draft EIR are necessary in response to this comment.

Response 7-4

The commenter urges the City to set specific and measurable goals and policies. They suggest including specific targets, such as reducing VMT or implementing the Active Transportation Plan, and using phrases like "strive to meet" if there are concerns.

The General Plan, at its core, serves as a guiding document for the City's long-term vision and strategic direction. As noted by the commenter, specific and measurable goals and policies are important, but it is crucial to recognize that the document is inherently programmatic and broad in nature. Specific targets, such as reducing VMT or implementing the Active Transportation Plan, are indeed valuable but are more appropriately addressed as a subsequent action to the General Plan and EIR. As such, the following General Plan policies are discussed on page 4.11-8 of the Draft EIR:

- **Policy MOB-1.1: Complete Streets.** Maintain and update street standards that that serves not just automobile operations, but also multi-modal movement and adjacent land uses, including pedestrians, motorists, bicyclists, and transit riders of all ages and abilities, in a form that is compatible with and complementary to adjacent land uses, and promotes connectivity between uses and areas.
- **Policy MOB-1.7: Promote Walking and Bicycling.** Promote walking and bicycling for transportation, recreation, and improvement of public health.

- **Policy MOB-1.17: Reduce Vehicle Miles Traveled.** Through layout of land uses, improved alternate travel modes, and provision of more direct routes, strive to reduce the total vehicle miles traveled by city and non-residents traveling to American Canyon to work or shop.
- **Policy MOB-1.20: Bicycle Plan Funding.** Include funding for the City's Bicycle Plan updates and bikeway improvements consistent with the Bicycle Plan in the City's transportation financing program and TIF, recognizing the multi-modal travel needs of the City.
- **Policy MOB-1.22: Non-motorized Circulation System.** Provide safe and direct pedestrian routes and bikeways between places.
- **Policy MOB-1.23: Pedestrian Connections to Employment Destinations.** Encourage the development of a network of continuous walkways within new commercial, town center, public, and industrial uses to improve workers' ability to walk safely around, to, and from their workplaces. Where possible, route pedestrians to grade separated crossings over State Route 29.
- **Policy MOB-1.24: Bicycle Facilities.** Bicycle facilities shall be provided to complete a continuous bikeway system, consistent with state standards, as shown on the Bikeway Plan Map. In cases where existing right of way constraints limit development of Class II or Class IV facilities, Class Ill signage and demarcation may be permitted at the discretion of the City Engineer. Deviations from these standards and from the routing shown on the diagram shall be permitted with the approval of the City Engineer.

However, the broad scope of the General Plan necessitates flexibility in how these targets are approached and achieved. Therefore, no revisions to the Draft EIR are required in response to this comment.

Response 7-5

The commenter requests the City to include policies related to Safe Routes to School, emphasizing its importance for safety and active transportation education. They highlight the need for ongoing collaboration to ensure sustainable funding and note the American Canyon Police Department's current support and future participation in the Safe Routes to School Advisory Committee.

This comment pertains to the General Plan, but not the Draft EIR or CEQA. Therefore, no revisions to the Draft EIR are necessary in response to this comment.

Response 7-6

The commenter suggests including a policy to secure and maintain a Bicycle Friendly Communities designation, which would build on current momentum and sustain future efforts.

This comment pertains to the General Plan, but not to the Draft EIR or CEQA. However, as discussed on page 4.11-7 and 4.11-8 of the Draft EIR, the General Plan includes the following policies related to bicycle infrastructure and active transportation:

- **Policy MOB-1.1: Complete Streets.** Maintain and update street standards that that serves not just automobile operations, but also multi-modal movement and adjacent land uses, including pedestrians, motorists, bicyclists, and transit riders of all ages and abilities, in a form that is compatible with and complementary to adjacent land uses, and promotes connectivity between uses and areas.

- **Policy MOB-1.4: Development Review**. Evaluate new development to ensure that the safety, comfort, and convenience of pedestrians, bicyclists and transit users are given equal level of consideration to motor vehicle operators.
- **Policy MOB-1.7: Promote Walking and Bicycling.** Promote walking and bicycling for transportation, recreation, and improvement of public health.
- **Policy MOB-1.20: Bicycle Plan Funding.** Include funding for the City's Bicycle Plan updates and bikeway improvements consistent with the Bicycle Plan in the City's transportation financing program and TIF, recognizing the multi-modal travel needs of the City.
- **Policy MOB-1.22: Non-motorized Circulation System.** Provide safe and direct pedestrian routes and bikeways between places.
- **Policy MOB-1.24: Bicycle Facilities.** Bicycle facilities shall be provided to complete a continuous bikeway system, consistent with state standards, as shown on the Bikeway Plan Map. In cases where existing right of way constraints limit development of Class II or Class IV facilities, Class Ill signage and demarcation may be permitted at the discretion of the City Engineer. Deviations from these standards and from the routing shown on the diagram shall be permitted with the approval of the City Engineer.

Therefore, no revisions to the Draft EIR are necessary in response to this comment.

Response 7-7

The commenter suggests including the recently released 5th Edition of Comprehensive Bike Guide by AASHTO into General Plan Policy MOB-1.2.

This comment pertains to the General Plan, but not to the Draft EIR or CEQA. Accordingly, City staff is considering edits to the General Plan goals and policies, as needed. Therefore, no revisions to the Draft EIR are necessary in response to this comment.

Response 7-8

The commenter suggests minor text edits to General Plan Policy MOB-1.4.

This comment pertains to the General Plan, but not to the Draft EIR or CEQA. Accordingly, City staff is considering edits to the General Plan goals and policies, as needed. Therefore, no revisions to the Draft EIR are necessary in response to this comment.

Response 7-8

The commenter suggests minor text edits to General Plan Policy MOB-1.4.

This comment pertains to the General Plan, but not to the Draft EIR or CEQA. Accordingly, City staff is considering edits to the General Plan goals and policies, as needed. Therefore, no revisions to the Draft EIR are necessary in response to this comment.

Response 7-9

The commenter suggests minor text edits to General Plan Policy MOB-1.7.

This comment pertains to the General Plan, but not to the Draft EIR or CEQA. Accordingly, City staff is considering edits to the General Plan goals and policies, as needed. Therefore, no revisions to the Draft EIR are necessary in response to this comment.

Response 7-10

The commenter suggests text edits to General Plan Policy MOB-1.9 to include mention of low-stress method for crossing for students walking and biking to school and other active transportation users.

This comment pertains to the General Plan, but not to the Draft EIR or CEQA. Accordingly, City staff is considering edits to the General Plan goals and policies, as needed. Therefore, no revisions to the Draft EIR are necessary in response to this comment.

Response 7-11

The commenter suggests minor text edits to General Plan Policy MOB-1.15.

This comment pertains to the General Plan, but not to the Draft EIR or CEQA. Accordingly, City staff is considering edits to the General Plan goals and policies, as needed. Therefore, no revisions to the Draft EIR are necessary in response to this comment.

Response 7-12

The commenter suggests minor text edits to General Plan Policy MOB-1.17.

This comment pertains to the General Plan, but not to the Draft EIR or CEQA. Accordingly, City staff is considering edits to the General Plan goals and policies, as needed. Therefore, no revisions to the Draft EIR are necessary in response to this comment.

Response 7-13

The commenter suggests text edits to General Plan Policy MOB-1.22 to include an intention to complete at least 50 percent of the planned bike and pedestrian network outlined in NVTA's Active Transportation Plan by 2040.

This comment pertains to the General Plan, but not to the Draft EIR or CEQA. Accordingly, City staff is considering edits to the General Plan goals and policies, as needed. Therefore, no revisions to the Draft EIR are necessary in response to this comment.

Response 7-14

The commenter suggests text edits to General Plan Policy MOB-1.24 to include the provision of alternative low-stress routes rather than installing facilities that are not low-stress. The commenter also suggests the inclusion of review by the Open Space, Active Transportation, and Sustainability Commission.

This comment pertains to the General Plan, but not to the Draft EIR or CEQA. Accordingly, City staff is considering edits to the General Plan goals and policies, as needed. Therefore, no revisions to the Draft EIR are necessary in response to this comment.

Response 7-15

The commenter suggests minor text edits to General Plan Policy MOB-2.2.

This comment pertains to the General Plan, but not to the Draft EIR or CEQA. Accordingly, City staff is considering edits to the General Plan goals and policies, as needed. Therefore, no revisions to the Draft EIR are necessary in response to this comment.

Response 7-16

The commenter suggests minor text edits to General Plan Policy MOB-2.3.

This comment pertains to the General Plan, but not to the Draft EIR or CEQA. Accordingly, City staff is considering edits to the General Plan goals and policies, as needed. Therefore, no revisions to the Draft EIR are necessary in response to this comment.

Response 7-17

The commenter suggests text edits to General Plan Policy MOB-2.4 to upgrade existing bikeways using all means available—such as conflict markings, buffers, rumble strips, and delineators—to make bikeways safer and lower stress and to catch up with evolving best practices.

This comment pertains to the General Plan, but not to the Draft EIR or CEQA. Accordingly, City staff is considering edits to the General Plan goals and policies, as needed. Therefore, no revisions to the Draft EIR are necessary in response to this comment.

Response 7-18

The commenter suggests minor text edits to General Plan Policy MOB-2.5.

This comment pertains to the General Plan, but not to the Draft EIR or CEQA. Accordingly, City staff is considering edits to the General Plan goals and policies, as needed. Therefore, no revisions to the Draft EIR are necessary in response to this comment.

Response 7-19

The commenter proposes the addition of a new policy, MOB-2.7, which suggests partnership with public, nonprofit, and community stakeholders to secure dedicated funding for the education and infrastructure needs of the Countywide Safe Routes To School Partnership to provide safe and equitable access for students going by active transportation to local schools.

This comment pertains to the General Plan, but not to the Draft EIR or CEQA. Accordingly, City staff is considering edits to the General Plan goals and policies, as needed. Therefore, no revisions to the Draft EIR are necessary in response to this comment.

Response 7-20

The commenter proposes the addition of a new policy, MOB-1.29, which suggests that the City Secure and maintain status as a Bicycle Friendly Community.

This comment pertains to the General Plan, but not to the Draft EIR or CEQA. Accordingly, City staff is considering edits to the General Plan goals and policies, as needed. Therefore, no revisions to the Draft EIR are necessary in response to this comment.

Response 7-21

The commenter suggests minor text edits to General Plan Policy ENV-9.5.

This comment pertains to the General Plan, but not to the Draft EIR or CEQA. Accordingly, City staff is considering edits to the General Plan goals and policies, as needed. Therefore, no revisions to the Draft EIR are necessary in response to this comment.

Response 7-22

The commenter suggests text edits to General Plan Policy ENV-10.10 to include an intention to complete at least 50 percent of the planned bike and pedestrian network by 2040.

This comment pertains to the General Plan, but not to the Draft EIR or CEQA. Accordingly, City staff is considering edits to the General Plan goals and policies, as needed. Therefore, no revisions to the Draft EIR are necessary in response to this comment.

Response 7-23

The commenter suggests text edits to General Plan Policy ENV-11.9 to include an intention to complete at least 50 percent of the planned bike and pedestrian network by 2040.

This comment pertains to the General Plan, but not to the Draft EIR or CEQA. Accordingly, City staff is considering edits to the General Plan goals and policies, as needed. Therefore, no revisions to the Draft EIR are necessary in response to this comment.

Response 7-24

The commenter suggests updates to Figure 6: Standard Roadway Cross Sections to denote that 5' bike lanes excluding gutter pan with 3' buffers containing delineators are standard for bike lanes along all types of arterials and often for major collectors, too.

This comment pertains to the General Plan, but not to the Draft EIR or CEQA. Accordingly, City staff is considering edits to the General Plan goals and policies, as needed. Therefore, no revisions to the Draft EIR are necessary in response to this comment.

Response 7-25

The commenter suggests the inclusion of Types of Bikeways on page M-21 of the General Plan to include Class 2B bicycle lanes.

This comment pertains to the General Plan, but not to the Draft EIR or CEQA. Accordingly, City staff is considering edits to the General Plan goals and policies, as needed. Therefore, no revisions to the Draft EIR are necessary in response to this comment.

Response 7-26

The commenter thanks the City for considering their suggested changes and emphasizes the Plan's significance in addressing the climate emergency and promoting Complete Streets. They urge a stronger commitment to the Plan's goals to empower the City to achieve the 2040 General Plan. They also offer to answer any questions and express gratitude for the ongoing efforts on the Plan.

This comment is appreciated. No revisions to the Draft EIR are required in response to this comment.

Letter 8

Brent, the only comment on the EIR is for the City to acknowledge that the County has (i) general planned and rezoned the Hess-Laird properties for industrial use and (ii) the Napa ALUC has adopted a new ALUCP that modifies the treatment of the Hess-Laird properties, among other things. 8-1

Clark Morrison

COX CASTLE

Letter 8

COMMENTER: Clark Morrison

DATE: December 30, 2024

Response 8-1

The commenter requests the City to acknowledge that the County has general planned and rezoned the Hess-Laird properties for industrial use and that the Napa ALUC has adopted a new ALUCP modifying the treatment of these properties.

As discussed on page 2-6 of the Draft EIR, the City would evaluate updating the Urban Limit Line to include the Hess/Laird Property, which would subsequently need to be incorporated into the City with a Napa County LAFCO sphere of influence amendment and annexation approval before any future development could occur in that area within the City limits. Because these lands are not within the City's jurisdiction, the potential environmental impacts from future development in the Hess Laird Property will be addressed when or if the City pursues annexation of that area. Consideration of expanding the Urban Limit Line would not result in an environmental impacts and is not discussed further in the Draft EIR. Accordingly, no revisions to the Draft EIR are required in response to this comment.

Letter 9

December 27, 2024

Mr. Brent Cooper, AICP
Community Development Director
City of American Canyon
4381 Broadway Street, Suite 201
American Canyon, CA 94503

RE: American Canyon 2040 General Plan – Draft Environmental Impact Report Comments

Dear Brent:

Thank you for the opportunity to review and provide comments on the City of American Canyon General Plan 2040 Draft Environmental Impact Report (DEIR). Our team has reviewed the document, and would like to share the following comments:

2.6 – Project Characteristics

- Pg. 2-10 – Under Section 2.6.5, first bullet, please add reference to safety and transit improvements for the SR 29 corridor
    - Consider updating Figure 2-6 (Pg. 2-12) or adding a new Figure, to show proposed improvements identified in Section 2.6.5 and elsewhere in the DEIR for active transportation modes (including corridor and intersection improvements) and fixed route transit service

9-1

3.3 – Cumulative Development

- Pg. 3-2 – Under 4th paragraph, add language to clarify that cumulative impacts also include programs or policies implemented within the Planning Area that may not be tied to a specific development project. This is particularly relevant in the area of transportation (TDM programs, for example) as well as GHG reduction efforts (see in-progress Countywide RCAAP)

9-2

Chapter 4.2 – Air Quality

- Pg. 4.20-17 – Under the Transportation section, NVTA is unclear as to why only two of the 23 Transportation-related Control Measures (CMs)identified in the 2017 CAP are discussed.
    - Several additional CMs , such as TR9 (Bicycle and Pedestrian Access and Facilities), TR3 (Local and Regional Bus Service), and TR15 (Public Outreach & Education) are consistent with proposed Mobility Element policies and existing programs supported by the City.
    - Related to TR2: Trip Reduction Programs, suggest that within the General Plan Mobility Element, creation of a new stand-alone Policy to explicitly reference public transit, including existing Vine fixed route and ACT on-demand transit systems. This would strengthen Plan consistency with this Control Measure, as well as that of AQ-2 discussed below.

9-3

- Pg. 4.2-22 – Reference to "VINE" fixed route public transit should be changed to "Vine" as the name is not used as an acronym. Change should be applied anywhere else Vine transit is referenced in the General Plan or the DEIR. 9-4

Chapter 4.3 – Biological Resources

- Pg. 4.3-22 – Related to Proposed ENV-1.5, consider revision to preceding paragraph to include discussion existing and/or future proposed active transportation facilities (paths/trails) through or adjacent to the "network of open spaces." 9-5

Chapter 4.5 – Greenhouse Gas Emissions

- Pg. 4.5-14 – Napa Valley Transportation Authority – Please revise second sentence to replace "county transportation plan" with "countywide transportation plan." Make this same change in the final sentence of the paragraph. 9-6

Chapter 4.6 – Land Use & Planning

- Pg. 4.6-4 – Suggest change in leading paragraph, modifying second sentence from "…and transportation strategies that, if implemented, would allow the region to meet CARB's targets," to "…would support regional efforts to meet…" 9-7
    - Addititionally, under subsection c., Local Regulations, consider updating discussion to reflect Plan Bay Area 2050+, a limited and focused update to Plan Bay Area 2050.
    - Update other references in the DEIR to Plan Bay Area 2050 to reflect same (eg: 4.11-4).

Chapter 4.7 – Noise

- Pg. 4.7-19 – Related to Program C: Active Transportation Plan, as well as prior references in the DEIR to Policy MOB-1.20, Bicycle Plan Funding, consider updating this Program/Policy in the General Plan document to reflect City coordination with NVTA in developing a locally-adopted Active Transportation Plan. This comment will also be provided as part of stand-alone comments on the Draft General Plan. 9-8

Chapter 4.11 - Transportation

- Pg. 4.11-1 – Last paragraph. Note that NVTA will provide City with updated mileage totals for existing bicycle/pedestrian facilities in January of 2025, reflecting updated methodologies as well as newly constructed facilities subsequent to the 2019 Bicycle Plan. If schedules allow, consider updating distances prior to publication of the FEIR and adoption of the 2040 General Plan. Also, correct double comma on 3rd line of paragraph. 9-9
- 4.11-2 – Transit Services. Add to existing paragraph reference to Regional transit routes 11 (Napa Vallejo Connector) and 11x (Napa Vallejo Express), providing American Canyon residents public transit service North to the City of Napa, and South to the Vallejo Ferry Terminal. 9-10
- 4.11-2 – Americans with Disabilities Act of 1990 – Update discussion to reflect 2023 Final Rule published by the Access Board in the Federal Register addressing access improvements within the public ROW. See Federal Register, Vol 88, No. 151, Tuesday, Aug 8 2023, pp53604 et seq. 9-11

- 4.11-3 – Federal Highway Administration – Update discussion to reflect that FHWA funding authorization is Infrastructure Investment and Jobs Act (IIJA), commonly known as the Bipartisan Infrastructure Law (BIL), not MAP 21. 9-12
- 4.11-3 – Complete Streets Act – Update discussion to reflect Caltrans Directors Policy 37. See also SB 960 (Weiner, 2024). 9-13
- 4.11-4 – Senate Bill 743 – Second Paragraph, update reference to OPR (Office of Planning & Research) to reflect new name for the state's comprehensive planning agency, Office of Land Use & Climate Innovation (LCI). 9-14

NVTA will be providing a separate set of comments on the Draft General Plan (as separate and distinct from the DEIR) in the coming days. Those comments will largely focus on opportunities to strengthen or clarify proposed policies and discussion of existing conditions. 9-15

Thank you again for the opportunity to provide comments. Should you or your team have any questions regarding the above comments, please do not hesitate to reach out.

Regards,

Patrick Band
Associate Planner/Administrator
Napa Valley Transportation Authority

ON BEHALF OF NVTA

Letter 9

COMMENTER: Patrick Band, Associated Planner/Administrator – Napa Valley Transportation Authority

DATE: December 27, 2024

Response 9-1

The commenter requests a reference to safety and transit improvements for the State Route 29 corridor is added to Section 2.6, Project Characteristics, of the Draft EIR. The commenter requests an updated Figure 2-6 or new figure to show proposed improvements identified in Section 2.6.5 and elsewhere in the Draft EIR for active transportation modes and fixed route services.

Section 4.11, *Transportation*, provides a detailed description of existing pedestrian bicycle, and transit facilities that serve American Canyon and therefore revisions to Figure 2-6 or additional figures identifying active transportation modes and fixed route services are not warranted. In response to the comment regarding safety and transit improvements on State Route 29, the following revision has been made to the Draft EIR Section 2.6.5, *Mobility Updates*. The revision would not alter the impact analysis or findings of the Draft EIR and, as such, would not warrant recirculation of the Draft EIR.

> The City is in partnership with the Napa Valley Transportation Authority to identify improvements to SR 29, including landscaping improvements, pedestrian improvements, safety and transit movements, and multimodal features.

Response 9-2

The commenter requests language is added to the fourth paragraph of page 3-2 to clarify cumulative impacts include programs or policies that are not tied to a specific development project.

In response to this comment, the following revision has been made to the Draft EIR Section 3.3, *Cumulative Development*. The revision would not alter the impact analysis or findings of the Draft EIR and, as such, would not warrant recirculation of the Draft EIR.

> By its nature, a general plan considers cumulative impacts insofar as it considers cumulative development that could occur within the Planning Area, including implementation of programs and policies included in regional planning documents.

Response 9-3

The commenter requests additional transportation-related control measures (i.e., TR9, TR3, TR15, and TR2) identified in the 2017 Climate Action Plan are discussed in page 4.2-17. The commenter suggests that within the General Plan Mobility Element, a new policy should be created to explicitly reference public transit which would strengthen consistency with TR2 and the analysis of Impact AQ-2.

The Draft EIR concluded that the 2040 General Plan Update would have less than significant impacts related to conflicts with an air quality plan and release of cumulatively considerable criteria pollutants. The commenter states the listed transportation-related control measures would be consistent with the proposed Mobility Element policies. Therefore, further evaluation of these transportation-related control measures would not identify new or more severe environmental

impacts related to conflicts with an air quality plan. The commenter's suggestion pertaining to the inclusion of an additional General Plan policy is not directly related to the analysis within the Draft EIR. As stated, the Draft EIR concluded that the 2040 General Plan Update would have less than significant impacts related to conflicts with an air quality plan and release of cumulatively considerable criteria pollutants, and therefore the inclusion of an additional policy to the General Plan would not substantially reduce environmental impacts to a lower level of significance. Therefore, no revisions to the Draft EIR are necessary in response to this comment.

Response 9-4

The commenter requests the use of "VINE" on page 4.2-22 is changed to "Vine".

The use of "VINE" on Page 4.2-22 of the Draft EIR is language from Policy MOB-5.3 of the 2040 General Plan Update. Therefore, this comment does not pertain directly to the Draft EIR. No revisions to the Draft EIR are necessary in response to this comment.

Response 9-5

The commenter requests a revision to page 4.3-22 that includes a discussion of existing and future proposed active transportation facilities through or adjacent to the "network of open spaces".

Page 4.10-4 of the Draft EIR provides a discussion of the recreational facilities in open spaces, such as the Napa River Bay Trail, Napa County Parks and Open Space District, and Wetlands Edge Park. At this time, specifics on the routes of active transportation facilities such as trails through open spaces are not defined. The creation of any active transportation facilities would be subject to environmental review separate of the Draft EIR. No revisions to the Draft EIR are necessary in response to this comment.

Response 9-6

The commenter requests the language in the Napa Valley Transportation Authority discussion on page 4.5-14 is revised to replace "county transportation plan" with "countywide transportation plan".

In response to this comment, the following revision has been made to the Draft EIR Sub-Section 4.5.2, *Regulatory Setting*, in Section 4.5, *Greenhouse Gas Emissions*. The revision would not alter the impact analysis or findings of the Draft EIR and, as such, would not warrant recirculation of the Draft EIR.

> NVTA also develops the long-range countywide transportation plan, which (along with similar plans from the other eight Bay Area counties) forms the "primary basis" for the RTP/SCS adopted by the Metropolitan Transportation Commission. In turn, the countywide transportation plan must consider the most recently adopted RTP/SCS to assure that both plans employ a common planning framework.

Response 9-7

The commenter requests the language in the leading paragraph on page 4.6-4 is revised to state "would allow the region" to "would support regional efforts". The commenter requests a discussion of the regional transportation plan/sustainable communities strategy is updated to reflect Plan Bay Area 2050+.

CEQA Guidelines 15125(a) state, generally, a lead agency should describe physical environmental conditions as they exist at the time the notice of preparation if published. The notice of preparation for the Draft EIR was released in July 2022 for public review. As of March 2025, Plan Bay Area 2050+ has not yet been adopted by the Association of Bay Area Governments and therefore did not represent baseline conditions used for evaluation of environmental impacts within the Draft EIR. No revisions to the Draft EIR are necessary in response to this comment.

In response to the commenter's request regarding language revisions, the following revision has been made to the Draft EIR Sub-Section 4.6.2, *Regulatory Setting*, in Section 4.6, *Land Use and Planning*. The revision would not alter the impact analysis or findings of the Draft EIR and, as such, would not warrant recirculation of the Draft EIR.

> Each of the regions must prepare a Sustainable Communities Strategy (SCS), as an integral part of its regional transportation plan, that contains land use, housing, and transportation strategies that, if implemented, would ~~allow the region~~ support regional efforts to meet CARB's targets.

Response 9-8

The commenter requests that on Page 4.7-19 Program C as well as prior references to Policy MOB-1.20 is updated in the General Plan to reflect City coordination with Napa Valley Transportation Authority in developing a locally-adopted Active Transportation Plan.

This comment pertains to the preparation of the 2040 General Plan Update but does not pertain directly to the Draft EIR. No revisions to the Draft EIR are necessary in response to this comment.

Response 9-9

The commenter requests the distances in the last paragraph on page 4.11-1 are updated to reflect updated methodologies provided from Napa Valley Transportation Authority in January 2025. In addition, the commenter requests the double comma on the 3rd line of the paragraph is corrected.

CEQA Guidelines 15125(a) state, generally, a lead agency should describe physical environmental conditions as they exist at the time the notice of preparation if published. The notice of preparation for the Draft EIR was released in July 2022 for public review and therefore baseline conditions are reflective of 2022 existing conditions. No changes to the Draft EIR are required.

In response to the commenter's request regarding grammar revisions, the following revision has been made to the Draft EIR Section 4.11.1(b), *Pedestrian and Bicycle Facilities*. The revision would not alter the impact analysis or findings of the Draft EIR and, as such, would not warrant recirculation of the Draft EIR.

> While most of the City has sidewalks, ~~,~~ several older neighborhoods of the City have limited or lack pedestrian infrastructure.

Response 9-10

The commenter requests references to regional transit routes 11 and 11x are added to the paragraph on transit services on page 4.11-2.

In response to the commenter's request, the following revision has been made to the Draft EIR Section 4.11.1(c), *Transit Services*. The revision would not alter the impact analysis or findings of the Draft EIR and, as such, would not warrant recirculation of the Draft EIR.

> Vine Transit's Route 29 (Napa-BART) Express connects the BART Station in El Cerrito to the Redwood Park-n-Ride in the City of Napa and stops in American Canyon at the Post Office on Crawford Way. In addition, Transit Route 11 (the Napa Vallejo Connector) and 11x (Napa Vallejo Express), provides public transit services north to the city of Napa and south to the Vallejo Ferry Terminal.

Response 9-11

The commenter requests the Americans with Disabilities Act of 1990 discussion on page 4.11-2 is updated to reflect the 2023 Final Rule addressing access improvements within the public right-of-way.

In response to the commenter's request, the following revision has been made to the Draft EIR Sub-Section 4.11.2, *Regulatory Setting,* Page 4.11-2 of Section 4.11, *Transportation*. The revision would not alter the impact analysis or findings of the Draft EIR and, as such, would not warrant recirculation of the Draft EIR.

Americans with Disabilities Act of 1990

The Americans with Disabilities Act (ADA) of 1990 provides comprehensive rights and protections to individuals with disabilities. The goal of the ADA is to assure equality of opportunity, full participation, independent living, and economic self-sufficiency for people with disabilities. To implement this goal, the United States Access Board, an independent Federal agency created in 1973 to ensure accessibility for people with disabilities, has created accessibility guidelines for public rights-of-way. While these guidelines have not been formally adopted, they have been widely followed by jurisdictions and agencies nationwide in the last decade. ~~The guidelines, last revised in July 2011, address various issues, including roadway design practices, slope and terrain issues, pedestrian access to streets, sidewalks, curb ramps, street furnishings, pedestrian signals, parking, and other components of public rights-of-way.~~ The guidelines were updated in August 2023 to address accessibility guidelines for pedestrian facilities in the public right-of-way. These guidelines inform federal, state, and local government agencies on how to make their pedestrian facilities, such as sidewalks, crosswalks, shared use paths, and on-street parking, accessible to people with disabilities. The guidelines cover the minimum scoping and technical requirements for various spaces and elements in the public right-of-way, such as pedestrian access routes, accessible pedestrian signals, curb ramps, detectable warning surfaces, crosswalks at roundabouts, on-street parking, transit stops. The guidelines apply to all proposed roadways in the City.

Response 9-12

The commenter requests the Federal Highway Administration discussion on page 4.11-3 is updated to reflect that funding authorization is Infrastructure Investment and Jobs Act, not MAP 21.

In response to the commenter's request, the following revision has been made to the Draft EIR Sub-Section 4.11.2, *Regulatory Setting,* Page 4.11-3 of Section 4.11, *Transportation*. The revision would not alter the impact analysis or findings of the Draft EIR and, as such, would not warrant recirculation of the Draft EIR.

> FHWA funding is provided through the ~~Moving Ahead for Progress in the 21st Century Act (MAP-21). MAP-21~~ Infrastructure Investment and Jobs Act. The Infrastructure Investment and Jobs Act can be used to fund local transportation improvement projects, such as projects to improve the efficiency of existing roadways, traffic signal coordination, bikeways, and transit system upgrades.

Response 9-13

The commenter requests the Complete Streets Act discussion on page 4.11-3 is updated to reflect Caltrans Directors Policy 37 and Senate Bill 960.

Please see Response 4-7 for text included to address Caltrans Directors Policy 37. In response to the commenter's request, the following revision has been made to the Draft EIR Sub-Section 4.11.2, *Regulatory Setting,* Page 4.11-3 of Section 4.11, *Transportation*. The revision would not alter the impact analysis or findings of the Draft EIR and, as such, would not warrant recirculation of the Draft EIR.

> In 2024, Senate Bill 960 was enacted to further enhance the implementation of Complete Streets policies. This bill requires all transportation projects funded or overseen by the California Department of Transportation (Caltrans) to provide comfortable, convenient, and connected complete streets facilities unless an exemption is documented and approved. SB 960 mandates that the asset management plan prioritize the implementation of facilities for pedestrians, bicyclists, and transit users on all applicable projects.

Response 9-14

The commenter requests the Senate Bill 743 discussion on page 4.11-4 is updated to reflect the new name for the Office of Planning and Research, now the Office of Land Use and Climate Innovation.

In response to the commenter's request, the following revision has been made to the Draft EIR Sub-Section 4.11.2, *Regulatory Setting,* Page 4.11-4 of Section 4.11, *Transportation*. The revision would not alter the impact analysis or findings of the Draft EIR and, as such, would not warrant recirculation of the Draft EIR.

> In December 2018, Office of Planning and Research (OPR; now known as Office of Land Use and Climate Innovation) released the final update to CEQA Guidelines consistent with SB 743 that went into effect statewide on July 1, 2020, which state that vehicle miles traveled (VMT) is "generally" the most appropriate metric of transportation impacts to align local environmental review under CEQA with California's long-term greenhouse gas emissions reduction goals.

Response 9-15

The commenter states the Napa Valley Transportation Authority will be providing a separate set of comments on the Draft General Plan and thanks the City for the opportunity to provide comments.

This comment pertains to the preparation of the 2040 General Plan Update but does not pertain directly to the Draft EIR. No revisions to the Draft EIR are necessary in response to this comment.

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3 Minor Revisions to the Draft EIR

This chapter presents specific text changes made to the DEIR since its publication and public review. The changes are presented in the order in which they appear in the original Draft EIR and are identified by the Draft EIR page number. Text deletions are shown in ~~strikethrough~~, and text additions are shown in underline. The information contained within this chapter clarifies and expands on information in the Draft EIR and does not constitute "significant new information" requiring recirculation, as described in Section 4, *Recirculation Not Warranted*.

3.1 Revisions to the Draft EIR

Project Description

The following text has been revised on page 2-10 of Sub-Section 2.6.5, *Mobility Updates*, of Section 2, *Project Description*.

> The City is in partnership with the Napa Valley Transportation Authority to identify improvements to SR 29, including landscaping improvements, pedestrian improvements, safety and transit movements, and multimodal features.

Environmental Setting

The following text has been revised on page 3-2 of Sub-Section 3.3, *Cumulative Development*, of Section 3, *Environmental Setting.*

> By its nature, a general plan considers cumulative impacts insofar as it considers cumulative development that could occur within the Planning Area, including implementation of programs and policies included in regional planning documents.

Biological Resources

The following text has been revised on pages 4.3-3 and 4.3-14 of Section 4.4, *Biological Resources*.

> **Impact BIO-1 THE RESULTS OF THESE SCIENTIFIC DATABASE QUERIES ARE PROVIDED AS REVISED APPENDIX B OF THIS EIR. THERE ARE ~~51~~ 52 PLANT SPECIES AND ~~44~~ 45 ANIMAL SPECIES WITH POTENTIAL TO OCCUR WITHIN THE PLANNING AREA WHICH MEET AT LEAST ONE OF THE CRITERIA FOR A SPECIAL STATUS SPECIES, DESCRIBED ABOVE (REVISED APPENDIX B)THE PROJECT COULD HAVE THE POTENTIAL TO HAVE AN ADVERSE IMPACT ON SPECIAL STATUS SPECIES. IMPLEMENTATION OF FEDERAL, STATE, AND LOCAL REGULATIONS AND POLICIES, AS WELL AS MITIGATION MEASURES BIO-1 ~~AND BIO-2~~ THROUGH BIO-9, WOULD ENSURE DEVELOPMENT FACILITATED BY THE PROJECT WOULD NOT HAVE A SUBSTANTIAL ADVERSE EFFECT ON CANDIDATE, SENSITIVE, OR SPECIAL STATUS SPECIES. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION.**

Greenhouse Gas Emissions

The following text has been revised on page 4.5-14 within Sub-Section 4.5.2, *Regulatory Setting*, in Section 4.5, *Greenhouse Gas Emissions*.

> NVTA also develops the long-range countywide transportation plan, which (along with similar plans from the other eight Bay Area counties) forms the "primary basis" for the RTP/SCS adopted by the Metropolitan Transportation Commission. In turn, the countywide transportation plan must consider the most recently adopted RTP/SCS to assure that both plans employ a common planning framework.

Land Use and Planning

The following text has been revised on page 4.6-4 within Sub-Section 4.6.2, *Regulatory Setting*, in Section 4.6, *Land Use and Planning.*

> Each of the regions must prepare a Sustainable Communities Strategy (SCS), as an integral part of its regional transportation plan, that contains land use, housing, and transportation strategies that, if implemented, would allow the region support regional efforts to meet CARB's targets.

Transportation

The following text has been revised on page 4.11-1 within Sub-Section 4.11.1(b), *Pedestrian and Bicycle Facilities*, in Section 4.11, *Transportation*.

> While most of the City has sidewalks, ~~,~~several older neighborhoods of the City have limited or lack pedestrian infrastructure.

The following text has been revised on page 4.11-2 within Sub- Section 4.11.1(a), *Federal Regulations*, in Section 4.11, *Transportation*.

Americans with Disabilities Act of 1990

> The Americans with Disabilities Act (ADA) of 1990 provides comprehensive rights and protections to individuals with disabilities. The goal of the ADA is to assure equality of opportunity, full participation, independent living, and economic self-sufficiency for people with disabilities. To implement this goal, the United States Access Board, an independent Federal agency created in 1973 to ensure accessibility for people with disabilities, has created accessibility guidelines for public rights-of-way. While these guidelines have not been formally adopted, they have been widely followed by jurisdictions and agencies nationwide in the last decade. ~~The guidelines, last revised in July 2011, address various issues, including roadway design practices, slope and terrain issues, pedestrian access to streets, sidewalks, curb ramps, street furnishings, pedestrian signals, parking, and other components of public rights-of-way.~~ The guidelines were updated in August 2023 to address accessibility guidelines for pedestrian facilities in the public right-of-way. These guidelines inform federal, state, and local government agencies on how to make their pedestrian facilities, such as sidewalks, crosswalks, shared use paths, and on-street parking, accessible to people with disabilities. The guidelines cover the minimum scoping and technical requirements for various spaces and elements in the public right-of-way, such as pedestrian access routes, accessible pedestrian signals, curb ramps, detectable warning surfaces, crosswalks at roundabouts, on-street parking, transit stops. The guidelines apply to all proposed roadways in the City.

The following text has been revised on page 4.11-2 within Sub- Section 4.11.1(c), *Transit Services*, in Section 4.11, *Transportation*.

> Vine Transit's Route 29 (Napa-BART) Express connects the BART Station in El Cerrito to the Redwood Park-n-Ride in the City of Napa and stops in American Canyon at the Post Office on Crawford Way. In addition, Transit Route 11 (the Napa Vallejo Connector) and 11x (Napa Vallejo Express), provides public transit services north to the city of Napa and south to the Vallejo Ferry Terminal.

The following text has been revised within Sub-Section 4.11.2, *Regulatory Setting,* Page 4.11-3 of Section 4.11, *Transportation*.

> FHWA funding is provided through the Moving Ahead for Progress in the 21st Century Act (MAP-21). MAP-21 Infrastructure Investment and Jobs Act. The Infrastructure Investment and Jobs Act can be used to fund local transportation improvement projects, such as projects to improve the efficiency of existing roadways, traffic signal coordination, bikeways, and transit system upgrades.

The following text has been revised within Sub-Section 4.11.2, *Regulatory Setting,* Page 4.11-3 of Section 4.11, *Transportation*.

> ## Caltrans District 4 Pedestrian Plan
>
> The Caltrans District 4 Pedestrian Plan, released in 2021, is a comprehensive guide aimed at improving pedestrian infrastructure across the nine-county Bay Area. This plan identifies existing conditions and prioritizes location-based needs to enhance pedestrian safety and accessibility. Developed in collaboration with local agencies, advocates, and the public, the plan serves as a crucial reference for planners and project designers. It promotes alternatives to driving, aiming to reduce congestion, lower greenhouse gas emissions, and encourage healthier lifestyles. The plan is part of the broader Bay Area Active Transportation Plan, which integrates pedestrian and bicycle needs into a cohesive strategy.
>
> ## Caltrans District 4 Bike Plan
>
> The Caltrans District 4 Bike Plan, finalized in 2018, evaluates the bicycling needs across the Bay Area's state transportation network. This plan identifies and prioritizes infrastructure improvements to enhance bicycle safety, mobility, and accessibility. It builds on the 2017 California State Bicycle and Pedestrian Plan and aims to create an integrated bicycle network that supports safe and convenient cycling for all ages and abilities. The plan was developed with input from the public and collaboration with local and regional partners, ensuring that proposed improvements align with local networks and address barriers to cycling.
>
> ## Complete Streets Act
>
> The California Complete Streets Act (AB 1358) adopted in 2008, requires that cities and other public agencies incorporate "Complete Street" policies when updating their General Plan Circulation Element. The term "Complete Streets" refers to a balanced, multimodal transportation network that meets the needs of all users of streets, including bicyclists, children, persons with disabilities, motorists, movers of commercial goods, pedestrians, public transportation, and seniors. A "Complete Street" is one that provides safe and convenient travel

in a manner that is suitable to the local context. Complete Streets make travel safe for all users, including bicyclists, pedestrians, motorists, transit vehicles, and people of all ages and abilities. Each street does not need to provide dedicated space to all users, but the network must accommodate the needs of all users.

In 2021, Caltrans adopted Director's Policy 37, a policy directive related to non-motorized travel throughout the State. Director's Policy 37 states:

The California Department of Transportation (Caltrans) recognizes that walking, biking, transit, and passenger rail are integral to our vision of delivering a brighter future for all through a world-class transportation network. Additionally, Caltrans recognizes that streets are not only used for transportation but are also valuable community spaces. Accordingly, in locations with current and/or future pedestrian, bicycle, or transit needs, all transportation projects funded or overseen by Caltrans will provide comfortable, convenient, and connected complete streets facilities for people walking, biking, and taking transit or passenger rail unless an exception is documented and approved. When decisions are made not to include complete streets elements in capital and maintenance projects, the justification will be documented with final approval by the responsible District Director. Opportunities for complete streets exist in all phases of project development from planning and design to construction, operations, and maintenance. Complete streets projects should prioritize underserved communities that have been historically harmed and segmented by the transportation network and should serve people of all ages and abilities. Furthermore, Caltrans commits to removing unnecessary policy and procedural barriers and partnering with communities and agencies to ensure projects on local and state transportation systems improve the connectivity to existing and planned pedestrian, bicycle, and transit facilities, and accessibility to existing and planned destinations, where possible.

In 2024, Senate Bill 960 was enacted to further enhance the implementation of Complete Streets policies. This bill requires all transportation projects funded or overseen by the California Department of Transportation (Caltrans) to provide comfortable, convenient, and connected complete streets facilities unless an exemption is documented and approved. SB 960 mandates that the asset management plan prioritize the implementation of facilities for pedestrians, bicyclists, and transit users on all applicable projects.

The following text has been revised within Sub-Section 4.11.2, *Regulatory Setting,* Page 4.11-4 of Section 4.11, *Transportation*.

In December 2018, Office of Planning and Research (OPR; now known as Office of Land Use and Climate Innovation) released the final update to CEQA Guidelines consistent with SB 743 that went into effect statewide on July 1, 2020, which state that vehicle miles traveled (VMT) is "generally" the most appropriate metric of transportation impacts to align local environmental review under CEQA with California's long-term greenhouse gas emissions reduction goals.

4 Recirculation Not Warranted

As presented in Chapter 3, *Minor Revisions to the Draft EIR*, minor revisions to the Draft EIR would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts. The Minor Revisions (Chapter 3) identifies textual modifications to the Final EIR. The revised text serves to amplify, correct, supplement or clarify, information in the public review Draft EIR. It does not substantively affect the level of impact nor the conclusions presented. Therefore, recirculation of the Draft EIR is not warranted.

CEQA requires recirculation of a Draft EIR only when "significant new information" is added to a Draft EIR after public notice of the availability of the Draft EIR has occurred but before the EIR is certified (Public Resources Code Section 21092.1; *CEQA Guidelines* Section 15088.5). Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR (*CEQA Guidelines* Section 15088.5(b)).

The relevant portions of *CEQA Guidelines* Section 15088.5 (items a, b and e) read as follows:

(a) A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification. As used in this section, the term "information" can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. "Significant new information" requiring recirculation include, for example, a disclosure showing that:

1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to adopt it.
4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

(b) Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.

(e) A decision not to recirculate an EIR must be supported by substantial evidence in the administrative record.

The revisions to Section 4.3, *Biological Resources*, refine Impact BIO-1 by clarifying its inclusion of mitigation measures BIO-1 through BIO-9. These mitigation measures were already included within the impact analysis and these revisions correct a typographical error. Recirculation is not required where new information added to the EIR merely clarifies or amplifies or makes minor modifications in an EIR (*CEQA Guidelines* Section 15088.5(b)). Additionally, the Revised Appendix Item B of the

Draft EIR to update the special status species table would not result in new significant impacts to special status species or require updated mitigation, as the current EIR sufficiently covers these revisions. Revisions to Section 4.3, *Biological Resources*, clarify and amplify the standards established by these measures and they would not result in any secondary or otherwise undisclosed effect.

Revisions to Section 4.11, *Transportation*, clarify and amplify the established standards for project oversight and compliance. These edits would not result in any secondary or otherwise undisclosed effect. As discussed above, recirculation is not required where new information added to the EIR merely makes minor modifications in an EIR (*CEQA Guidelines* Section 15088.5(b)). Therefore, the revisions to the regulatory setting of Section 4.11, *Transportation*, consistent of minor modifications to the EIR.

The information and revised wording of Mitigation Measure BIO-1 added to this Final EIR would not result in a substantial increase in the severity of an environmental impact, nor a new significant environmental impact that would result from the revised mitigation. The addition of an updated special status species table in Section 4.3, *Biological Resources*, and updated language in Section 4.11, *Transportation*, would not result in an impact that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect. Finally, additional information provided in this Final EIR does not present a feasible project alternative or mitigation measure considerably different from others previously analyzed in the EIR that the City has declined to adopt and that would lessen an environmental impact.

The information added to this Final EIR supplements, clarifies, amplifies, and corrects information in the Draft EIR. The City has reviewed the information in the Minor Revisions and has determined that it does not change any of the basic findings or conclusions of the EIR, does not constitute "significant new information" pursuant to *CEQA Guidelines* Section 15088.5, and does not require recirculation of the Draft EIR. This decision is supported by substantial evidence provided in this EIR.

Revised Appendix B

Special Status Species

Special Status Species

Scientific Name Common Name	Status	Habitat Requirements
Plants and Lichens		
Allium peninsulare var. *franciscanum* Franciscan onion	None/None G5T2/S2 1B.2	Perennial bulbiferous herb. Cismontane woodland, valley and foothill grassland. Clay, Serpentinite (often), volcanic. Elevations: 170-1000ft. (52-305m.) Blooms (Apr)May-Jun.
Amorpha californica var. *napensis* Napa false indigo	None/None G4T2/S2 1B.2	Perennial deciduous shrub. Broadleafed upland forest, chaparral, cismontane woodland. Openings in forest or woodland or in chaparral. 30-735 m. Elevations: 165-6560ft. (50-2000m.) Blooms Apr-Jul.
Astragalus tener var. *tener* alkali milk-vetch	None/None G2T1/S1 1B.2	Annual herb. Playas, valley and foothill grassland, vernal pools. Alkaline. Elevations: 5-195ft. (1-60m.) Blooms Mar-Jun.
Atriplex persistens vernal pool smallscale	None/None G2/S2 1B.2	Annual herb. Vernal pools. Alkaline vernal pools. Elevations: 35-375ft. (10-115m.) Blooms Jun-Oct.
Balsamorhiza macrolepis big-scale balsamroot	None/None G2/S2 1B.2	Perennial herb. Chaparral, cismontane woodland, valley and foothill grassland. Serpentinite (sometimes). Elevations: 150-5100ft. (45-1555m.) Blooms Mar-Jun.
Blennosperma bakeri Sonoma sunshine	FE/SCE G1/S1 1B.1	Annual herb. Valley and foothill grassland, vernal pools. Vernal pools and swales. Elevations: 35-360ft. (10-110m.) Blooms Mar-May.
Blepharizonia plumosa big tarplant	None/None G1G2/S1S2 1B.1	Annual herb. Valley and foothill grassland. Clay (usually). Elevations: 100-1655ft. (30-505m.) Blooms Jul-Oct.
Brodiaea leptandra narrow-anthered brodiaea	None/None G3?/S3? 1B.2	Perennial bulbiferous herb. Broadleafed upland forest, chaparral, cismontane woodland, lower montane coniferous forest, valley and foothill grassland. Volcanic. Elevations: 360-3000ft. (110-915m.) Blooms May-Jul.
Calochortus pulchellus Mt. Diablo fairy-lantern	None/None G2/S2 1B.2	Perennial bulbiferous herb. Chaparral, cismontane woodland, riparian woodland, valley and foothill grassland. On wooded and brushy slopes. Elevations: 100-2755ft. (30-840m.) Blooms Apr-Jun.
Carex lyngbyei Lyngbye's sedge	None/None G5/S3 2B.2	Perennial rhizomatous herb. Marshes and swamps. Elevations: 0-35ft. (0-10m.) Blooms Apr-Aug.

Scientific Name Common Name	Status	Habitat Requirements
Castilleja affinis var. *neglecta* Tiburon paintbrush	FE/SCT G4G5T1T2/S1S2 1B.2	Perennial herb (hemiparasitic). Valley and foothill grassland. Rocky serpentine sites. Elevations: 195-1310ft. (60-400m.) Blooms Apr-Jun.
Ceanothus confusus Rincon Ridge ceanothus	None/None G1/S1 1B.1	Perennial evergreen shrub. Chaparral, cismontane woodland, closed-cone coniferous forest. Serpentinite (sometimes), volcanic (sometimes). Elevations: 245-3495ft. (75-1065m.) Blooms Feb-Jun.
Ceanothus purpureus holly-leaved ceanothus	None/None G2/S2 1B.2	Perennial evergreen shrub. Chaparral, cismontane woodland. Rocky, volcanic. Elevations: 395-2100ft. (120-640m.) Blooms Feb-Jun.
Ceanothus sonomensis Sonoma ceanothus	None/None G2/S2 1B.2	Perennial evergreen shrub. Chaparral. Sandy, serpentine or volcanic soils. Elevations: 705-2625ft. (215-800m.) Blooms Feb-Apr.
Centromadia parryi ssp. *congdonii* Congdon's tarplant	None/None G3T1T2/S1S2 1B.1	Annual herb. Valley and foothill grassland. Alkaline soils, sometimes described as heavy white clay. Elevations: 0-755ft. (0-230m.) Blooms May-Oct(Nov).
Centromadia parryi ssp. *parryi* pappose tarplant	None/None G3T2/S2 1B.2	Annual herb. Chaparral, coastal prairie, marshes and swamps, meadows and seeps, valley and foothill grassland. Alkaline (often). Elevations: 0-1380ft. (0-420m.) Blooms May-Nov.
Chloropyron molle ssp. *molle* soft salty bird's-beak	FE/SCR G2T1/S1 1B.2	Annual herb (hemiparasitic). Marshes and swamps. In coastal salt marsh with Distichlis, Salicornia, Frankenia, etc. Elevations: 0-10ft. (0-3m.) Blooms Jun-Nov.
Cicuta maculata var. *bolanderi* Bolander's water-hemlock	None/None G5T4T5/S2? 2B.1	Perennial herb. Marshes and swamps. In fresh or brackish water. Elevations: 0-655ft. (0-200m.) Blooms Jul-Sep.
Cirsium hydrophilum var. *hydrophilum* Suisun thistle	FE/None G2T1/S1 1B.1	Perennial herb. Marshes and swamps. Grows with Scirpus, Distichlis near small watercourses within saltmarsh. Elevations: 0-5ft. (0-1m.) Blooms Jun-Sep.
Dirca occidentalis western leatherwood	None/None G2/S2 1B.2	Perennial deciduous shrub. Broadleafed upland forest, chaparral, cismontane woodland, closed-cone coniferous forest, north coast coniferous forest, riparian forest, riparian woodland. On brushy slopes, mesic sites; mostly in mixed evergreen and foothill woodland communities. Elevations: 80-1395ft. (25-425m.) Blooms Jan-Mar(Apr).
Downingia pusilla dwarf downingia	None/None GU/S2 2B.2	Annual herb. Valley and foothill grassland, vernal pools. Vernal lake and pool margins with a variety of associates. In several types of vernal pools. Elevations: 5-1460ft. (1-445m.) Blooms Mar-May.

Scientific Name Common Name	Status	Habitat Requirements
Erigeron greenei Greene's narrow-leaved daisy	None/None G3/S3 1B.2	Perennial herb. Chaparral. Serpentine and volcanic substrates, generally in shrubby vegetation. Elevations: 260-3295ft. (80-1005m.) Blooms May-Sep.
Eriogonum truncatum Mt. Diablo buckwheat	None/None G1/S1 1B.1	Annual herb. Chaparral, coastal scrub, valley and foothill grassland. Dry, exposed clay or sandy substrates. Elevations: 10-1150ft. (3-350m.) Blooms Apr-Sep(Nov-Dec).
Eryngium jepsonii Jepson's coyote-thistle	None/None G2/S2 1B.2	Perennial herb. Valley and foothill grassland, vernal pools. Clay. Elevations: 10-985ft. (3-300m.) Blooms Apr-Aug.
Extriplex joaquinana San Joaquin spearscale	None/None G2/S2 1B.2	Annual herb. Chenopod scrub, meadows and seeps, playas, valley and foothill grassland. In seasonal alkali wetlands or alkali sink scrub with Distichlis spicata, Frankenia, etc. Elevations: 5-2740ft. (1-835m.) Blooms Apr-Oct.
Fritillaria liliacea fragrant fritillary	None/None G2/S2 1B.2	Perennial bulbiferous herb. Cismontane woodland, coastal prairie, coastal scrub, valley and foothill grassland. Often on serpentine; various soils reported though usually on clay, in grassland. Elevations: 10-1345ft. (3-410m.) Blooms Feb-Apr.
Helianthella castanea Diablo helianthella	None/None G2/S2 1B.2	Perennial herb. Broadleafed upland forest, chaparral, cismontane woodland, coastal scrub, riparian woodland, valley and foothill grassland. Azonal soils, Partial shade (often), rocky (usually). Elevations: 195-4265ft. (60-1300m.) Blooms Mar-Jun.
Hemizonia congesta ssp. *congesta* congested-headed hayfield tarplant	None/None G5T2/S2 1B.2	Annual herb. Valley and foothill grassland. Grassy valleys and hills, often in fallow fields; sometimes along roadsides. Elevations: 65-1835ft. (20-560m.) Blooms Apr-Nov.
Hesperolinon bicarpellatum two-carpellate western flax	None/None G2/S2 1B.2	Annual herb. Chaparral. Serpentine barrens at edge of chaparral. Elevations: 195-3295ft. (60-1005m.) Blooms (Apr)May-Jul.
Hesperolinon breweri Brewer's western flax	None/None G2/S2 1B.2	Annual herb. Chaparral, cismontane woodland, valley and foothill grassland. Often in rocky serpentine soil in serpentine chaparral and serpentine grassland. Elevations: 100-3100ft. (30-945m.) Blooms May-Jul.
Horkelia tenuiloba thin-lobed horkelia	None/None G2/S2 1B.2	Perennial herb. Broadleafed upland forest, chaparral, valley and foothill grassland. Sandy soils; mesic openings. Elevations: 165-1640ft. (50-500m.) Blooms May-Jul(Aug).
Isocoma arguta Carquinez goldenbush	None/None G1/S1 1B.1	Perennial shrub. Valley and foothill grassland. Alkaline soils, flats, lower hills. On low benches near drainages and on tops and sides of mounds in swale habitat. Elevations: 5-65ft. (1-20m.) Blooms Aug-Dec.

Scientific Name Common Name	Status	Habitat Requirements
Lasthenia conjugens Contra Costa goldfields	FE/None G1/S1 1B.1	Annual herb. Cismontane woodland, playas, valley and foothill grassland, vernal pools. Vernal pools, swales, low depressions, in open grassy areas. Elevations: 0-1540ft. (0-470m.) Blooms Mar-Jun.
Lathyrus jepsonii var. *jepsonii* Delta tule pea	None/None G5T2/S2 1B.2	Perennial herb. Marshes and swamps. In freshwater and brackish marshes. Often found with Typha, Aster lentus, Rosa californica, Juncus spp., Scirpus, etc. Usually on marsh and slough edges. Elevations: 0-15ft. (0-5m.) Blooms May-Jul(Aug-Sep).
Legenere limosa legenere	None/None G2/S2 1B.1	Annual herb. Vernal pools. In beds of vernal pools. 1-. Elevations: 5-2885ft. (1-880m.) Blooms Apr-Jun.
Leptosiphon jepsonii Jepson's leptosiphon	None/None G2G3/S2S3 1B.2	Annual herb. Chaparral, cismontane woodland, valley and foothill grassland. Open to partially shaded grassy slopes. On volcanics or the periphery of serpentine substrates. Elevations: 330-1640ft. (100-500m.) Blooms Mar-May.
Lilaeopsis masonii Mason's lilaeopsis	None/SCR G2/S2 1B.1	Perennial rhizomatous herb. Marshes and swamps, riparian scrub. Tidal zones, in muddy or silty soil formed through river deposition or river bank erosion. In brackish or freshwater. Elevations: 0-35ft. (0-10m.) Blooms Apr-Nov.
Limosella australis Delta mudwort	None/None G4G5/S2 2B.1	Perennial stoloniferous herb. Marshes and swamps, riparian scrub. Usually on mud banks of the Delta in marshy or scrubby riparian associations; often with Lilaeopsis masonii. Elevations: 0-10ft. (0-3m.) Blooms May-Aug.
Lomatium repostum Napa lomatium	None/None G2G3/S2S3 1B.2	Perennial herb. Chaparral, cismontane woodland. Rocky areas in volcanic and serpentine soils with mixed chaparral and black oak woodland communities. Elevations: 295-3380ft. (90-1030m.) Blooms Mar-Jun.
Lupinus sericatus Cobb Mountain lupine	None/None G2?/S2? 1B.2	Perennial herb. Broadleafed upland forest, chaparral, cismontane woodland, lower montane coniferous forest. In stands of knobcone pine-oak woodland, on open wooded slopes in gravelly soils; sometimes on serpentine. Elevations: 900-5005ft. (275-1525m.) Blooms Mar-Jun.
Navarretia leucocephala ssp. *bakeri* Baker's navarretia	None/None G4T2/S2 1B.1	Annual herb. Cismontane woodland, lower montane coniferous forest, meadows and seeps, valley and foothill grassland, vernal pools. Vernal pools and swales; adobe or alkaline soils. Elevations: 15-5710ft. (5-1740m.) Blooms Apr-Jul.
Puccinellia simplex California alkali grass	None/None G3/S2 1B.2	Annual herb. Chenopod scrub, meadows and seeps, valley and foothill grassland, vernal pools. Alkaline, vernally mesic. Sinks, flats, and lake margins. Elevations: 5-3050ft. (2-930m.) Blooms Mar-May.
Rhynchospora californica California beaked-rush	None/None G1/S1 1B.1	Perennial rhizomatous herb. Bogs and fens, lower montane coniferous forest, marshes and swamps, meadows and seeps. Freshwater seeps and open marshy areas. Elevations: 150-3315ft. (45-1010m.) Blooms May-Jul.

Scientific Name Common Name	Status	Habitat Requirements
Senecio aphanactis chaparral ragwort	None/None G3/S2 2B.2	Annual herb. Chaparral, cismontane woodland, coastal scrub. Drying alkaline flats. Elevations: 50-2625ft. (15-800m.) Blooms Jan-Apr(May).
Sidalcea hickmanii ssp. *napensis* Napa checkerbloom	None/None G3T1/S1 1B.1	Perennial herb. Chaparral. Rhyolitic substrates. Elevations: 1360-2000ft. (415-610m.) Blooms Apr-Jun.
Spergularia macrotheca var. *longistyla* long-styled sand-spurrey	None/None G5T2/S2 1B.2	Perennial herb. Marshes and swamps, meadows and seeps. Alkaline. Elevations: 0-835ft. (0-255m.) Blooms Feb-May.
Stuckenia filiformis ssp. *alpina* northern slender pondweed	None/None G5T5/S2S3 2B.2	Perennial rhizomatous herb (aquatic). Marshes and swamps. Shallow, clear water of lakes and drainage channels. Elevations: 985-7055ft. (300-2150m.) Blooms May-Jul.
Symphyotrichum lentum Suisun Marsh aster	None/None G2/S2 1B.2	Perennial rhizomatous herb. Marshes and swamps. Most often seen along sloughs with Phragmites, Scirpus, blackberry, Typha, etc. Elevations: 0-10ft. (0-3m.) Blooms (Apr)May-Nov.
Trichostema ruygtii Napa bluecurls	None/None G1G2/S1S2 1B.2	Annual herb. Chaparral, cismontane woodland, lower montane coniferous forest, valley and foothill grassland, vernal pools. Often in open, sunny areas. Also has been found in vernal pools. Elevations: 100-2230ft. (30-680m.) Blooms Jun-Oct.
Trifolium amoenum two-fork clover	FE/None G1/S1 1B.1	Annual herb. Coastal bluff scrub, valley and foothill grassland. Sometimes on serpentine soil, open sunny sites, swales. Most recently cited on roadside and eroding cliff face. Elevations: 15-1360ft. (5-415m.) Blooms Apr-Jun.
Trifolium hydrophilum saline clover	None/None G2/S2 1B.2	Annual herb. Marshes and swamps, valley and foothill grassland, vernal pools. Mesic, alkaline sites. Elevations: 0-985ft. (0-300m.) Blooms Apr-Jun.
Viburnum ellipticum oval-leaved viburnum	None/None G4G5/S3? 2B.3	Perennial deciduous shrub. Chaparral, cismontane woodland, lower montane coniferous forest. Elevations: 705-4595ft. (215-1400m.) Blooms May-Jun.
Invertebrates		
Bombus crotchii Crotch bumble bee	None/~~None~~SCE G2/S1S2	Coastal California east to the Sierra-Cascade crest and south into Mexico. Food plant genera include Antirrhinum, Phacelia, Clarkia, Dendromecon, Eschscholzia, and Eriogonum.
Bombus occidentalis western bumble bee	None/~~None~~SCE G2G3/S1	Once common and widespread, species has declined precipitously from central CA to southern B.C., perhaps from disease. .

Scientific Name Common Name	Status	Habitat Requirements
Branchinecta lynchi vernal pool fairy shrimp	FT/None G3/S3	Endemic to the grasslands of the Central Valley, Central Coast mountains, and South Coast mountains, in astatic rain-filled pools. Inhabit small, clear-water sandstone-depression pools and grassed swale, earth slump, or basalt-flow depression pools.
Desmocerus californicus dimorphus valley elderberry longhorn beetle	FT/None G3T2T3/S3	Occurs only in the Central Valley of California, in association with blue elderberry (Sambucus mexicana). Prefers to lay eggs in elderberries 2-8 inches in diameter; some preference shown for "stressed" elderberries.
Speyeria callippe callippe callippe silverspot butterfly	FE/None G5T1/S1	Restricted to the northern coastal scrub of the San Francisco peninsula. Hostplant is Viola pedunculata. Most adults found on E-facing slopes; males congregate on hilltops in search of females.
Syncaris pacifica California freshwater shrimp	FE/SE G2/S2	Endemic to Marin, Napa, and Sonoma counties. Found in low elevation, low gradient streams where riparian cover is moderate to heavy. Shallow pools away from main streamflow. Winter: undercut banks with exposed roots. Summer: leafy branches touching water.
Fish		
Acipenser medirostris pop. 1 green sturgeon - southern DPS	FT/None G3T1/S1	Spawning site fidelity. Spawns in the Sacramento, Feather and Yuba Rivers. Presence in upper Stanislaus and San Joaquin Rivers may indicate spawning. Non-spawning adults occupy marine/estuarine waters. Delta Estuary is important for rearing juveniles. Spawning occurs primarily in cool (11-15 C) sections of mainstem rivers in deep pools (8-9 meters) with substrate containing small to medium sized sand, gravel, cobble, or boulder.
Acipenser transmontanus white sturgeon	None/SCT G3/S2 SSC	Live in estuaries of large rivers, moving into freshwater to spawn. Most abundant in brackish portions of estuaries. In estuaries adults concentrate in deep areas with soft bottoms.
Hypomesus transpacificus Delta smelt	FT/SE G1/S1	Sacramento-San Joaquin Delta. Seasonally in Suisun Bay, Carquinez Strait and San Pablo Bay. Seldom found at salinities > 10 ppt. Most often at salinities < 2ppt.
Oncorhynchus mykiss irideus pop. 8 steelhead - central California coast DPS	FT/None G5T2T3Q/S2S3	DPS includes all naturally spawned populations of steelhead (and their progeny) in streams from the Russian River to Aptos Creek, Santa Cruz County, California (inclusive). Also includes the drainages of San Francisco and San Pablo Bays. .
Pogonichthys macrolepidotus Sacramento splittail	None/None GNR/S3 SSC	Endemic to the lakes and rivers of the Central Valley, but now confined to the Delta, Suisun Bay and associated marshes. Slow moving river sections, dead end sloughs. Requires flooded vegetation for spawning and foraging for young.
Spirinchus thaleichthys longfin smelt	FC/ST G5/S1	Euryhaline, nektonic and anadromous. Found in open waters of estuaries, mostly in middle or bottom of water column. Prefer salinities of 15-30 ppt, but can be found in completely freshwater to almost pure seawater.
Amphibians		
Dicamptodon ensatus California giant salamander	None/None G3/S2S3 SSC	Known from wet coastal forests near streams and seeps from Mendocino County south to Monterey County, and east to Napa County. Aquatic larvae found in cold, clear streams, occasionally in lakes and ponds. Adults known from wet forests under rocks and logs near streams and lakes.

Scientific Name Common Name	Status	Habitat Requirements
Rana boylii pop. 1 foothill yellow-legged frog - north coast DPS	None/~~None~~SE G3TNRQ/S3 SSC	Northern Coast Ranges north of San Francisco Bay Estuary, Klamath Mountains, and Cascade Range including watershed subbasins (HU 8) Lower Pit, Battle Creek, Thomes Creek, and Big Chico Creek in Lassen, Shasta, Tehama, and Butte Counties. Partly shaded shallow streams and riffles with a rocky substrate in a variety of habitats. Needs at least some cobble-sized substrate for egg-laying and at least 15 weeks to attain metamorphosis.
Rana draytonii California red-legged frog	FT/None G2G3/S2S3 SSC	Lowlands and foothills in or near permanent sources of deep water with dense, shrubby or emergent riparian vegetation. Requires 11-20 weeks of permanent water for larval development. Must have access to estivation habitat.
Taricha rivularis red-bellied newt	None/None G2/S2 SSC	Coastal drainages from Humboldt County south to Sonoma County, inland to Lake County. Isolated population of uncertain origin in Santa Clara County. Lives in terrestrial habitats, juveniles generally underground, adults active at surface in moist environments. Will migrate over 1 km to breed, typically in streams with moderate flow and clean, rocky substrate.
Reptiles		
Emys marmorata western pond turtle	None/~~None~~FPT G3G4/S3 SSC	A thoroughly aquatic turtle of ponds, marshes, rivers, streams and irrigation ditches, usually with aquatic vegetation, below 6000 ft elevation. Needs basking sites and suitable (sandy banks or grassy open fields) upland habitat up to 0.5 km from water for egg-laying.
Masticophis lateralis euryxanthus Alameda whipsnake	FT/ST G4T2/S2	Typically found in chaparral and scrub habitats but will also use adjacent grassland, oak savanna and woodland habitats. Mostly south-facing slopes and ravines, with rock outcrops, deep crevices or abundant rodent burrows, where shrubs form a vegetative mosaic with oak trees and grasses.
Birds		
Accipiter cooperii Cooper's hawk	None/None G5/S4 WL	Woodland, chiefly of open, interrupted or marginal type. Nest sites mainly in riparian growths of deciduous trees, as in canyon bottoms on river flood-plains; also, live oaks.
Agelaius tricolor tricolored blackbird	None/ST G1G2/S1S2 SSC	Highly colonial species, most numerous in Central Valley and vicinity. Largely endemic to California. Requires open water, protected nesting substrate, and foraging area with insect prey within a few km of the colony.
Aquila chrysaetos golden eagle	None/None G5/S3 FP WL	Rolling foothills, mountain areas, sage-juniper flats, and desert. Cliff-walled canyons provide nesting habitat in most parts of range; also, large trees in open areas.
Asio flammeus short-eared owl	None/None G5/S3 SSC	Found in swamp lands, both fresh and salt; lowland meadows; irrigated alfalfa fields. Tule patches/tall grass needed for nesting/daytime seclusion. Nests on dry ground in depression concealed in vegetation.

Scientific Name Common Name	Status	Habitat Requirements
Athene cunicularia burrowing owl	None/~~None~~ SCE G4/S3 SSC	Open, dry annual or perennial grasslands, deserts, and scrublands characterized by low-growing vegetation. Subterranean nester, dependent upon burrowing mammals, most notably, the California ground squirrel.
Buteo regalis ferruginous hawk	None/None G4/S3S4 WL	Open grasslands, sagebrush flats, desert scrub, low foothills and fringes of pinyon and juniper habitats. Eats mostly lagomorphs, ground squirrels, and mice. Population trends may follow lagomorph population cycles.
Buteo swainsoni Swainson's hawk	None/ST G5/S3	Breeds in grasslands with scattered trees, juniper-sage flats, riparian areas, savannahs, and agricultural or ranch lands with groves or lines of trees. Requires adjacent suitable foraging areas such as grasslands, or alfalfa or grain fields supporting rodent populations.
Charadrius nivosus nivosus western snowy plover	FT/None G3T3/S2 SSC	Sandy beaches, salt pond levees and shores of large alkali lakes. Needs sandy, gravelly or friable soils for nesting.
Circus hudsonius northern harrier	None/None G5/S3 SSC	Coastal salt and freshwater marsh. Nest and forage in grasslands, from salt grass in desert sink to mountain cienagas. Nests on ground in shrubby vegetation, usually at marsh edge; nest built of a large mound of sticks in wet areas.
Coturnicops noveboracensis yellow rail	None/None G4/S1S2 SSC	Summer resident in eastern Sierra Nevada in Mono County. Freshwater marshlands.
Cypseloides niger black swift	None/None G4/S2 SSC	Coastal belt of Santa Cruz and Monterey counties; central and southern Sierra Nevada; San Bernardino and San Jacinto mountains. Breeds in small colonies on cliffs behind or adjacent to waterfalls in deep canyons and sea-bluffs above the surf; forages widely.
Elanus leucurus white-tailed kite	None/None G5/S3S4 FP	Rolling foothills and valley margins with scattered oaks and river bottomlands or marshes next to deciduous woodland. Open grasslands, meadows, or marshes for foraging close to isolated, dense-topped trees for nesting and perching.
Falco peregrinus anatum American peregrine falcon	FD/SD G4T4/S3S4 FP	Near wetlands, lakes, rivers, or other water; on cliffs, banks, dunes, mounds; also, human-made structures. Nest consists of a scrape or a depression or ledge in an open site.
Geothlypis trichas sinuosa saltmarsh common yellowthroat	None/None G5T3/S3 SSC	Resident of the San Francisco Bay region, in fresh and salt water marshes. Requires thick, continuous cover down to water surface for foraging; tall grasses, tule patches, willows for nesting.
Laterallus jamaicensis coturniculus California black rail	None/ST G3T1/S1 FP	Inhabits freshwater marshes, wet meadows and shallow margins of saltwater marshes bordering larger bays. Needs water depths of about 1 inch that do not fluctuate during the year and dense vegetation for nesting habitat.

Scientific Name Common Name	Status	Habitat Requirements
Melospiza melodia maxillaris Suisun song sparrow	None/None G5T3/S3 SSC	Resident of brackish-water marshes surrounding Suisun Bay. Inhabits cattails, tules and other sedges, and Salicornia; also known to frequent tangles bordering sloughs.
Melospiza melodia samuelis San Pablo song sparrow	None/None G5T2/S2 SSC	Resident of salt marshes along the north side of San Francisco and San Pablo bays. Inhabits tidal sloughs in the Salicornia marshes; nests in Grindelia bordering slough channels.
Pandion haliaetus osprey	None/None G5/S4 WL	Ocean shore, bays, freshwater lakes, and larger streams. Large nests built in tree-tops within 15 miles of a good fish-producing body of water.
Rallus obsoletus obsoletus California Ridgway's rail	FE/SE G3T1/S1 FP	Salt water and brackish marshes traversed by tidal sloughs in the vicinity of San Francisco Bay. Associated with abundant growths of pickleweed, but feeds away from cover on invertebrates from mud-bottomed sloughs.
Riparia riparia bank swallow	None/ST G5/S2	Colonial nester; nests primarily in riparian and other lowland habitats west of the desert. Requires vertical banks/cliffs with fine-textured/sandy soils near streams, rivers, lakes, ocean to dig nesting hole.
Xanthocephalus xanthocephalus yellow-headed blackbird	None/None G5/S3 SSC	Nests in freshwater emergent wetlands with dense vegetation and deep water. Often along borders of lakes or ponds. Nests only where large insects such as Odonata are abundant, nesting timed with maximum emergence of aquatic insects.
Mammals		
Antrozous pallidus pallid bat	None/None G4/S3 SSC	Found in a variety of habitats including deserts, grasslands, shrublands, woodlands, and forests. Most common in open, dry habitats with rocky areas for roosting. Roosts in crevices of rock outcrops, caves, mine tunnels, buildings, bridges, and hollows of live and dead trees which must protect bats from high temperatures. Very sensitive to disturbance of roosting sites.
Corynorhinus townsendii Townsend's big-eared bat	None/None G4/S2 SSC	Occurs throughout California in a wide variety of habitats. Most common in mesic sites, typically coniferous or deciduous forests. Roosts in the open, hanging from walls & ceilings in caves, lava tubes, bridges, and buildings. This species is extremely sensitive to human disturbance.
Nyctinomops macrotis big free-tailed bat	None/None G5/S3 SSC	Low-lying arid areas in Southern California. Need high cliffs or rocky outcrops for roosting sites. Feeds principally on large moths.
Reithrodontomys raviventris salt-marsh harvest mouse	FE/SE G1G2/S1S2 FP	Only in the saline emergent wetlands of San Francisco Bay and its tributaries. Pickleweed is primary habitat, but may occur in other marsh vegetation types and in adjacent upland areas. Does not burrow; builds loosely organized nests. Requires higher areas for flood escape.

Scientific Name Common Name	Status	Habitat Requirements
Sorex ornatus sinuosus Suisun shrew	None/None G5T1T2Q/S1S2 SSC	Tidal marshes of the northern shores of San Pablo and Suisun bays. Require dense low-lying cover and driftweed and other litter above the mean hightide line for nesting and foraging.
Taxidea taxus American badger	None/None G5/S3 SSC	Most abundant in drier open stages of most shrub, forest, and herbaceous habitats, with friable soils. Needs sufficient food, friable soils and open, uncultivated ground. Preys on burrowing rodents. Digs burrows.

Regional Vicinity refers to within a 9-quad search radius of site.

Status (Federal/State)

FE = Federal Endangered
FT = Federal Threatened
FPE = Federal Proposed Endangered
FPT = Federal Proposed Threatened
FD = Federal Delisted
FC = Federal Candidate
SE = State Endangered
ST = State Threatened
SCE = State Candidate Endangered
SCT = State Candidate Threatened
SR = State Rare
SD = State Delisted
SSC = CDFW Species of Special Concern
FP = CDFW Fully Protected
WL = CDFW Watch List

CRPR (CNPS California Rare Plant Rank)

1A = Presumed extirpated in California, and rare or extinct elsewhere
1B = Rare, Threatened, or Endangered in California and elsewhere
2A = Presumed extirpated in California, but common elsewhere
2B= Rare, Threatened, or Endangered in California, but more common elsewhere
3 = Need more information (Review List)
4 = Limited Distribution (Watch List)

CRPR Threat Code Extension

.1 = Seriously endangered in California (>80% of occurrences threatened/high degree and immediacy of threat)
.2 = Moderately threatened in California (20-80% of occurrences threatened/moderate degree and immediacy of threat)
.3 = Not very endangered in California (<20% of occurrences threatened/low degree and immediacy of threat)

Other Statuses

G1 or S1 Critically Imperiled Globally or Subnationally (state)
G2 or S2 Imperiled Globally or Subnationally (state)
G3 or S3 Vulnerable to extirpation or extinction Globally or Subnationally (state)
G4/5 or S4/5 Apparently secure, common and abundant
GH or SH Possibly Extirpated – missing; known from only historical occurrences but still some hope of rediscovery

Additional notations may be provided as follows

T – Intraspecific Taxon (subspecies, varieties, and other designations below the level of species)
Q – Questionable taxonomy that may reduce conservation priority
? – Inexact numeric rank

American Canyon 2040 General Plan Update

Findings of Fact and Statement of Overriding Considerations
SCH# 2022070038

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March 2025

RINCON CONSULTANTS, INC. SINCE 1994

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1 Introduction

A Draft Environmental Impact Report (Draft EIR) was prepared for the American Canyon 2040 General Plan Update (project), and the City of American Canyon (City) filed a notice of completion (NOC) with the Governor's Office of Planning and Research to begin the 45-day public review period (Public Resources Code [PRC] Section 21161), which began on September 27, 2024, and ended on December 27, 2024. The Draft EIR was made available on the City's website.[1] In addition, the Draft EIR was made available for review at the City's offices at 4381 Broadway Street, Suite 201; the City Library at 300 Crawford Way; and the Active Adults Center at 2185 Elliot Drive. As a result of these notification efforts, the City received eight written comments on the content of the Draft EIR.

After close of the Draft EIR public review and comment period, a Final EIR consisting of responses to comments and minor revisions to the Draft EIR was prepared for City Council. On May 20, 2025, the City Council, at a public hearing, is expected to decide on the certification of the Final EIR and approval of the project. The public hearing will be simultaneously held virtually and in person.

The Findings of Fact (Findings) and Statement of Overriding Considerations (SOC) presented herein address the environmental effects associated with the project that are described and analyzed within the Final EIR, reflect the Council's determinations about feasible mitigation measures, and the adequacy of the Final EIR. These Findings have been made pursuant to the California Environmental Quality Act (CEQA; California Public Resources Code Section 21000 et seq.), specifically Public Resources Code Sections 21081 and 21081.6, as well as the *CEQA Guidelines* (14 CCR 15000 *et seq*.) Sections 15091 and 15093.

Public Resources Code Section 21081 and *CEQA Guidelines* Section 15091 require that the City, as the Lead Agency for this project, prepare written findings for any identified significant environmental effects along with a brief explanation of the rationale for each finding. Specific findings under *CEQA Guidelines* Section 15091(a) are:

(1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR.

(2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

(3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Furthermore, in accordance with Public Resources Code Section 21081 and *CEQA Guidelines* Section 15093, whenever significant effects cannot be mitigated to below a level of significance, the City as the decision-making agency is required to balance, as applicable, the benefits of the project against its unavoidable environmental risks when determining whether to approve the project. If the benefits of a project outweigh the unavoidable adverse environmental effects, the adverse effects may be considered "acceptable," in which case the lead agency must adopt a formal SOC.

[1] Draft EIR for the project is available here: https://portal.laserfiche.com/Portal/DocView.aspx?id=232476&repo=r-f53bdda4

The Final EIR identified potentially significant environmental effects that could result from the project but could be reduced to a less than significant level through implementation of mitigation measures. Those effects were related to aesthetics (impacts related to anticipated construction and operational lighting from development between now and the 2040 plan horizon year), air quality (impacts related to exposing sensitive receptors to pollutant concentrations and odors), biological resources (impacts to special status species), cultural resources (impacts related to historical structures, archaeological resources, and human remains), noise (impacts related to groundborne vibration), paleontological resources, and wildfire (impacts related to exposing people and structures to wildfire risk).

Significant and unavoidable impacts associated with greenhouse gas (GHG) emissions (impacts related to conflicts with state GHG reduction goals), noise (impacts related to construction noise and operational traffic noise), and transportation (impacts related to vehicle miles traveled [VMT]) were identified because mitigation measures would not reduce impacts to a less than significant level, and thus a statement of overriding considerations is required.

2 Project Description

The project is an update to the City's current General Plan, which includes the following chapters: Introduction, Land Use Element, Housing Element, Economic Development Element, Mobility (Circulation) Element, Utilities Element, Public Services and Facilities Element, Parks and Recreation Element, Natural and Historic & Cultural Resources Element, Geology Element, Flood Hazards Element, and Noise Element.

The General Plan (project) establishes the City's vision for future development through the horizon year of 2040. The General Plan will serve as the City's primary guide for future land use and development decisions in a way that meets the community needs and priorities while serving as a key tool for influencing and improving the quality of life for residents and businesses. As such, it serves as the "blueprint" for future development and conservation of a community. The 2040 General Plan Update will help the City plan for important community issues, such as community growth; health, housing, mobility, and infrastructure needs; climate change; and environmental protection. It will also set the stage for future social, physical, and economic development of the City.

The project would change some of the land use designations; however, these changes primarily resolve inconsistences between existing uses and the General Plan land use designations. As a part of the project, the City would consider an update to the Urban Limit Line to include the Hess/Laird Property and two parcels located in the vicinity of S. Kelly Road and State Route (SR) 29. Consideration of an expansion of the Urban Limit Line is an administrative process that would not result in an environmental impacts and is not discussed in the Final EIR. Overall, compared to existing conditions, the project could add 3,379 residential units and approximately 5,704,000 square feet of commercial, retail, hotel, industrial, warehouse, and research and development (R&D) uses.

The project includes a Mobility Element, which provides a vision and guiding principles for the transportation system. The Mobility Element identifies the following proposed major circulation improvements in American Canyon:

- The City partnership with the Napa Valley Transportation Authority to identify improvements to SR 29, including landscaping improvements, pedestrian improvements, and multimodal features.
- Newell Drive extension from Watson Ranch to Highway 29 at Green Island Road (2-Lane Major Collector Road and 4-Lane Arterial)
- Green Island Road reconstruction from a 2-lane Arterial to a 3-Lane Arterial
- West Side Connector (2-Lane Major Collector)
- Eucalyptus Drive extension from Theresa Avenue to Broadway (2-Lane Major Collector)
- Rio Del Mar or South Napa Junction Road, including new at-grade crossing from Broadway to Newell Drive (2-Lane Major Collector)
- Napa Junction Road from Theresa Avenue to Hess Road (2-Lane Minor Collector)
- Newell Drive Railroad Overcrossing
- American Canyon Road Pedestrian Crossing
- Donaldson Way Pedestrian Crossing
- Napa Junction Road Pedestrian Crossing

3 Project Objectives

The Technical 2040 General Plan will serve as a long-term framework for future growth and development, represents the community's view of its future, and contains the goals and policies upon with the City Council, Planning Commission, and the entire community will base land use and resource decisions. The Technical 2040 General Plan will provide a contemporary plan that will guide American Canyon though the next 20 years and comply with State General Plan guidelines and law.

The Technical 2040 General Plan identifies the following three fundamental roles of the City:

1. The City should be home for a residential population, internally accommodating a sufficient range of uses to support the needs of residents (including a mix of housing types, commercial services, entertainment, employment, recreation, education, health, religious, cultural facilities, transportation services, and open space). At the present time, many of these uses are located outside the City, which necessitates extensive travel by residents to access these services.
2. The City should be a center of employment and commerce for regional, as well as local residents. This will provide an opportunity to capitalize upon: (1) the cluster of uses which have developed in the Green Island Industrial Park; (2) the proximity of the City to the Napa County Airport and Southern Pacific railroad, and (3) the relationship of the City to the agricultural and vineyard industries of Napa County.
3. The City can capture visitors to the Napa Valley by providing uses which capitalize on the unique environmental setting of the foothills, river valleys, and agriculture. Environmental educational facilities, such as wetlands interpretative centers, overnight camping and recreational vehicle facilities, river recreational facilities such as boating, golf courses, and hotel/motels and restaurants are representative of the range of uses which may be considered.

4 Findings of Fact

Having received, reviewed, and considered the information in the Final EIR for this project, as well as the supporting administrative record, the City of American Canyon makes findings pursuant to, and in accordance with, Sections 21081, 21081.5, and 21081.6 of the Public Resources Code.

4.1 Environmental Effects Found Not to be Significant

Through project scoping and the environmental analysis contained within the Final EIR, it was determined that the project would not result in potentially significant effects on the environment for all CEQA Appendix G checklist questions related to land use and planning, population and housing, public services and recreation, utilities and service systems, and tribal cultural resources. In addition, it was determined that the project would not result in potentially significant effects on the environment for CEQA Appendix G checklist questions within the following issue areas:

- Aesthetics (impacts to scenic vistas, state scenic highways, and conflicts with zoning)
- Air quality (impacts related to consistency with the Bay Area Air Quality Management District's 2017 Clean Air Plan and net increases in criteria pollutants)
- Biological resources (impacts to riparian habitat and sensitive natural communities, fish and wildlife migration, conflicts with policies designed to protect biological resources, and conflicts with an adopted habitat conservation plan)
- Noise (impacts related to airport noise)
- Transportation (impacts related to conflicts with policies addressing the circulation system, increasing transportation hazards, and resulting in inadequate emergency access)
- Wildfire (impacts related to emergency access, installation of utilities, and risks associated with post-fire instability).

No further findings are required for these subject areas.

4.2 Findings for Significant but Mitigated Effects

The following findings are hereby made by the City of American Canyon for the significant but mitigable environmental effects identified in the EIR related to aesthetics (impacts related to additional construction and operational lighting), air quality (impacts related to exposing sensitive receptors to pollutant concentrations and odors), biological resources (impacts to special status species), cultural resources (impacts related to historical structures, archaeological resources, and human remains), noise (impacts related to groundborne vibration), paleontological resources, and wildfire (impacts related to exposing people and structures to wildfire risk).

4.2.1 Aesthetics – Impact AES-4

Construction and operation of future development facilitated by the project could create new sources of light or glare that could adversely affect the visual environment. Impacts would be less than significant with mitigation.

Finding

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR (*CEQA Guidelines* Section 15091[a][1]). Implementation of Mitigation Measures AES-1 and AES-2 would reduce potential impacts related to additional construction and operational lighting to a less than significant level.

Explanation

Implementation of Mitigation Measure AES-1 would require a construction lighting plan for projects that would require nighttime construction and Mitigation Measure AES-2 would require the preparation of a photometric plan. Implementation of Mitigation Measures AES-1 and AES-2 would ensure that lighting and glare is minimized during construction and operation of future development. With implementation of Mitigation Measures AES-1 and AES-2, impacts would be less than significant.

Mitigation Measure

Pursuant to *CEQA Guidelines* Section 15091, the following mitigation measures have been included in a MMRP that is to be adopted concurrently with these findings.

AES-1 Construction Lighting Plan

Prior to nighttime construction, if needed for a particular project, project applicants shall submit a construction lighting plan to the City for review and approval. The construction lighting plan shall ensure that the minimum amount of lighting is used to meet safety requirements and ensure no spillover occurs to nearby sensitive uses. All lighting shall be directed downward and away from surrounding land uses.

AES-2 Operational Lighting Plan

Prior to discretionary project approval, the project applicant shall prepare and submit a photometric plan to the City for review and approval which demonstrates that all exterior light fixtures will be directed downward or employ full cut-off fixtures to prevent light spillage. The approved plan shall be incorporated into project design plans.

4.2.2 Air Quality – Impact AQ-3

Construction activities for projects lasting longer than two months or located within 1,000 feet of sensitive receptors could expose sensitive receptors to substantial pollutant concentrations. Implementation of the project may also expose sensitive receptors to operational sources of toxic air contaminants. Impacts would be less than significant with mitigation.

Finding

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR (*CEQA Guidelines* Section 15091[a][1]). Implementation of Mitigation Measures AQ-1 through AQ-3 would reduce potential impacts related to exposing sensitive receptors to substantial pollutant concentrations to a less than significant level.

Explanation

Implementation of Mitigation Measure AQ-1 requires the preparation of construction health risk assessments for developments that meet specific criteria and implementation of measures to reduce construction emissions. Mitigation Measures AQ-2 requires the preparation of operational health risk assessments for development that places sensitive receptors within 500 feet of a major source of toxic air contaminants and implementation of measures to reduce exposure to toxic air contaminants. Mitigation Measures AQ-3 requires the preparation of operational health risk assessments for industrial, warehousing, and commercial land uses that meet specific criteria and implementation of measures to reduce operational emissions.

Mitigation Measure

Pursuant to *CEQA Guidelines* Section 15091, the following mitigation measures have been included in a MMRP that is to be adopted concurrently with these findings.

AQ-1 Conduct Construction Health Risk Assessment

Prior to issuance of a grading or building permit, whichever occurs first, the applicant shall submit to the City a construction health risk assessment (HRA) in accordance with BAAQMD recommendations for any development project that has at least one the following characteristics:

- The project is located within 1,000 feet of sensitive receptors.
- Project construction would last longer than two months.
- Project construction would not utilize equipment rated USEPA Tier 4 (for equipment of 50 horsepower or more); construction equipment fitted with Level 3 Diesel Particulate Filters (for all equipment of 50 horsepower or more); or alternative fuel construction equipment.

If the HRA determines that construction will exceed BAAQMD significance thresholds, the HRA shall provide mitigation measures to reduce the impact to less than significant, including but not limited to requiring the use of Tier 4 engines, Level 3 Diesel Particulate Filters, and/or alternative fuel construction equipment.

AQ-2 Reduce operational Toxic Air Contaminants Near Sensitive Receptors

For new sensitive receptors proposed within 500 feet of a major source of TAC (high-volume roadways with 10,000 vehicles or more per day), the project applicant shall prepare an operational health risk assessment for the City's review and approval. If TAC exposure at new sensitive receptor sites would exceed BAAQMD health risk thresholds, the project applicant shall include mechanical air filtration or other measures to reduce health risk exposure to acceptable levels.

AQ-3 Conduct Operational Health Risk Assessment

Prior to permit approval for industrial, warehousing, or commercial land uses that would generate at least 100 diesel trucks per day or 40 or more trucks with diesel-powered transport refrigeration units per day, the applicant shall submit an operational health risk assessment (HRA) or submit proof that an HRA is not required in accordance with BAAQMD thresholds to the City for review and approval. If required by the City, the operational HRA shall be prepared in accordance with the Office of Environmental Health Hazard Assessment and BAAQMD requirements, and impacts shall be mitigated to an acceptable level. Typical measures to reduce risk impacts may include, but are not limited to:

- Restricting idling on-site beyond Air Toxic Control Measures idling restrictions, as feasible.
- Electrifying warehousing docks.
- Truck Electric Vehicle (EV) Capable trailer spaces.
- Requiring use of newer equipment and/or vehicles.
- Restricting off-site truck travel through the creation of truck routes.

The operational HRA shall be provided to the City for review and concurrence prior to project approval.

4.2.3 Air Quality – Impact AQ-4

The project would not create objectionable odors that could adversely affect a substantial number of people. Impacts related to odors would be less than significant with mitigation.

Finding

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR (*CEQA Guidelines* Section 15091[a][1]). Implementation of Mitigation Measure AQ-4 would reduce potential impacts related to odors to a less than significant level.

Explanation

Implementation of Mitigation Measure AQ-4 requires the preparation of an odor management plan for projects with potential to emit nuisance odors beyond the project's property line. Odor impacts would be less than significant with implementation of Mitigation Measure AQ-4.

Mitigation Measure

Pursuant to *CEQA Guidelines* Section 15091, the following mitigation measures have been included in a MMRP that is to be adopted concurrently with these findings.

AQ-4 Reduce Operational Odor Impacts

Prior to discretionary approval by the City, if it is determined by the City that a development project has the potential to emit nuisance odors beyond the property line, the project applicant shall prepare an odor management plan and submit it to the City for review and approval. Facilities that have the potential to generate nuisance odors include, but are not limited to:

- Wastewater treatment plants
- Composting, green waste, or recycling facilities
- Fiberglass manufacturing facilities
- Painting/coating operations
- Large-capacity coffee roasters
- Food-processing facilities

The odor management plan shall demonstrate compliance with the latest BAAQMD screening distances and guidelines. The odor management plan shall identify the best available control technologies for toxics (T-BACTs) that will be utilized to reduce potential odors to acceptable levels,

including appropriate enforcement mechanisms. T-BACTs may include but are not limited to scrubbers (*i.e.*, air pollution control devices) at the industrial facility. T-BACTs identified in the odor management plan shall be identified as mitigation measures in the documents prepared for the development project and/or incorporated into the project's site plan.

4.2.4 Biological Resources – Impact BIO-1

The project could have the potential to have an adverse impact on special status species. Implementation of federal, state, and local regulations and policies, as well as Mitigation Measures BIO-1 through BIO-9, would ensure development facilitated by the project would not have a substantial adverse effect on candidate, sensitive, or special status species. This impact would be less than significant with mitigation.

Finding

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR (*CEQA Guidelines* Section 15091[a][1]). Implementation of Mitigation Measures BIO-1 through BIO-9 would reduce potential impacts related to special-status species to a less than significant level.

Explanation

Implementation of Mitigation Measure BIO-1 through BIO-9 would reduce potential impacts to special-status species, nesting birds, and roosting bats to a less than significant level by requiring Biological Resources Screening and Assessments, avoidance and minimization, habitat restoration, and preconstruction surveys.

Mitigation Measure

Pursuant to *CEQA Guidelines* Section 15091, the following mitigation measures have been included in a MMRP that is to be adopted concurrently with these findings.

BIO-1 Biological Resources Screening and Assessment

For projects proposed within undeveloped parcels, the City shall require project applicants to engage a qualified biologist (having the appropriate education and experience level) to perform a baseline Biological Resources Screening and Assessment to determine whether projects proposed within undeveloped parcels have any potential to impact special-status biological resources, inclusive of special-status plants and animals, sensitive vegetation communities (including vernal pools and other wetlands), and critical habitat. If it is determined that the project has no potential to impact biological resources, no further action is required. If the project would have the potential to impact biological resources, prior to construction, a qualified biologist shall conduct a project-specific biological analysis to document the existing biological resources within a project footprint plus a minimum buffer of 500 feet around the project footprint, as is feasible, and to determine the potential impacts to those resources. The project-specific biological analysis shall evaluate the potential for impacts to all biological resources including, but not limited to special-status species, nesting birds, wildlife movement, sensitive plant communities, critical habitats, and other resources judged to be sensitive by local, state, and/or federal agencies. If the project would have the potential to impact these resources, the following mitigation measures (mitigation measures BIO-2 through BIO-8) shall be incorporated, as applicable, to reduce impacts to a less than significant level.

Pending the results of the project-specific biological analysis, design alterations, further technical studies (*e.g.*, protocol surveys) and consultations with the USFWS, CDFW, and/or other local, state, and federal agencies may be required. Note that specific surveys described in the mitigation measures below may be completed as part of the project-specific biological analysis where suitable habitat is present.

BIO-2 Special-status Plant Species Surveys

If the project-specific Biological Resources Screening and Assessment (Mitigation Measure BIO-1) determines that there is potential for significant impacts to federally or state-listed plants or regional population level impacts to species with a CRPR of 1B or 2B from project development, a qualified biologist shall complete surveys for special-status plants prior to any vegetation removal, grubbing, or other construction activity (including staging and mobilization). The surveys shall be floristic in nature and shall be seasonally timed to coincide with the target species. All plant surveys shall be conducted by a qualified biologist during the blooming season prior to development permit approval. All special-status plant species identified on site shall be mapped onto a site-specific aerial photograph or topographic map with the use of Global Positioning System unit. Surveys shall be conducted in accordance with the most current protocols established by the CDFW, USFWS, and the local jurisdictions if said protocols exist. A report of the survey results shall be submitted to the City, and the CDFW and/or USFWS, as appropriate, for review and/or approval.

BIO-3 Special-status Plant Species Avoidance, Minimization, and Mitigation

If federally and/or state-listed or CRPR 1B or 2 species are found during special-status plant surveys (pursuant to Mitigation Measure BIO-2), and would be directly impacted, or there would be a population-level impact to non-listed sensitive species, then the project shall be re-designed to avoid impacting those plant species, where feasible. Rare and listed plant occurrences that are not within the immediate disturbance footprint but are located within 50 feet of disturbance limits shall have bright orange protective fencing installed at least 30 feet beyond their extent, or other distance as approved by a qualified biologist, to protect them from harm.

BIO-4 Habitat Restoration Plan

If federally or state-listed plants or non-listed special-status CRPR 1B and 2 plant populations identified during special status plant surveys (pursuant to Mitigation Measure BIO-2), cannot be avoided, and will be impacted by development, all impacts shall be mitigated by the applicant at a ratio not lower than 1:1 per acre of impact (and 1:1 per tree), and to be determined by the City (in coordination with CDFW and USFWS as and if applicable) for each species as a component of habitat restoration. A qualified biologist shall prepare and submit a restoration plan to the City for review and approval prior to City approval of project plans. (Note: if a federally and/or state-listed plant species will be impacted, the restoration plan shall be submitted to the USFWS and/or CDFW for review, and federal and/or state take authorization may be required by these agencies.) The restoration plan shall include, at a minimum, the following components:

1. Description of the project/impact site (*i.e.*, location, responsible parties, areas to be impacted by habitat type).
2. Goal(s) of the compensatory mitigation project (type[s] and area[s]) of habitat to be established, restored, enhanced, and/or preserved; specific functions and values of habitat type[s] to be established, restored, enhanced, and/or preserved).

3. Description of the proposed compensatory mitigation site (location and size, ownership status, existing functions, and values).
4. Implementation plan for the compensatory mitigation site (rationale for expecting implementation success, responsible parties, schedule, site preparation, planting plan).
5. Maintenance activities during the monitoring period, including weed removal as appropriate (activities, responsible parties, schedule).
6. Monitoring plan for the compensatory mitigation site, including no less than quarterly monitoring for the first year (performance standards, target functions and values, target acreages to be established, restored, enhanced, and/or preserved, annual monitoring reports).
7. Success criteria based on the goals and measurable objectives; said criteria to be, at a minimum, at least 80 percent survival of container plants and 30 percent relative cover by vegetation type or other industry standards as determined by a qualified restoration specialist.
8. An adaptive management program and remedial measures to address any shortcomings in meeting success criteria.
9. Notification of completion of compensatory mitigation and agency confirmation.
10. Contingency measures (initiating procedures, alternative locations for contingency compensatory mitigation, funding mechanism).
11. All nursery plants used in restoration shall be inspected for sudden oak death.

BIO-5 Endangered/Threatened Special-status Species Habitat Assessments and Protocol Surveys

If the results of the project-specific biological analysis (Mitigation Measure BIO-1) determine that suitable habitat may be present for federal or state listed, candidate, or proposed species, protocol habitat assessments/surveys shall be completed in accordance with current CDFW and/or USFWS protocols prior to issuance of any construction permits. If, through consultation with the CDFW and/or USFWS, it is determined that protocol habitat assessments/surveys are not required, the applicant shall complete and document this consultation and submit it to the City prior to issuance of any construction permits. Each protocol has different survey and timing requirements. The applicant shall be responsible for ensuring they understand the protocol requirements and shall hire a qualified biologist to conduct protocol surveys. (Note: if a federally and/or state-listed wildlife species will be impacted, federal and/or state take authorization may be required by USFWS and CDFW.)

BIO-6 Endangered/Threatened Animal Species Avoidance and Minimization

The following measures shall be applied to impacted aquatic and/or terrestrial animal species identified by the project-specific Biological Resources Screening and Assessment required under Mitigation Measure BIO-1.

1. Ground disturbance shall be limited to the minimum necessary to complete the project. A qualified biologist shall flag the project limits of disturbance. Areas of special biological concern within or adjacent to the limits of disturbance shall have highly visible orange construction fencing installed between said area and the limits of disturbance.
2. All projects occurring within/adjacent to aquatic habitats (including riparian habitats and wetlands) shall be completed between April 1 and October 31, if feasible, to avoid impacts to sensitive aquatic species. Any work outside these dates would require project-specific approval from the City and may be subject to regulatory agency approval.

3. All projects occurring within or adjacent to sensitive habitats that may support federally and/or state-listed endangered/threatened species shall have a CDFW- and/or USFWS-approved biologist present during all initial ground disturbing/vegetation clearing activities. Once initial ground disturbing/vegetation clearing activities have been completed, said biologist shall conduct daily pre-activity clearance surveys for endangered/threatened species. Alternatively, and upon approval of the CDFW and/or USFWS, said biologist may conduct site inspections at a minimum of once per week to ensure all prescribed avoidance and minimization measures are fully implemented.
4. No endangered/threatened species shall be captured and relocated without express permission from the CDFW and/or USFWS.
5. If at any time during project construction an endangered/threatened species enters the construction site or otherwise may be impacted by the project, all project activities shall cease. A CDFW/USFWS-approved biologist shall document the occurrence and consult with the CDFW and USFWS, as appropriate, to determine whether it was safe for project activities to resume.
6. For all work occurring in areas where endangered/threatened species may be present and are at risk of entering the project site during construction, the applicant shall install exclusion fencing along the project boundaries prior to start of construction (including staging and mobilization). The placement of the fence shall be at the discretion of the CDFW/USFWS-approved biologist. This fence shall consist of solid silt fencing placed at a minimum of three feet above grade and two feet below grade and shall be attached to wooden stakes placed at intervals of not more than five feet. The applicant shall inspect the fence weekly and following rain events and high wind events and shall be maintained in good working condition until all construction activities are complete.
7. All vehicle maintenance/fueling/staging shall occur not less than 100 feet from any riparian habitat or water body, including seasonal wetland features. Suitable containment procedures shall be implemented to prevent spills. A minimum of one spill kit shall be available at each work location near riparian habitat or water bodies.
8. No equipment shall be permitted to enter wetted portions of any affected drainage channel or wetland.
9. At the end of each workday, excavations shall be secured with a cover or a ramp provided to prevent wildlife entrapment.
10. All trenches, pipes, culverts, or similar structures shall be inspected for animals prior to burying, capping, moving, or filling.
11. Considering the potential for the project to impact federally and state-listed species and their habitat, the City shall contact CDFW and USFWS to identify mitigation banks within Napa County during project development. If the results of the project-specific biological analysis (Mitigation Measure BIO-1) determine that impacts to federally and state threatened or endangered species habitat are expected, City and/or applicant shall explore species-appropriate mitigation bank(s) servicing the region for purchase of mitigation credits.
12. Prior to grading and construction in natural areas of containing suitable upland habitat, a qualified biologist shall conduct a preconstruction survey as determined necessary during the biological analysis (Mitigation Measure BIO-1). The survey should include a transect survey over the entire project disturbance footprint (including access and staging areas), and mapping of suitable habitat features, such as burrows, that are potentially suitable for listed species. If any listed species are detected, no work shall be conducted until the individual(s) leaves the site of their own accord, unless federal and/or state “take” authorization has been issued for relocation. Typical

preconstruction survey procedures, such as burrow scoping and burrow collapse, cannot be conducted without federal and state permits. If any life stage of listed species are found within the survey area, the City and/or applicant shall consult with the USFWS and CDFW to determine the appropriate course of action to comply with the FESA and CESA, if permits are not already in place at the time of construction.

BIO-7 Pre-Construction Bird Surveys, Avoidance, and Notification

For all future development under the 2040 General Plan, construction activities initiated during the bird nesting season (February 1 – September 15), involving removal of vegetation (*e.g*. trees and shrubs), abandoned structures, or other nesting bird habitat, a pre-construction nesting bird survey shall be conducted no more than 5 days prior to initiation of ground disturbance and vegetation removal. The nesting bird pre-construction survey shall be conducted on foot and shall include a buffer around the construction site at a distance determined by a qualified biologist, including staging and storage areas. The minimum survey radii surrounding the work area shall be the following: 250 feet for non-raptors and 1,000 feet for raptors. The survey shall be conducted by a qualified biologist familiar with the identification of avian species known to occur in the American Canyon region. If construction lapses for seven days or longer, the qualified biologist shall conduct another focused survey before project activities are reinitiated. If nests are found, an avoidance buffer shall be determined by the biologist dependent upon the species, the proposed work activity, and existing disturbances associated with land uses outside of the site. The qualified biologist shall observe the active nest to establish a behavioral baseline of the adults and nestlings, if present. The qualified biologist shall continuously monitor the active nests to detect signs of disturbance and behavioral change as a result of construction impacts, such as noise, vibration, odors, or worker/equipment motion. If signs of disturbance and behavioral changes are observed, the qualified biologist shall cease work causing those changes and may contact CDFW or USFWS for guidance. The buffer shall be demarcated by the biologist with bright orange construction fencing, flagging, construction lathe, or other means to demarcate the boundary. All construction personnel shall be notified of the buffer zone as an "Ecologically Sensitive Area" and to avoid entering the buffer zone during the nesting season. No ground disturbing activities shall occur within the buffer until the biologist has confirmed that breeding/nesting is completed and the young have fledged the nest. Encroachment into the buffer shall occur only at the discretion of the qualified biologist on the basis that the encroachment will not be detrimental to an active nest. A report summarizing the pre-construction survey(s) shall be prepared by a qualified biologist and shall be submitted to the City prior to the commencement of construction activities.

Project site plans shall include a statement acknowledging compliance with the federal MBTA and California Fish and Game Code that includes avoidance of active bird nests and identification of Best Management Practices to avoid impacts to active nests, including checking for nests prior to construction activities during February 1 to September 15, and what to do if an active nest is found so that the nest is not inadvertently impacted during grading or construction activities.

BIO-8 Roosting Bat Surveys and Avoidance Prior to Removal

For all future development under the 2040 General Plan that will require the removal of large trees (greater than 20 inches in diameter at five feet from the ground), abandoned buildings, bridges, or other suitable roosting structure identified during the Biological Resources Screening and Assessment (Mitigation Measure BIO-1), prior to tree and/or structure removal, a qualified biologist shall conduct a focused survey of all trees and structures to be removed or impacted by construction activities to determine whether active roosts of special-status bats are present on site.

Tree or structure removal shall be planned for either the spring or the fall, and timed to ensure both suitable conditions for the detection of bats and adequate time for tree and/or structure removal to occur during seasonal periods of bat activity exclusive of the breeding season, as described below. Trees and/or structures containing suitable potential bat roost habitat features shall be clearly marked or identified. If no bat roosts are found, the results of the survey will be documented and submitted to the City within 30 days of the survey, after which no further action will be required.

If roosts are present, the biologist shall prepare a site-specific roosting bat protection plan to be implemented by the contractor following the City's approval. Additionally, the qualified biologist shall determine compensatory mitigation for temporary or permanent habitat loss due to tree removal, in conjunction with CDFW. The plan shall incorporate the following guidance as appropriate:

- When possible, removal of trees/structures identified as suitable roosting habitat shall be conducted during seasonal periods of bat activity, including the following:
  - Between September 1 and about October 15, or before evening temperatures fall below 45 degrees Fahrenheit and/or more than 0.5 inch of rainfall within 24 hours occurs.
  - Between March 1 and April 15, or after evening temperatures rise above 45 degrees Fahrenheit and/or no more than 0.5 inch of rainfall within 24 hours occurs.
- If a tree/structure must be removed during the breeding season and is identified as potentially containing a colonial maternity roost, then a qualified biologist shall conduct acoustic emergence surveys or implement other appropriate methods to further evaluate if the roost is an active maternity roost. Under the biologist's guidance, the contractor shall implement measures similar to or exceeding the following:
  - If it is determined that the roost is not an active maternity roost, then the roost may be removed in accordance with the other requirements of this measure.
  - If it is found that an active maternity roost of a colonial roosting species is present, the roost shall not be disturbed during the breeding season (April 15 to August 31).
- Tree removal procedures shall be implemented using a two-step tree removal process. This method is conducted over two consecutive days and works by creating noise and vibration by cutting non-habitat branches and limbs from habitat trees using chainsaws only (no excavators or other heavy machinery) on day one. The noise and vibration disturbance, together with the visible alteration of the tree, is very effective in causing bats that emerge nightly to feed to not return to the roost that night. The remainder of the tree is removed on day two.
- Prior to the demolition of vacant structures within the project site, a qualified biologist shall conduct a focused habitat assessment of all structures to be demolished. The habitat assessment shall be conducted enough in advance to ensure the commencement of building demolition can be scheduled during seasonal periods of bat activity (see above), if required. If no signs of day roosting activity are observed, no further action will be required. If bats or signs of day roosting by bats are observed, a qualified biologist will prepare specific recommendations such as partial dismantling to cause bats to abandon the roost, or humane eviction, both to be conducted during seasonal periods of bat activity, if required.
- If the qualified biologist determines a roost is used by a large number of bats (large hibernaculum), bat boxes shall be installed near the project site. The number of bat boxes installed will depend on the size of the hibernaculum and shall be determined through consultation with CDFW. If a maternity colony has become established, all construction

activities shall be postponed within a 500-foot buffer around the maternity colony until it is determined by a qualified biologist that the young have dispersed. Once it has been determined that the roost is clear of bats, the roost shall be removed immediately.

BIO-9 Conduct Pre-construction Crotch's Bumblebee surveys and Implement Avoidance Measures

If the results of the project-specific biological analysis (Mitigation Measure BIO-1) determine that suitable habitat may be present for Crotch's bumble bee, a habitat assessment shall be performed by a qualified biologist knowledgeable and experienced with Crotch's bumblebee and the habitat in which they occur. If the biologist determines that suitable habitat for Crotch's bumblebee is present, a focused survey shall be performed during the species' active flight period for Crotch's bumblebee and peak blooming period of nectar and pollen sources (May 1 through July 31). The Crotch's bumblebee survey shall be conducted on foot and shall encompass the entirety of a project site and focus on areas that allow for the highest probability of detection, such as high abundance nectar or pollen sources and rodent burrows that may be used for breeding and nesting. If Crotch's bumblebee is determined to be present, the project proponent shall map the locations of the observed bumblebee, areas of abundant nectar or pollen sources, and any active nesting sites. A report summarizing the results of the habitat assessment and focused survey (if required) shall be prepared by the qualified biologist and shall be submitted to the City prior to the commencement of construction activities. Further, consultation with the CDFW will be necessary in the event Crotch's bumblebee was observed within a project site and an Incidental Take Permit, in accordance with the California Endangered Species Act, may be required prior to initiating any ground disturbance on the site. If Crotch's bumble bees are not listed and no longer candidates for listing at the time of project implementation, this mitigation measure would not be required.

4.2.5 Cultural Resources – Impact CUL-1

Development facilitated by the project could adversely affect previously unidentified historic-period resources. Impacts to historic-period resources would be less than significant with mitigation.

Finding

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR (*CEQA Guidelines* Section 15091[a][1]). Implementation of Mitigation Measure CUL-1 would reduce potential impacts related to historic period resources to a less than significant level.

Explanation

Mitigation Measure CUL-1 would ensure a historical resource evaluation is conducted for sites with age-eligible resources within the Planning Area and require measures to reduce impacts to historical resources to less than significant.

Mitigation Measures

Pursuant to *CEQA Guidelines* Section 15091, the following mitigation measure have been included in a MMRP that is to be adopted concurrently with these findings.

CUL-1 Historical Built Environment

Prior to project approval, the applicant shall submit a report to the City that identifies any historic-age features (*i.e.*, structures over 45 years of age) proposed to be altered or demolished. If historical-age features are present, the applicant shall submit a historical resources evaluation to the City prepared in areas that contains buildings, structures, objects, sites, landscape/site plans, or other features that are 45 years of age or older, by a qualified architectural historian or historian who meets the Secretary of the Interior's Professional Qualifications Standards (PQS) in architectural history or history (36 CFR Part 61). The evaluation shall include an intensive-level evaluation, in accordance with the guidelines and best practices meeting the State Office of Historic Preservation guidelines. All evaluated properties shall be documented on Department of Parks and Recreation Series 523 Forms. The report shall be submitted to the City for review and approval.

If historical resources are identified through the survey and evaluation, efforts shall be made by the applicant to ensure that the relocation, rehabilitation, or alteration of the resource is consistent with the Secretary of the Interior's Standards for the Treatments of Historic Properties (Standards). The applicant shall submit a report to the City that identifies and specifies the treatment of character-defining features and construction activities, and demonstrates how the project complies with the Standards and avoids the substantial adverse change in the significance of the historical resource as defined by CEQA Guidelines Section 15064.5(b). The report shall be prepared by an architectural historian or historical architect meeting the PQS as defined by 36 CFR Part 61 and provided to the City for review and concurrence prior to project approval.

4.2.6 Cultural Resources – Impact CUL-2

Development facilitated by the project could adversely affect previously unidentified archaeological resources. Impacts would be less than significant with mitigation.

Finding

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR (*CEQA Guidelines* Section 15091[a][1]). Implementation of Mitigation Measures CUL-2 and CUL-3 would reduce potential impacts related to archaeological resources to a less than significant level.

Explanation

Mitigation Measures CUL-2 and CUL-3 would reduce potential impacts to a less than significant level by requiring the identification and evaluation of any archaeological resources that may be present prior to construction and by providing steps for the evaluation and protection of unanticipated finds encountered during construction.

Mitigation Measures

Pursuant to *CEQA Guidelines* Section 15091, the following mitigation measure has been included in a MMRP that is to be adopted concurrently with these findings.

CUL-2 Archaeological Resources Assessment

Prior to project approval of a project that involves ground disturbance activities (that may include but are not limited to, pavement removal, potholing, grubbing, tree removal, and grading), the applicant shall submit to the City an archaeological resources assessment prepared by a qualified

archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards in either prehistoric or historic archaeology. Assessments shall include a CHRIS records search at the NWIC and a SLF Search from the NAHC. The records searches shall characterize the results of previous cultural resource surveys and disclose any cultural resources that have been recorded and/or evaluated in and around the development site. A qualified professional shall conduct a Phase I pedestrian survey for those projects that include undeveloped areas to locate any surface cultural materials.

If the Phase I archaeological survey identifies resources that may be affected, the applicant shall also conduct Phase II testing and evaluation. If resources are determined significant or unique through Phase II testing and site avoidance is not possible, the qualified professional shall identify appropriate site-specific mitigation measures in the Phase II evaluation. These measures may include, but would not be limited to, a Phase III data recovery program, avoidance, or other appropriate actions to be determined by a qualified archaeologist. If significant archaeological resources cannot be avoided, impacts may be reduced to less than significant level by filling on top of the sites rather than cutting into the cultural deposits. Alternatively, and/or in addition, a data collection program may be warranted, including mapping the location of artifacts, surface collection of artifacts, or excavation of the cultural deposit, to characterize the nature of the buried portions of sites. Curation of the excavated artifacts or samples would occur as specified by the archaeologist. The City shall review and approve the archaeological resources assessment prior to project approval.

CUL-3 Unanticipated Discoveries

For projects whose Phase I archaeological survey identifies archaeological resources that may be affected, the applicant shall retain a qualified cultural resource specialist to monitor construction activities that involve ground-disturbing activities greater than 12 inches in depth and occur within 60 feet of a potentially significant cultural resource. If archaeological resources are encountered during ground-disturbing activities, work in the immediate area must halt and an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for Archaeology should be contacted immediately to evaluate the find. If necessary, the evaluation may require preparation of a treatment plan and archaeological testing for CRHR eligibility. If the discovery proves to be significant under CEQA and cannot be avoided by the project, additional work, such as excavating the cultural deposit to fully characterize its extent and collecting and curating artifacts may be warranted to mitigate any significant impacts to cultural resources. If archaeological resources of Native American origin are identified during construction, a qualified archaeologist will consult with the City to begin Native American consultation procedures. Periodic reports of the find and subsequent evaluations shall be submitted to the City during construction.

4.2.7 Cultural Resources – Impact CUL-3

Development facilitated by the project could result in damage to or destruction of human burials. Impacts would be less than significant through adherence to existing regulations and with mitigation.

Finding

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR (*CEQA*

Guidelines Section 15091[a][1]). Implementation of Mitigation Measure CUL-4 would reduce potential impacts related to human remains to a less than significant level.

Explanation

Mitigation Measure CUL-4 would reduce potential impacts on human remains to a less than significant level by requiring the implementation of the appropriate protocols in the event of discovery of human remains.

Mitigation Measures

Pursuant to *CEQA Guidelines* Section 15091, the following mitigation measure has been included in an MMRP that is to be adopted concurrently with these findings.

CUL-4 Human Remains

In the event of an accidental discovery or recognition of any human remains, CEQA Guidelines Section 15064.5, Health and Safety Code Section 7050.5, and Public Resources Code Sections 5097.94 and Section 5097.98 shall be followed. If during construction, there is accidental discovery or recognition of any human remains, the following steps shall be taken:

1. There shall be no further excavation or disturbance within 100 feet of the remains until the County Coroner is contacted to determine whether the remains are Native American and if an investigation of the cause of death is required. If the Coroner determines the remains to be Native American, the Coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours, and the NAHC shall identify the person or persons it believes to be the Most Likely Descendant (MLD) of the deceased Native American. The MLD may make recommendations to the landowner or the person responsible for the excavation work within 48 hours, for means of treating or disposing of, with appropriate dignity, the human remains, and any associated grave goods as provided in Public Resources Code Section 5097.98.
2. Where the following conditions occur, the landowner or authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the MLD or on the project site in a location not subject to further subsurface disturbance:
    - The NAHC is unable to identify an MLD or the MLD failed to make a recommendation within 48 hours after being notified by the commission.
    - The descendant identified fails to make a recommendation.
    - The landowner or authorized representative rejects the recommendation of the descendant, and mediation by the NAHC fails to provide measures acceptable to the landowner.

Additionally, California Public Resources Code Section 15064.5 requires the following relative to Native American Remains:

- When an initial study identifies the existence of, or the probable likelihood of, Native American Remains within a project, a lead agency shall work with the appropriate Native Americans as identified by the NAHC as provided in Public Resources Code Section 5097.98. The applicant may each develop a plan with respect to their respective individual development proposals for treating or disposing of, with appropriate dignity, the human remains, and any items associated with Native American Burials with the appropriate Native Americans as identified by the NAHC.

4.2.8 Noise – Impact NOI-2

Construction of development facilitated by the project would temporarily generate groundborne vibration and noise, potentially affecting nearby land uses. This impact would be less than significant with mitigation. Operation of development facilitated by the project would not result in substantial groundborne vibration and noise and this impact would be less than significant.

Finding

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR (*CEQA Guidelines* Section 15091[a][1]). Implementation of Mitigation Measure NOI-3 would reduce potential impacts related to groundborne vibration to a less than significant level.

Explanation

Implementation of Mitigation Measure requires preparation of groundborne noise and vibration analysis prior to construction and use of alternative construction equipment and construction monitoring if vibration levels would exceed Federal Transit Administration thresholds. NOI-3 Construction vibration impacts would be less than significant with implementation of Mitigation Measure NOI-3, which requires measures to reduce construction vibration.

Mitigation Measures

Pursuant to *CEQA Guidelines* Section 15091, the following mitigation measure has been included in a MMRP that is to be adopted concurrently with these findings.

NOI-3 Construction Vibration Control Plan

Prior to issuance of a building permit for a project that includes the following, the project applicant shall prepare a groundborne noise and vibration analysis to assess and mitigate potential noise and vibration impacts related to these construction activities:

- Pile driving within:
  - 135 feet of fragile structures such as historical resources;
  - 100 feet of non-engineered timber and masonry buildings (*e.g.*, most residential buildings); or
  - 75 feet of engineered concrete and masonry (no plaster);
- A vibratory roller within:
  - 40 feet of fragile historical resources; or
  - 25 feet of any other structure
- A dozer or other large earthmoving equipment within:
  - 20 feet for a fragile historical structure; or
  - 15 feet of any other structure

The noise and vibration analysis shall be conducted by a qualified and experienced acoustical consultant or engineer. The vibration levels shall not exceed FTA architectural damage thresholds (*e.g.*, 0.12 in/sec PPV for fragile or historical resources, 0.2 in/sec PPV for non-engineered timber

and masonry buildings, and 0.3 in/sec PPV for engineered concrete and masonry). If vibration levels would exceed this threshold, alternative uses such as drilling piles as opposed to pile driving, static rollers as opposed to vibratory rollers, and lower horsepower earthmoving equipment shall be used. If necessary, construction vibration monitoring shall be conducted to ensure FTA vibration thresholds are not exceeded.

4.2.9 Paleontolgoical Resources – Impact PAL-1

The project has the potential to result in impacts to paleontological resources. Impacts would be less than significant with mitigation incorporated.

Finding

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR (*CEQA Guidelines* Section 15091[a][1]). Implementation of Mitigation Measure PAL-1 would reduce potential impacts related to paleontological resources to a less than significant level.

Explanation

Mitigation Measure PAL-1 requires a Qualified Professional Paleontologist to determine a project's potential to disturb paleontological resources for projects in an area underlain by high or undetermined geological sensitivities. The project applicant must implement the Qualified Professional Paleontologist's recommendations. Implementation of Mitigation Measure PAL-1 would reduce adverse effects to paleontological resources and impacts would be less than significant with mitigation.

Mitigation Measures

Pursuant to *CEQA Guidelines* Section 15091, the following mitigation measures have been included in a MMRP that is to be adopted concurrently with these findings.

PAL-1 Retention of Qualified Professional Paleontologist

Prior to submittal of a discretionary development application in areas underlain by high or undetermined sensitivity geologic units (*i.e.*, Pleistocene alluvial fan deposits; Markley Sandstone; Jameson Shale Member of Markley Sandstone; Domengine Sandstone; and sandstone and shale of the Great Valley Complex), the City shall require a Qualified Professional Paleontologist [as defined by the Society of Vertebrate Paleontology (SVP) (2010)] be retained to determine the project's potential to significantly impact paleontological resources according to SVP (2010) standards. If necessary, the Qualified Professional Paleontologist shall recommend mitigation measures to reduce potential impacts to paleontological resources to a less than significant level. The City shall review and approve the Qualified Professional Paleontologist's findings and recommendations. All recommendations shall be incorporated into the project plans prior to issuance of a grading permit.

4.2.10 Wildfire – Impact W-2

The project could expose people and structures to wildfire risk; however, wildfire risks would be reduced with mitigation and impacts would be less than significant.

Finding

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR (*CEQA Guidelines* Section 15091[a][1]). Implementation of Mitigation Measures WF-1 and WF-2 would reduce potential impacts related to the risk of loss of structures and the risk of injury or death due to wildfires to a less than significant level.

Explanation

With implementation of Mitigation Measures WF-1 and WF-2 the risk of loss of structures and the risk of injury or death due to wildfires would be reduced. These measures would make structures more fire resistant and less vulnerable to loss in the event of a wildfire. These mitigation measures would also reduce the potential for construction to inadvertently ignite a wildfire and require the use of fire-resistant native vegetation. Given the risk of wildfires in the Planning Area and that mitigation would be implemented to reduce the risk, impacts would be less than significant.

Mitigation Measure

WF-1 Wildfire Risk Reduction During Construction

For projects located in proximity to agricultural or undeveloped areas (including hillside areas) with flammable vegetation, prior to issuance of a grading or building permit, whichever occurs first, the applicant shall submit documentation that they will implement the following measures to reduce risk of loss, injury, or death from wildfire during construction:

1. Construction equipment powered by internal combustion engines shall be equipped with spark arresters. The spark arresters shall be maintained pursuant to manufacturer recommendations to ensure adequate performance.
2. Certain project construction activities with potential to ignite wildfires during red-flag warnings issued by the National Weather Service for the project site location shall be prohibited. Example activities that shall be prohibited during red-flag warnings include welding and grinding outside of enclosed buildings, mowing, chain sawing, chipping, and the use of any equipment with the potential to introduce sparks.
3. Fire extinguishers shall be required to be onsite during construction. Construction vehicles shall be equipped with at least one (1) functioning fire extinguisher and one (1) shovel or McLeod firefighting tool. Heavy machinery or equipment (e.g., tractors, grinders, tree chippers, excavators, bulldozers) shall be equipped with one (1) shovel, McLeod firefighting tool, or Pulaski; one (1) functioning fire extinguisher; and at least one 5-gallon backpack pump or larger capacity water (or CAFS) pump/delivery system. Fire extinguishers shall be maintained to function according to manufacturer specifications. Construction personnel shall receive training on the proper methods of using a fire extinguisher.

WF-2 Fire Resistant Vegetation and Landscaping

For projects located in proximity to agricultural or undeveloped areas (including hillside areas) with flammable vegetation, prior to issuance of a building permit for development located within or adjacent to a VHFHSZ, the applicant shall submit landscape plans prepared by a registered Landscape Architect that are consistent with applicable Building and Fire Codes.

4.3 Findings for Significant and Unavoidable Effects

Public Resources Code 21081 and 21081.5, and *CEQA Guidelines* Section 15093, require that the City of American Canyon balance the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental effects when determining to approve a project. If specific economic, legal, social, technological, or other benefits outweigh the unavoidable adverse environmental effects, the adverse effects may be considered "acceptable."

The Final EIR identifies the following significant and unavoidable impacts that would be caused by implementation of the project: impacts associated with GHG emissions (impacts related to conflicts with state GHG reduction goals), noise (impacts related to construction noise and operational traffic noise), and transportation (impacts related to VMT). The following findings and statement of overriding considerations outline the specific reasons to support the City of American Canyon Community Development Department recommendation for approval.

4.3.1 Greenhouse Gas Emissions – Impact GHG 1

Development facilitated by the project would make progress towards achieving state goals but would not necessarily meet state 2030 or 2045 goals. Mitigation Measures GHG-1 through GHG-3 would require implementation of CEQA GHG thresholds and a Climate Action Plan (CAP); however, development facilitated by the project would not meet the 2030 or 2045 goals until the CAP is updated and adopted. This impact would be significant and unavoidable.

Mitigation Measures

GHG-1 Construction GHG BMPs

Prior to the issuance of any grading permits, the project applicant shall provide the City of American Canyon with documentation (*e.g.*, site plans) demonstrating implementation of construction Best Management Practices (BMPs). Measures may include but are not limited to:

- At least 15 percent of the construction fleet for each project phase shall be alternatively fueled or electric.
- At least 10 percent of building materials used for project construction shall be sourced from local suppliers.
- At least 65 percent of construction and demolition waste materials shall be recycled or reused.
- At least one contractor that has a business location in American Canyon shall be contracted for project construction.
- All construction contracts shall include language that requires all off-road equipment with a power rating below 19 kilowatts (*e.g.*, plate compactors, pressure washers) using during construction be electrically powered.
- Architectural coatings used for project construction shall be "Low-VOC," containing no greater than 50 grams of volatile organic compounds (VOC) per liter of product.
- Project construction shall prohibit the use of generators and shall establish grid power connection to electrical equipment needs.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California Airborne Toxics Control

Measure [ATCM] Title 13, Section 2485 of California Code of Regulations). Clear signage regarding idling restrictions shall be provided for construction workers at all access points.

- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- The prime construction contractor shall post a publicly visible sign with their telephone number and contractor to contact. The construction contractor shall take corrective action within 48 hours. The BAAQMD's phone number shall also be identified and visible to ensure compliance with applicable regulations.

GHG-2 Adopt and Implement a CEQA GHG Emissions Threshold

The City shall include and implement a new 2040 General Plan policy under the Environment Element to prepare, adopt, and implement a CEQA GHG Emissions threshold of significance. The City shall adopt the CEQA GHG Emissions threshold of significance by the end of 2025 for use in future CEQA GHG emissions analyses through 2030. In addition, upon completion of future CAP updates and as necessary, the City shall update the CEQA GHG Emissions threshold of significance and American Canyon CEQA GHG Checklist to be consistent with each CAP update.

GHG-3 Adopt American Canyon CAP to Meet the State's 2030 and 2045 GHG Emissions Goals

The City shall draft and adopt the American Canyon qualified CAP by the end of 2025 to outline how American Canyon will meet the State's 2030 goal of 40 percent below 1990 emissions levels and 2045 goal of carbon neutrality. Implementation measures in the updated qualified CAP to achieve the 2030 and 2045 goals may include, but are not limited to, the following: Develop and adopt Zero Net Energy requirements for new and remodeled residential and non-residential development;

- Develop and adopt a building electrification ordinance for existing and proposed structures;
- Expand charging infrastructure and parking for electric vehicles;
- Implement carbon sequestration by expanding the urban forest, participating in soil-based or compost application sequestration initiatives, supporting regional open space protection, and/or incentivizing rooftop gardens; and
- Implement policies and measures included in the California 2022 Climate Change Scoping Plan, such as mobile source strategies for increasing clean transit options and zero emissions vehicles by providing electric vehicle charging stations.

Finding and Rationale

Implementation of Mitigation Measure GHG-1 would ensure that construction related GHG impacts would be less than significant. Implementation of Mitigation Measures GHG-2 and GHG-3 would ensure that development facilitated by the project after 2026 would be consistent with State emissions goals. However, individual projects that may occur prior to 2026 would not be guaranteed to be consistent with State emissions goals, nor are exact emissions reductions known at the time of adoption of the 2040 General Plan. Until the CEQA GHG thresholds and the CAP are prepared and adopted, implementation of the project would not be consistent with BAAQMD GHG thresholds nor would it be consistent with State GHG reduction plans. Therefore, the project's impact related to GHG emissions would be significant and unavoidable.

4.3.2 Noise – Impact NOI-1

Construction of development facilitated by the project would temporarily increase noise levels, potentially affecting nearby noise-sensitive land uses. Development facilitated by the project would also introduce new noise sources and contribute to increases in operational noise. The continued regulation of noise, consistent with the City Municipal Code and implementation of proposed policies in the 2040 General Plan would minimize impacts to adjacent land uses. However, construction and operational traffic noise could exceed standards even after implementation of mitigation. This impact would be significant and unavoidable.

Mitigation Measure

NOI-1 Conduct Construction Noise Analysis

The City shall review future developments within 1,000 feet of a sensitive receiver, and where applicable, require the following feasible measures as standard conditions of approval to reduce construction noise levels below a level of significance:

- **Mufflers.** During excavation and grading construction phases, all construction equipment, fixed or mobile, shall be operated with closed engine doors and shall be equipped with properly operating and maintained mufflers consistent with manufacturers' standards.
- **Stationary Equipment.** All stationary construction equipment shall be placed so that emitted noise is directed away from the nearest sensitive receivers.
- **Equipment Staging Areas.** Equipment staging shall be located in areas that will create the greatest distance feasible between construction-related noise sources and noise sensitive receivers.
- **Smart Back-up Alarms.** Mobile construction equipment shall have smart back-up alarms that automatically adjust the sound level of the alarm in response to ambient noise levels. Alternatively, back-up alarms shall be disabled and replaced with human spotters to ensure safety when mobile construction equipment is moving in the reverse direction in compliance with applicable safety laws and regulations.
- **Electrically-Powered Tools and Facilities.** Electrical power shall be used to run air compressors and similar power tools and to power any temporary structures, such as construction trailers or caretaker facilities, where feasible.
- **Noise Disturbance Coordinator.** The project applicant shall designate a "noise disturbance coordinator" responsible for responding to any local complaints about construction noise. The disturbance coordinator shall determine the cause of any noise complaint and shall require that reasonable measures be implemented to correct the problem. A telephone number for the disturbance coordinator and the City shall be posted at the construction site.
- **Temporary Noise Barriers. Erect** temporary noise barriers, where feasible, when construction noise is predicted to exceed the City's construction standards and when the anticipated construction duration is greater than is typical (*e.g.*, two years or greater). Temporary noise barriers shall be constructed with solid materials (*e.g.*, wood) with a density of at least 1.5 pounds per square foot with no gaps from the ground to the top of the barrier. If a sound blanket is used, barriers shall be constructed with solid material with a density of at least 1 pound per square foot with no gaps from the ground to the top of the barrier and be lined on the construction side with acoustical blanket, curtain or equivalent absorptive material rated sound transmission class (STC) 32 or higher.

NOI-2 Implement Roadway Vehicle Noise Reduction Measures

The City shall install "quiet pavement" roadway improvements, such as rubberized asphalt or open-grade asphalt concrete overlays along impacted roadway segments (American Canyon Road west of I-80 and Newell Drive north of American Canyon Road). The program may be funded by "fair share" developer contributions for proposed projects along impacted roadways to pay for the "quiet pavement" roadway improvements.

Finding and Rationale

Construction of individual projects facilitated by the project would temporarily increase noise levels, potentially affecting nearby noise-sensitive land uses. Development facilitated by the project would also introduce new noise sources and contribute to increases in operational noise. Construction and operational traffic noise could exceed standards. The continued regulation of noise, consistent with the City Municipal Code and implementation of proposed policies in the 2040 General Plan would minimize impacts to adjacent land uses. However, construction noise impacts would be significant and unavoidable even with implementation of Mitigation Measure NOI-1. Operational traffic noise impact would be significant and unavoidable even with implementation of Mitigation Measure NOI-2.

4.3.3 Transportation – Impact TRA-2

The future (2040) Citywide rate of Residential VMT per Capita with the proposed 2040 General Plan would be higher than the significance threshold. The project would therefore conflict with or be inconsistent with CEQA Guidelines Section 15064.3(b) and impacts would be significant.

Mitigation Measure

There are no feasible mitigation measures beyond policies included in the Mobility Element of the General Plan.

Finding and Rationale

The 2040 General Plan includes policies which would reduce VMT. However, because there is no specific mitigation to reduce VMT per resident and the General Plan policies cannot realistically enforce mitigation programs or policies that might reduce VMT below the threshold, impacts would remain significant and unavoidable.

5 Project Alternatives

Section 15126.6 of the *CEQA Guidelines* states the following:

> An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.

As described in Section 4.3, *Findings for Significant and Unavoidable Effects*, above, the City of American Canyon has determined that, even after the adoption of all feasible mitigation measures, the project would still cause one or more significant environmental impacts that cannot be avoided or lessened to below a level of significance. Therefore, the City of American Canyon must determine if there is a project alternative that is both environmentally superior and feasible. An alternative may be "infeasible" if it fails to achieve the most basic project objectives identified within the EIR. Further, "feasibility" under CEQA encompasses the desirability of the project "based on a reasonable balancing of the relevant economic, environmental, social, and technological factors" of a project (*City of Del Mar v. City of San Diego* [1982]*,* 133 Cal.App.3d at p. 417; see also *Sequoyah Hills Homeowners Assn. v. City of Oakland* [1993]*,* 23 Cal.App.4th at p. 715).

The Final EIR identifies the following significant and unavoidable impacts that would be caused by implementation of the project: impacts associated with GHG emissions (impacts related to conflicts with state GHG reduction goals), noise (impacts related to construction noise and operational traffic noise), and transportation (impacts related to VMT). The alternatives analyzed in the Final EIR and described below are therefore discussed below in terms of their potential ability to avoid or reduce these impacts.

5.1 Alternative 1: No Project Alternative

The No Project Alternative represents the continuation of existing zoning and General Plan designations within the City. Assuming a maximum buildout scenario, buildout for the No Project Alternative would allow for 3,204 housing units and approximately 5.7 million square feet of additional non-residential land uses. Compared to the proposed project, the No Project Alternative would not include updated General Plan policies.

Finding

The No Project Alternative would have a significant and unavoidable effect on GHG emissions and would not implement Mitigation Measures GHG-2 or GHG-3 which would require the adoption of a GHG threshold and CAP to meet the State's 2030 and 2045 GHG emissions goals. The No Project Alternative would not implement policies in the 2040 General Plan Update, including policies related to noise compatibility in site design (policies S-8.1, S-8.2, and S-8.3), which would result in

greater stationary source noise impacts than the proposed project. The No Project Alternative would result in an increase in VMT compared to the proposed project because the No Project Alternative would not implement 2040 General Plan Update policies MOB-1.17 or MOB-6.1 that support VMT reduction. Therefore, the No Project Alternative would result in worse significant and unavoidable traffic noise impacts and VMT impacts compared to the proposed project. In addition, the No Project Alternative would not reduce the impact of any other issue area analyzed within the Final EIR.

The No Project Alternative would not accomplish the primary objective of the project, which is to update the existing American Canyon General Plan for it to be compliant with State law. In addition, the No Project Alternative would not include the updated 2040 General Plan policies and programs pertaining to community development, preservation of natural resources, sustainability, and improvement of American Canyon's circulation network.

The No Project Alternative would not reduce the proposed project's environmental impacts, would not fulfill any project objectives, and would be inconsistent with State law. Therefore, the City rejects the No Project Alternative as infeasible because it would not achieve the project objectives.

The findings for the proposed project set forth in this document and the overriding social, economic and other considerations set forth in the Statement of Overriding Considerations provide support for selection of the proposed project and the elimination of this alternative from further consideration.

5.2 Alternative 2: Watson Ranch Natural Alternative

Alternative 2 would assume maximum density on the Watson Ranch property which would result in an additional 596 dwelling units. Alternative 2 assumes that the General Plan would be updated like for the proposed project, (including the updated policies that make the General Plan consistent with State law). Overall Alternative 2 assumes increased residential densities when compared to the proposed project (3,975 total units). In addition, because Alternative 2 would maintain the same designations as the General Plans for non-residential spaces, the buildout of non-residential space would be the same as the proposed project. Buildout under Alternative 2, assuming a maximum buildout scenario, would allow for 3,975 housing units and approximately 5,704,000 square feet of additional non-residential land uses.

Finding

Alternative 2 would meet the objectives of the proposed project as it would increase residential buildout while accommodating the same amount of non-residential buildout as the proposed project. However, due to the increased residential buildout, Alternative 2 would increase GHG emissions, construction noise and traffic noise, and VMT per capita in comparison to the proposed project and these impacts would remain significant and unavoidable, similar to the proposed project. In addition, Alternative 2 would result in similar, though slightly increased, impacts to aesthetics, air quality, biological resources, cultural resources, paleontological resources, population and housing, public services and recreation, tribal cultural resources, and utilities and service systems due to the increased residential buildout.

Although Alternative 2 would fulfill the project objectives, due to the increased environmental impacts associated with Alternative 2 in comparison to the proposed project, Alternative 2 is less

desirable than the proposed project. Therefore, the City rejects Alternative 2 as undesirable as it fails to reduce any of the proposed project's environmental effects.

The findings for the proposed project set forth in this document and the overriding social, economic and other considerations set forth in the Statement of Overriding Considerations provide support for selection of the proposed project and the elimination of this alternative from further consideration.

5.3 Alternative 3: Limited Growth Alternative

Alternative 3 assumes that the General Plan would be updated to include the updated policies that make the General Plan consistent with State law. However, under Alternative 3, buildout would be limited to pipeline projects (*i.e.*, project already identified by the City to be constructed in the future) and other projects that have already been approved or for which General Plan amendments have already been approved (*e.g.*, Watson Ranch Specific Plan, Broadway District Specific Plan). As such, buildout would be reduced in the following ways:

- Residential buildout would be reduced by 408 dwelling units compared to the proposed project because: (1) the land use designations for the two NVUSD would remain as Recreation and Public and would not be changed to Residential Medium, reducing the number of residential units by 175 units and (2) the buildout identified in the City's Traffic Impact Fee (TIF) Nexus Study would be reduced by 233 residential units.
- Non-residential land use area would be reduced by 65,000 square feet based on the buildout identified in the City's TIF Nexus Study.

Overall Alternative 3 assumes decreased residential densities (2,971 units total) when compared to the proposed project (3,379 total units), as well as decreased non-residential area (5,639,000 square feet) when compared to the proposed project (5,704,000 square feet).

Finding

Alternative 3 would require the City to limit growth to those projects that have already been approved by the City or identified as planned projects. Alternative 3 would not reduce the proposed project's significant and unavoidable impact related to GHG emissions, construction noise, and traffic noise. However, Alternative 3's reduced buildout would result in reduced construction impacts related to air quality construction emissions, biological resources, cultural resources, temporary noise, tribal cultural resources, and paleontological resources due to less area being affected (*i.e.*, excavated, graded, etc.) and due to less use of construction equipment. In addition, Alternative 3 would result in reduced aesthetic impacts because there would be fewer buildings; less air quality emissions because there would be less overall VMT; less operational noise because there would be less traffic and fewer HVAC units; and less demand for public services, recreation, and utilities.

Alternative 3 would require the City to limit growth to those projects that have already been approved by the City or identified as planned projects. Alternative 3 would reduce the residential and non-residential buildout; therefore, compared to the proposed project, this alternative would reduce the ability for the City to meet its vision of accommodating a residential population with a range of uses; creating a center of employment and commerce; and capturing visitors to the Napa Valley. While Alternative 3 would meet the objective of updating the General Plan so that it's consistent with State law, this alternative would not help meet the vision of American Canyon to the

same extent as the proposed project. Therefore, the City rejects Alternative 3 as undesirable because it would not achieve project objectives to the same extent as the proposed project.

The findings for the proposed project set forth in this document and the overriding social, economic and other considerations set forth in the Statement of Overriding Considerations provide support for selection of the proposed project and the elimination of this alternative from further consideration.

6 Statement of Overriding Considerations

As described in the Final EIR for the American Canyon 2040 General Plan Update, the EIR finds that all potential impacts from adoption of the project and from physical changes that could potentially occur due to adoption of the project can be feasibly mitigated to a level that is less than significant, with the following exceptions: Impact GHG-1, conflicts with applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions; Impact NOI-1, construction noise and operational traffic noise impacts from new development; and Impact TRA-2, conflicts with *CEQA Guidelines* Section 15064.3(b).

In accordance with *CEQA Guidelines* Section 15093, the City Council has, in determining whether to approve the project, balanced the economic, legal, social, technological, and other benefits of the project against the potentially unavoidable environmental impacts, and has found that the benefits of the project outweigh the potentially unavoidable environmental effects, for the reasons set forth below. The following statements specify the reasons why, in the City Council's judgement, the benefits of the project outweigh any of the significant and unavoidable consequences described in the EIR. The City Council also finds that any one of the following reasons cited below is sufficient to justify approval of the project. Thus, even if it were to be determined that not every reason cited below is supported by substantial evidence, the City Council determines that each individual reason is sufficient justification of approval of the project. The substantial evidence supporting the City Council's findings and the benefits described below can be found in the record of proceedings.

- The adoption of the project would update outdated policies in a manner that meets current State legal requirements for General Plans.
- The adoption of the project would set forth a plan for ensuring the residents of American Canyon are accommodated with a sufficient range of uses to support the needs of residents (including a mix of housing types, commercial services, entertainment, employment, recreation, education, health, religious, cultural facilities, transportation services, and open space).
- The adoption of the project would set forth a plan for the City to be a center of employment and commerce for regional, as well as local residents.
- The adoption of the project would set forth a plan to capture visitors to the Napa Valley by providing uses which capitalize on the unique environmental setting of the foothills, river valleys, and agriculture.
- The adoption of the project would implement policies designed to support the enhancement of utility infrastructure to sustain households, businesses, and future population increases and employment growth in American Canyon.
- The adoption of the project would implement policies designed to maintain a safe and efficient transportation system that includes roadway, transit, bicycle, pedestrian, rail transport, and aviation.
- The adoption of the project would implement strategies for preserving and enhancing human and natural environments, including sensitive habitats, waterways, cultural resources, open space, parks, and scenic areas.
- The adoption of the project would implement policies designed to achieve GHG emissions reduction targets set forth in Executive Order B-55-18.

- The adoption of the project would implement strategies for providing a safe community through public safety services, resilient infrastructure, public awareness, preparedness, and action plans for both human-caused and natural disasters.
- The adoption of the project would establish a basis for judging whether specific development proposals and public projects are in harmony with the General Plan policies and standards.

Any one of these reasons is sufficient to support adoption of the American Canyon 2040 General Plan Update, and to outweigh the identified significant and unavoidable environmental effects that might occur due to adoption of the project. In light of the benefits to the City and the local community identified above, pursuant to *CEQA Guidelines* Section 15903, the City Council finds that these overriding considerations, as identified in conjunction with the environmental review of impacts stemming from adoption of the American Canyon 2040 General Plan Update, outweigh the potentially significant and unavoidable environmental impacts identified in the Final EIR, rendering those impacts acceptable under the circumstances.

7 Statement of Location and Custodian of Documents

Public Resources Code Section 21081.6(a)(2) and *CEQA Guidelines* Section 15091(e) require that the City of American Canyon, as the Lead Agency, specify the location and custodian of the documents of other materials that constitute the record of proceedings upon which the decision has been based. The following location is where review of the record may be performed:

City of American Canyon
Community Development Department
4381 Broadway Street, Suite 201
American Canyon, California 94503

The City of American Canyon has relied on all of the documents contained within the record of proceedings in reaching its decision on the project.

Mitigation Monitoring and Reporting Program

The California Environmental Quality Act (CEQA) requires that a reporting or monitoring program be adopted for the conditions of project approval that are necessary to mitigate or avoid significant effects on the environment (Public Resources Code 21081.6). This mitigation monitoring and reporting program (MMRP) is intended to track and ensure compliance with adopted mitigation measures during the project implementation phase. For each mitigation measure recommended in the Final Environmental Impact Report (Final EIR), specifications are made herein that identify the action required, the monitoring that must occur, and the agency or department responsible for oversight.

Mitigation Measure/ Implementation Program	Action Required	Timing	Monitoring Frequency	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
Aesthetics							
AES-1: Construction Lighting Plan							
Prior to nighttime construction, if needed for a particular project, project applicants shall submit a construction lighting plan to the City for review and approval. The construction lighting plan shall ensure that the minimum amount of lighting is used to meet safety requirements and ensure no spillover occurs to nearby sensitive uses. All lighting shall be directed downward and away from surrounding land uses.	The City shall review and approve the construction lighting plan submitted by the project applicant.	Prior to construction	Once during plan review and then periodically during construction to ensure lighting is properly operated	City of American Canyon Community Development Department			
AES-2: Operational Lighting Plan							
Prior to discretionary project approval, the project applicant shall prepare and submit a photometric plan to the City for review and approval which demonstrates that all exterior light fixtures will be directed downward or employ full cut-off fixtures to prevent light spillage. The approved plan shall be incorporated into the project design plans.	The City shall review and approve the photometric plan submitted by the project applicant before issuance of an occupancy permit.	Prior to construction	Once	City of American Canyon Community Development Department			
Air Quality							
AQ-1: Conduct Construction Health Risk Assessment							
Prior to issuance of a grading or building permit, whichever occurs first, the applicant shall submit to the City a construction health risk assessment (HRA) in accordance with BAAQMD recommendations for any development project (including the proposed Newell Drive extension) that has at least one the following characteristics: ▪ The project is located within 1,000 feet of sensitive receptors. ▪ Project construction would last longer than two months. ▪ Project construction would not utilize equipment rated USEPA Tier 4 (for equipment of 50 horsepower or more); construction equipment fitted with Level 3 Diesel Particulate Filters (for all equipment of 50 horsepower or more); or alternative fuel construction equipment. ▪ If the HRA determines that construction will exceed BAAQMD significance thresholds, the HRA shall provide mitigation measures to reduce the impact to less than significant, including but not limited to requiring the	The City shall review the construction health risk assessment submitted by the project applicant for any project that includes one of the listed characteristics. The City shall verify that mitigation measures described in the project HRA are implemented at the project site.	Prior to issuance of a grading or building permit, whichever occurs first; then periodically throughout construction.	Once	City of American Canyon Community Development and Public Works Department			

Mitigation Measure/ Implementation Program	Action Required	Timing	Monitoring Frequency	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
use of Tier 4 engines, Level 3 Diesel Particulate Filters, and/or alternative fuel construction equipment.							
AQ-2: Reduce Operational Toxic Air Contaminants Near Sensitive Receptors							
For new sensitive receptors proposed within 500 feet of major sources of TAC (high volume roadways with 10,000 vehicles or more per day), the project applicant shall prepare an operational health risk assessment for the City's review and approval. If TAC exposure at new sensitive receptor sites would exceed BAAQMD health risk thresholds, the project applicant would be required to include mechanical air filtration or other measures to reduce health risk exposure to acceptable levels.	The City shall review the operational health risk assessment submitted by the project applicant for any project proposed within 500 feet of major sources of TAC. If TAC exposure at new sensitive receptor sites exceed BAAQMD health risks thresholds, the project applicant shall include mechanical air filtration to reduce health risk exposure.	Prior to issuance of a grading or building permit, whichever occurs first; then periodically throughout construction.	Once	City of American Canyon Community Development Department			
AQ-3: Conduct Operational Health Risk Assessment							
Prior to submittal of a subsequent discretionary development permit application for industrial, warehousing, or commercial land uses that would generate at least 100 diesel trucks per day or 40 or more trucks with diesel-powered transport refrigeration units per day, the applicant shall submit an operational health risk assessment (HRA) or submit proof that an HRA is not required in accordance with BAAQMD thresholds. If required, the operational HRA shall be prepared in accordance with the Office of Environmental Health Hazard Assessment and BAAQMD requirements, and mitigated to an acceptable level. Typical measures to reduce risk impacts may include, but are not limited to: ▪ Restricting idling on-site beyond Air Toxic Control Measures idling restrictions, as feasible. ▪ Electrifying warehousing docks. ▪ Truck Electric Vehicle (EV) Capable trailer spaces. ▪ Requiring use of newer equipment and/or vehicles. ▪ Restricting off-site truck travel through the creation of truck routes. ▪ The operational HRA shall be provided to the City for review and concurrence prior to project approval.	The City shall review the operational health risk assessment submitted by the project applicant, when required, or verify that that an HRA is not required in accordance with BAAQMD thresholds.	Prior to submittal of a subsequent discretionary development permit application; once before issuance of an occupancy permit	Once	City of American Canyon Community Development Department			

Mitigation Measure/ Implementation Program	Action Required	Timing	Monitoring Frequency	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
AQ-4: Reduce Operational Odor Impacts							
Prior to discretionary approval by the City, if it is determined that a development project has the potential to emit nuisance odors beyond the property line, the project applicant shall prepare an odor management plan and submit it to the City for review and approval. Facilities that have the potential to generate nuisance odors include, but are not limited to: ▪ Wastewater treatment plants ▪ Composting, green waste, or recycling facilities ▪ Fiberglass manufacturing facilities ▪ Painting/coating operations ▪ Large-capacity coffee roasters ▪ Food-processing facilities	The City shall review the odor management plan submitted by the project applicant, when required, or verify that the project does not have the potential to emit nuisance odors beyond the property line.	Prior to submittal of a subsequent discretionary development permit application; once before issuance of an occupancy permit	Once	City of American Canyon Community Development Department			
Biological Resources							
BIO-1: Biological Resources Screening and Assessment							
For projects proposed within undeveloped parcels, the City shall require project applicants to engage a qualified biologist (having the appropriate education and experience level) to perform a baseline Biological Resources Screening and Assessment to determine whether projects proposed within undeveloped parcels have any potential to impact special-status biological resources, inclusive of special-status plants and animals, sensitive vegetation communities (including vernal pools and other wetlands), and critical habitat. If it is determined that the project has no potential to impact biological resources, no further action is required. If the project would have the potential to impact biological resources, prior to construction, a qualified biologist shall conduct a project-specific biological analysis to document the existing biological resources within a project footprint plus a minimum buffer of 500 feet around the project footprint, as is feasible, and to determine the potential impacts to those resources. The project-specific biological analysis shall evaluate the potential for impacts to all biological resources including, but not limited to special-status species, nesting birds, wildlife movement, sensitive plant communities, critical habitats, and other resources judged to be sensitive by local, state, and/or federal agencies. If the project would have the potential to impact these resources, the following mitigation measures (mitigation measures BIO-2 through BIO-8) shall be	The City shall verify that a baseline Biological Resources Screening and Assessment was conducted by a qualified biologist. If it is determined that the project has no potential to impact biological resources, no further action is required. If the project has the potential to impact biological resources, the City shall verify that Mitigation Measures BIO-2 through BIO-8 are implemented to reduce impacts to a less than significant level. The City shall review and approve the biological resources screening and assessment.	Prior to project approval	Once	City of American Canyon Community Development Department			

Mitigation Measure/ Implementation Program	Action Required	Timing	Monitoring Frequency	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
incorporated, as applicable, to reduce impacts to a less than significant level. Pending the results of the project-specific biological analysis, design alterations, further technical studies (e.g., protocol surveys) and consultations with the USFWS, CDFW, and/or other local, state, and federal agencies may be required. Note that specific surveys described in the mitigation measures below may be completed as part of the project-specific biological analysis where suitable habitat is present.							
BIO-2: Special-Status Plant Species Surveys							
If the project-specific Biological Resources Screening and Assessment (Mitigation Measure BIO-1) determines that there is potential for significant impacts to federally or state-listed plants or regional population level impacts to species with a CRPR of 1B or 2B from project development, a qualified biologist shall complete surveys for special-status plants prior to any vegetation removal, grubbing, or other construction activity (including staging and mobilization). The surveys shall be floristic in nature and shall be seasonally timed to coincide with the target species. All plant surveys shall be conducted by a qualified biologist during the blooming season prior to development permit approval. All special-status plant species identified on site shall be mapped onto a site-specific aerial photograph or topographic map with the use of Global Positioning System unit. Surveys shall be conducted in accordance with the most current protocols established by the CDFW, USFWS, and the local jurisdictions if said protocols exist. A report of the survey results shall be submitted to the City, and the CDFW and/or USFWS, as appropriate, for review and/or approval.	The City shall verify that a qualified biologist has conducted preconstructions surveys for special-status species plants prior to any vegetation removal, grubbing, or other construction activity (including staging and mobilization). All plant special-status plant species identified on site shall be mapped onto a site-specific aerial photograph or topographic map with the use of Global Positioning System unit. A report of the survey result shall be submitted to the City, and the CDFW and/or USFWS as appropriate, for review and/or approval.	Prior to construction activities	Once	City of American Canyon Community Development Department California Department of Fish and Wildlife United States Fish and Wildlife			
BIO-3: Special-Status Plant Species Avoidance, Minimization, and Mitigation							
If federally and/or state-listed or CRPR 1B or 2 species are found during special-status plant surveys (pursuant to Mitigation Measure BIO-2), and would be directly impacted, or there would be a population-level impact to non-listed sensitive species, then the project shall be re-designed to avoid impacting those plant species, where feasible. Rare and listed plant occurrences that are not within the immediate disturbance footprint but are located within 50 feet of disturbance limits shall have bright orange protective fencing installed at least 30 feet beyond their extent, or	The project shall be re-designed to avoid impacting federally and/or state listed or CRPR 1B or 2 Species. Rare and listed plant occurrences that are not in the immediate disturbance footprint but are located within 50 feet of disturbance limits shall have bright orange protective fencing installed at least 30 feet beyond their extent.	Prior to ground disturbance activities and then as needed during construction to verify avoidance buffers are maintained.	Periodically during construction	City of American Canyon Community Development Department			

Mitigation Measure/ Implementation Program	Action Required	Timing	Monitoring Frequency	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
other distance as approved by a qualified biologist, to protect them from harm.							
BIO-4: Habitat Restoration Program							
If federally or state-listed plants or non-listed special-status CRPR 1B and 2 plant populations identified during special status plant surveys (pursuant to Mitigation Measure BIO-2), cannot be avoided, and will be impacted by development, all impacts shall be mitigated by the applicant at a ratio not lower than 1:1 per acre of impact (and 1:1 per tree), and to be determined by the City (in coordination with CDFW and USFWS as and if applicable) for each species as a component of habitat restoration. A qualified biologist shall prepare and submit a restoration plan to the City for review and approval prior to City approval of project plans. (Note: if a federally and/or state-listed plant species will be impacted, the restoration plan shall be submitted to the USFWS and/or CDFW for review, and federal and/or state take authorization may be required by these agencies.) The restoration plan shall include, at a minimum, the following components: 1. Description of the project/impact site (i.e., location, responsible parties, areas to be impacted by habitat type). 2. Goal(s) of the compensatory mitigation project (type[s] and area[s]) of habitat to be established, restored, enhanced, and/or preserved; specific functions and values of habitat type[s] to be established, restored, enhanced, and/or preserved). 3. Description of the proposed compensatory mitigation site (location and size, ownership status, existing functions, and values). 4. Implementation plan for the compensatory mitigation site (rationale for expecting implementation success, responsible parties, schedule, site preparation, planting plan). 5. Maintenance activities during the monitoring period, including weed removal as appropriate (activities, responsible parties, schedule). 6. Monitoring plan for the compensatory mitigation site, including no less than quarterly monitoring for the first year (performance standards, target functions and values, target acreages to be established, restored,	All impacts shall be mitigated by the applicant at a ratio not lower than 1:1 per acre of impact (and 1:1) per tree, and to be determined by the City (in coordination with CDFW and USFWS as applicable) for each species as a component of habitat restoration.	Prior to ground disturbance activities and then as needed during construction to avoid additional impacts to special-status plants.	Once	City of American Canyon Community Development Department California Department of Fish and Wildlife United States Fish and Wildlife			

Mitigation Measure/ Implementation Program	Action Required	Timing	Monitoring Frequency	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
enhanced, and/or preserved, annual monitoring reports). 7. Success criteria based on the goals and measurable objectives; said criteria to be, at a minimum, at least 80 percent survival of container plants and 30 percent relative cover by vegetation type or other industry standards as determined by a qualified restoration specialist. 8. An adaptive management program and remedial measures to address any shortcomings in meeting success criteria. 9. Notification of completion of compensatory mitigation and agency confirmation. 10. Contingency measures (initiating procedures, alternative locations for contingency compensatory mitigation, funding mechanism). 11. All nursery plants used in restoration shall be inspected for sudden oak death.							
BIO-5: Endangered/Threatened Special-Status Species Habitat Assessments and Protocol Surveys							
If the results of the project-specific biological analysis (Mitigation Measure BIO-1) determine that suitable habitat may be present for federal or state listed, candidate, or proposed species, protocol habitat assessments/surveys shall be completed in accordance with current CDFW and/or USFWS protocols prior to issuance of any construction permits. If, through consultation with the CDFW and/or USFWS, it is determined that protocol habitat assessments/surveys are not required, the applicant shall complete and document this consultation and submit it to the City prior to issuance of any construction permits. Each protocol has different survey and timing requirements. The applicant shall be responsible for ensuring they understand the protocol requirements and shall hire a qualified biologist to conduct protocol surveys. (Note: if a federally and/or state-listed wildlife species will be impacted, federal and/or state take authorization may be required by USFWS and CDFW.)	The City shall review and approve the application consultation with the CDFW and/or USFWS, if it the results of the project-specific biological analysis determines that suitable habitats may be present for federal or state listed species. The applicant shall be responsible for ensuring they understand the protocol requirements and shall hire a qualified biologist to conduct protocol surveys.	Prior to issuance of any construction permits.	Once	City of American Canyon Community Development Department			
BIO-6: Endangered/threatened Animal Species Avoidance and Minimization							
The following measures shall be applied to impacted aquatic and/or terrestrial animal species identified by the project-specific Biological Resources Screening and Assessment required under Mitigation Measure BIO-1.	The City shall review documentation detailing how all identified aquatic features will be avoided.	Prior to project approval	Once	City of American Canyon Community			

Mitigation Measure/ Implementation Program	Action Required	Timing	Monitoring Frequency	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
1. Ground disturbance shall be limited to the minimum necessary to complete the project. A qualified biologist shall flag the project limits of disturbance. Areas of special biological concern within or adjacent to the limits of disturbance shall have highly visible orange construction fencing installed between said area and the limits of disturbance. 2. All projects occurring within/adjacent to aquatic habitats (including riparian habitats and wetlands) shall be completed between April 1 and October 31, if feasible, to avoid impacts to sensitive aquatic species. Any work outside these dates would require project-specific approval from the City and may be subject to regulatory agency approval. 3. All projects occurring within or adjacent to sensitive habitats that may support federally and/or state-listed endangered/threatened species shall have a CDFW- and/or USFWS-approved biologist present during all initial ground disturbing/vegetation clearing activities. Once initial ground disturbing/vegetation clearing activities have been completed, said biologist shall conduct daily pre-activity clearance surveys for endangered/threatened species. Alternatively, and upon approval of the CDFW and/or USFWS, said biologist may conduct site inspections at a minimum of once per week to ensure all prescribed avoidance and minimization measures are fully implemented. 4. No endangered/threatened species shall be captured and relocated without express permission from the CDFW and/or USFWS. 5. If at any time during project construction an endangered/threatened species enters the construction site or otherwise may be impacted by the project, all project activities shall cease. A CDFW/USFWS-approved biologist shall document the occurrence and consult with the CDFW and USFWS, as appropriate, to determine whether it was safe for project activities to resume. 6. For all work occurring in areas where endangered/threatened species may be present and are at risk of entering the project site during construction, the applicant shall install exclusion fencing along the project boundaries prior to start of construction (including staging and mobilization). The				Development Department			

Mitigation Measure/ Implementation Program	Action Required	Timing	Monitoring Frequency	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
placement of the fence shall be at the discretion of the CDFW/USFWS-approved biologist. This fence shall consist of solid silt fencing placed at a minimum of three feet above grade and two feet below grade and shall be attached to wooden stakes placed at intervals of not more than five feet. The applicant shall inspect the fence weekly and following rain events and high wind events and shall be maintained in good working condition until all construction activities are complete.							
7. All vehicle maintenance/fueling/staging shall occur not less than 100 feet from any riparian habitat or water body, including seasonal wetland features. Suitable containment procedures shall be implemented to prevent spills. A minimum of one spill kit shall be available at each work location near riparian habitat or water bodies.							
8. No equipment shall be permitted to enter wetted portions of any affected drainage channel or wetland.							
9. At the end of each workday, excavations shall be secured with a cover or a ramp provided to prevent wildlife entrapment.							
10. All trenches, pipes, culverts, or similar structures shall be inspected for animals prior to burying, capping, moving, or filling.							
11. Considering the potential for the project to impact federally and state-listed species and their habitat, the City shall contact CDFW and USFWS to identify mitigation banks within Napa County during project development. If the results of the project-specific biological analysis (Mitigation Measure BIO-1) determine that impacts to federally and state threatened or endangered species habitat are expected, City and/or applicant shall explore species-appropriate mitigation bank(s) servicing the region for purchase of mitigation credits.							
12. Prior to grading and construction in natural areas of containing suitable upland habitat, a qualified biologist shall conduct a preconstruction survey as determined necessary during the biological analysis (Mitigation Measure BIO-1) . The survey should include a transect survey over the entire project disturbance footprint (including access and staging areas), and mapping of suitable habitat features, such as burrows, that are potentially suitable for listed species. If any listed							

Mitigation Measure/ Implementation Program	Action Required	Timing	Monitoring Frequency	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
species are detected, no work shall be conducted until the individual(s) leaves the site of their own accord, unless federal and/or state "take" authorization has been issued for relocation. Typical preconstruction survey procedures, such as burrow scoping and burrow collapse, cannot be conducted without federal and state permits. If any life stage of listed species are found within the survey area, the City and/or applicant shall consult with the USFWS and CDFW to determine the appropriate course of action to comply with the FESA and CESA, if permits are not already in place at the time of construction.							
BIO-7: Pre-Construction Bird Surveys, Avoidance, and Notification							
For all future development under the 2040 General Plan, construction activities initiated during the bird nesting season (February 1 – September 15), involving removal of vegetation (e.g. trees and shrubs), abandoned structures, or other nesting bird habitat, a pre-construction nesting bird survey shall be conducted no more than 5 days prior to initiation of ground disturbance and vegetation removal. The nesting bird pre-construction survey shall be conducted on foot and shall include a buffer around the construction site at a distance determined by a qualified biologist, including staging and storage areas. The minimum survey radii surrounding the work area shall be the following: 250 feet for non-raptors and 1,000 feet for raptors. The survey shall be conducted by a qualified biologist familiar with the identification of avian species known to occur in the American Canyon region. If construction lapses for seven days or longer, the qualified biologist shall conduct another focused survey before project activities are reinitiated. If nests are found, an avoidance buffer shall be determined by the biologist dependent upon the species, the proposed work activity, and existing disturbances associated with land uses outside of the site. The qualified biologist shall observe the active nest to establish a behavioral baseline of the adults and nestlings, if present. The qualified biologist shall continuously monitor the active nests to detect signs of disturbance and behavioral change as a result of construction impacts, such as noise, vibration, odors, or worker/equipment motion. If signs of disturbance and behavioral changes are observed, the qualified biologist shall cease work causing those changes and may contact CDFW or USFWS for guidance. The buffer shall be demarcated by the	The project applicant shall retain a qualified biologist to conduct a pre-construction nesting bird survey no more than 5 days prior to the initiation of ground disturbance and vegetation removal. The nesting bird pre-construction survey shall be conducted on foot and shall include a buffer around the construction site at a distance determined by a qualified biologist, including staging and storage areas. The minimum survey radii surrounding the work area shall be the following: 250 feet for non-raptors and 1,000 feet for raptors.	Prior to the start of any construction activities	Once	City of American Canyon Community Development Department			

Mitigation Measure/ Implementation Program	Action Required	Timing	Monitoring Frequency	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
biologist with bright orange construction fencing, flagging, construction lathe, or other means to demarcate the boundary. All construction personnel shall be notified of the buffer zone as an "Ecologically Sensitive Area" and to avoid entering the buffer zone during the nesting season. No ground disturbing activities shall occur within the buffer until the biologist has confirmed that breeding/nesting is completed and the young have fledged the nest. Encroachment into the buffer shall occur only at the discretion of the qualified biologist on the basis that the encroachment will not be detrimental to an active nest. A report summarizing the pre-construction survey(s) shall be prepared by a qualified biologist and shall be submitted to the City prior to the commencement of construction activities. Project site plans shall include a statement acknowledging compliance with the federal MBTA and California Fish and Game Code that includes avoidance of active bird nests and identification of Best Management Practices to avoid impacts to active nests, including checking for nests prior to construction activities during February 1 to September 15, and what to do if an active nest is found so that the nest is not inadvertently impacted during grading or construction activities.							
BIO-8: Roasting Bat Surveys and Avoidance Prior to Removal							
For all future development under the 2040 General Plan that will require the removal of large trees (greater than 20 inches in diameter at five feet from the ground), abandoned buildings, bridges, or other suitable roosting structure identified during the Biological Resources Screening and Assessment (Mitigation Measure BIO-1), prior to tree and/or structure removal, a qualified biologist shall conduct a focused survey of all trees and structures to be removed or impacted by construction activities to determine whether active roosts of special-status bats are present on site. Tree or structure removal shall be planned for either the spring or the fall, and timed to ensure both suitable conditions for the detection of bats and adequate time for tree and/or structure removal to occur during seasonal periods of bat activity exclusive of the breeding season, as described below. Trees and/or structures containing suitable potential bat roost habitat features shall be clearly marked or identified. If no bat roosts are found, the results of the survey will be	The project applicant shall retain a qualified biologist to conduct a focused survey of all trees and structures to be removed or impacted by construction activities to determine whether active roosts or special-status bats are present on site. If no bat roosts are found, the results of the survey will be documented and submitted to the City within 30 days for review and approval of the survey.	Prior to the start of any construction activities	Once	City of American Canyon Community Development Department			

Mitigation Measure/ Implementation Program	Action Required	Timing	Monitoring Frequency	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
documented and submitted to the City within 30 days of the survey, after which no further action will be required. If roosts are present, the biologist shall prepare a site-specific roosting bat protection plan to be implemented by the contractor following the City's approval. Additionally, the qualified biologist shall determine compensatory mitigation for temporary or permanent habitat loss due to tree removal, in conjunction with CDFW. The plan shall incorporate the following guidance as appropriate: • When possible, removal of trees/structures identified as suitable roosting habitat shall be conducted during seasonal periods of bat activity, including the following: o Between September 1 and about October 15, or before evening temperatures fall below 45 degrees Fahrenheit and/or more than 0.5 inch of rainfall within 24 hours occurs. o Between March 1 and April 15, or after evening temperatures rise above 45 degrees Fahrenheit and/or no more than 0.5 inch of rainfall within 24 hours occurs. • If a tree/structure must be removed during the breeding season and is identified as potentially containing a colonial maternity roost, then a qualified biologist shall conduct acoustic emergence surveys or implement other appropriate methods to further evaluate if the roost is an active maternity roost. Under the biologist's guidance, the contractor shall implement measures similar to or exceeding the following: o If it is determined that the roost is not an active maternity roost, then the roost may be removed in accordance with the other requirements of this measure. o If it is found that an active maternity roost of a colonial roosting species is present, the roost shall not be disturbed during the breeding season (April 15 to August 31). • Tree removal procedures shall be implemented using a two-step tree removal process. This method is conducted over two consecutive days and works by creating noise and vibration by cutting non-habitat branches and limbs from habitat trees using chainsaws							

Mitigation Measure/ Implementation Program	Action Required	Timing	Monitoring Frequency	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
only (no excavators or other heavy machinery) on day one. The noise and vibration disturbance, together with the visible alteration of the tree, is very effective in causing bats that emerge nightly to feed to not return to the roost that night. The remainder of the tree is removed on day two. • Prior to the demolition of vacant structures within the project site, a qualified biologist shall conduct a focused habitat assessment of all structures to be demolished. The habitat assessment shall be conducted enough in advance to ensure the commencement of building demolition can be scheduled during seasonal periods of bat activity (see above), if required. If no signs of day roosting activity are observed, no further actions will be required. If bats or signs of day roosting by bats are observed, a qualified biologist will prepare specific recommendations such as partial dismantling to cause bats to abandon the roost, or humane eviction, both to be conducted during seasonal periods of bat activity, if required. • If the qualified biologist determines a roost is used by a large number of bats (large hibernaculum), bat boxes shall be installed near the project site. The number of bat boxes installed will depend on the size of the hibernaculum and shall be determined through consultation with CDFW. If a maternity colony has become established, all construction activities shall be postponed within a 500-foot buffer around the maternity colony until it is determined by a qualified biologist that the young have dispersed. Once it has been determined that the roost is clear of bats, the roost shall be removed immediately.							
BIO-9: Conduct Pre-Construction Crotch's Bumblebee Surveys and Implement Avoidance Measures							
If the results of the project-specific biological analysis (Mitigation Measure BIO-1) determine that suitable habitat may be present for Crotch's bumble bee, a habitat assessment shall be performed by a qualified biologist knowledgeable and experienced with Crotch's bumblebee and the habitat in which they occur. If the biologist determines that suitable habitat for Crotch's bumblebee is present, a focused survey shall be performed during the species' active flight period for Crotch's bumblebee and peak	The project applicant shall retain a qualified biologist to perform a focused survey if the project specific biological analysis determines that suitable habitats may be present for Crotch's Bumble Bee. The Crotch's bumble bee survey shall be conducted on foot and shall encompass the entirety of a project	Prior to the start of any construction activities	Once	City of American Canyon Community Development Department			

Mitigation Measure/ Implementation Program	Action Required	Timing	Monitoring Frequency	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
blooming period of nectar and pollen sources (May 1 through July 31). The Crotch's bumblebee survey shall be conducted on foot and shall encompass the entirety of a project site and focus on areas that allow for the highest probability of detection, such as high abundance nectar or pollen sources and rodent burrows that may be used for breeding and nesting. If Crotch's bumblebee is determined to be present, the project proponent shall map the locations of the observed bumblebee, areas of abundant nectar or pollen sources, and any active nesting sites. A report summarizing the results of the habitat assessment and focused survey (if required) shall be prepared by the qualified biologist and shall be submitted to the City prior to the commencement of construction activities. Further, consultation with the CDFW will be necessary in the event Crotch's bumblebee was observed within a project site and an Incidental Take Permit, in accordance with the California Endangered Species Act, may be required prior to initiating any ground disturbance on the site. If Crotch's bumble are not listed and no longer candidates for listing at the time of project implementation, this mitigation measure would not be required.	site and focus on areas that allow for the highest probability of detection, such as high abundance nectar or pollens sources and rodent burrows that may be used fort breeding and nesting. If Crotch's bumblebee is determined to be present, the project proponent shall map the locations of the observed bumblebee, areas of abundant nectar or pollen sources, and any active nesting sites. A report summarizing the results of the habitat assessment and focused survey (if required) shall be prepared by the qualified biologist and shall be submitted to the City prior to the commencement of construction activities.						

Mitigation Measure/ Implementation Program	Action Required	Timing	Monitoring Frequency	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
Cultural Resources							
CUL-1: Historical Built Environment							
Prior to project approval, the applicant shall submit a report to the City that identifies any historic-age features (i.e., structures over 45 years of age) proposed to be altered or demolished. If historical-age features are present, the applicant shall submit a historical resources evaluation to the City prepared in areas that contains buildings, structures, objects, sites, landscape/site plans, or other features that are 45 years of age or older, by a qualified architectural historian or historian who meets the Secretary of the Interior's Professional Qualifications Standards (PQS) in architectural history or history (36 CFR Part 61). The evaluation shall include an intensive-level evaluation, in accordance with the guidelines and best practices meeting the State Office of Historic Preservation guidelines. All evaluated properties shall be documented on Department of Parks and Recreation Series 523 Forms. The report shall be submitted to the City for review and approval. If historical resources are identified through the survey and evaluation, efforts shall be made by the applicant to ensure that the relocation, rehabilitation, or alteration of the resource is consistent with the Secretary of the Interior's Standards for the Treatments of Historic Properties (Standards). The applicant shall submit a report to the City that identifies and specifies the treatment of character-defining features and construction activities, and demonstrates how the project complies with the Standards and avoids the substantial adverse change in the significance of the historical resource as defined by CEQA Guidelines Section 15064.5(b). The report shall be prepared by an architectural historian or historical architect meeting the PQS as defined by 36 CFR Part 61 and provided to the City for review and concurrence prior to project approval.	The City shall review a report identifying historic age features proposed to be altered or demolished on a proposed project site. The City shall review the historical resources evaluation report prepared by a qualified historian and submitted by the project applicant, when applicable. If historical resources are identified, the City shall ensure that the applicant appropriately relocates, rehabilitates, or alters the resources.	Prior to project approval	Once	City of American Canyon Community Development Department			

Mitigation Measure/ Implementation Program	Action Required	Timing	Monitoring Frequency	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
CUL-2: Archaeological Resources Assessment							
Prior to submittal of any discretionary development application that involves ground disturbance activities (that may include but are not limited to, pavement removal, potholing, grubbing, tree removal, and grading), the applicant shall submit an archaeological resources assessment prepared by a qualified archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards in either prehistoric or historic archaeology. Assessments shall include a CHRIS records search at the NWIC and a SLF Search from the NAHC. The records searches shall characterize the results of previous cultural resource surveys and disclose any cultural resources that have been recorded and/or evaluated in and around the development site. If the assessment begins on or before 2027, the results of the NWIC and SLF search for this EIR can be summarized as part of the assessment. A Phase I pedestrian survey shall be undertaken in future project areas that are undeveloped to locate any surface cultural materials. By performing a records search, a SLF search, and a Phase I survey, a qualified archaeologist shall be able to classify the future project area as having high, medium, or low sensitivity for archaeological resources. If the Phase I archaeological survey identifies resources that may be affected by the future project, the archaeological resources assessment shall also include Phase II testing and evaluation. If resources are determined significant or unique through Phase II testing and site avoidance is not possible, appropriate site-specific mitigation measures shall be identified in the Phase II evaluation. These measures may include, but would not be limited to, a Phase III data recovery program, avoidance, or other appropriate actions to be determined by a qualified archaeologist. If significant archaeological resources cannot be avoided, impacts may be reduced to less than significant level by filling on top of the sites rather than cutting into the cultural deposits. Alternatively, and/or in addition, a data collection program may be warranted, including mapping the location of artifacts, surface collection of artifacts, or excavation of the cultural deposit, to characterize the nature of the buried portions of sites. Curation of the excavated artifacts or samples would occur as specified by the archaeologist. The archaeological resources assessment shall be reviewed and approved by the City prior to project approval.	The City shall review and approve the archeological resources assessment submitted by the applicant and prepared by a qualified archaeologist. If site-specific archaeological mitigation is identified, the City shall ensure that such measures are implemented or archaeological resources are avoided to the extend feasible.	Prior to submittal of any discretionary development application that involves ground disturbance activities	Once	City of American Canyon Community Development Department			

Mitigation Measure/ Implementation Program	Action Required	Timing	Monitoring Frequency	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
CUL-3: Unanticipated Discoveries							
An Archaeologist who meets the Secretary of the Interior's Professional Qualification Standards for archaeology shall be present on-site during all earth disturbing activities. If cultural resources are encountered during ground-disturbing activities, work within 100 feet of the area shall be halted and the contractor shall contact an archaeologist meeting the Secretary of the Interior's Professional Qualification Standards for archaeology in either prehistoric or historic archaeology immediately to evaluate the find. If necessary, the evaluation may require preparation of a treatment plan and archaeological testing for CRHR eligibility. If the discovery proves to be significant under CEQA and cannot be avoided by the project, additional work, such as excavating the cultural deposit to fully characterize its extent and collecting and curating artifacts may be warranted to mitigate any significant impacts to cultural resources. If archaeological resources of Native American origin are identified during construction, a qualified archaeologist will consult with the City to begin Native American consultation procedures. Periodic reports of the find and subsequent evaluations shall be submitted to the City during construction.	The City shall review reports of any unanticipated findings and subsequent evaluations, and ensure that work is stopped and consultation commences if resources are discovered.	During construction	As needed during construction	City of American Canyon Community Development Department			
CUL-4: Human Remains							
In the event of an accidental discovery or recognition of any human remains, CEQA Guidelines Section 15064.5, Health and Safety Code Section 7050.5, and Public Resources Code Sections 5097.94 and Section 5097.98 shall be followed. If during project construction, there is accidental discovery or recognition of any human remains, the following steps shall be taken: 1. There shall be no further excavation or disturbance within 100 feet of the remains until the County Coroner is contacted to determine whether the remains are Native American and if an investigation of the cause of death is required. If the Coroner determines the remains to be Native American, the Coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours, and the NAHC shall identify the person or persons it believes to be the Most Likely Descendant (MLD) of the deceased Native American. The MLD may make recommendations to the landowner or the person responsible for the excavation work within 48 hours, for	The City shall verify that , CEQA Guidelines Section 15064.5, Health and Safety Code Section 7050.5, and Public Resources Code Sections 5097.94 and Section 5097.98 are followed in the event of an accidental discovery or recognition of any human remains.	During construction	As needed during construction	City of American Canyon Community Development Department			

Mitigation Measure/ Implementation Program	Action Required	Timing	Monitoring Frequency	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
means of treating or disposing of, with appropriate dignity, the human remains, and any associated grave goods as provided in Public Resource Code Section 5097.98. 2. Where the following conditions occur, the landowner or authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the MLD or on the project site in a location not subject to further subsurface disturbance: ▪ The NAHC is unable to identify an MLD or the MLD failed to make a recommendation within 48 hours after being notified by the commission. ▪ The descendant identified fails to make a recommendation. ▪ The landowner or authorized representative rejects the recommendation of the descendant, and mediation by the NAHC fails to provide measures acceptable to the landowner. Additionally, California Public Resources Code Section 15064.5 requires the following relative to Native American Remains: ▪ When an initial study identifies the existence of, or the probable likelihood of, Native American Remains within a project, a lead agency shall work with the appropriate Native Americans as identified by the NAHC as provided in Public Resources Code Section 5097.98. The applicant may each develop a plan with respect to their respective individual development proposals for treating or disposing of, with appropriate dignity, the human remains, and any items associated with Native American Burials with the appropriate Native Americans as identified by the NAHC.							
Greenhouse Gas Emissions							
GHG-1: Construction GHG BMPs							
Prior to the issuance of any grading permits, the project applicant shall provide the City of American Canyon with documentation (e.g., site plans) demonstrating implementation of construction Best Management Practices (BMPS). Measures may include but are not limited to: ▪ At least 15 percent of the construction fleet for each project phase shall be alternatively fueled or electric.	The City shall review documentation demonstrating that project construction includes construction BMPs. City shall incorporate applicable BMPs as conditions or approval, permit conditions, or other enforceable actions.	Prior to the issuance of any grading permits	Periodically during construction	City of American Canyon Community Development Department			

Mitigation Measure/ Implementation Program	Action Required	Timing	Monitoring Frequency	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
▪ At least 10 percent of building materials used for project construction shall be sourced from local suppliers. ▪ At least 65 percent of construction and demolition waste materials shall be recycled or reused. ▪ At least one contractor that has a business location in American Canyon shall be contracted for project construction. ▪ All construction contracts shall include language that requires all off-road equipment with a power rating below 19 kilowatts (e.g., plate compactors, pressure washers) using during construction be electrically powered. ▪ Architectural coatings used for project construction shall be "Low-VOC," containing no greater than 50 grams of volatile organic compounds (VOC) per liter of product. ▪ Project construction shall prohibit the use of generators and shall establish grid power connection to electrical equipment needs. ▪ Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California Airborne Toxics Control Measure [ATCM] Title 13, Section 2485 of California Code of Regulations). Clear signage regarding idling restrictions shall be provided for construction workers at all access points. ▪ All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. ▪ The prime construction contractor shall post a publicly visible sign with their telephone number and contractor to contact. The construction contractor shall take corrective action within 48 hours. The BAAQMD's phone number shall also be identified and visible to ensure compliance with applicable regulations.							
GHG-2: Adopt and Implement a CEQA GHG Emissions Threshold:							
The City shall include and implement a new 2040 General Plan policy under the Environment Element to prepare, adopt, and implement a CEQA GHG Emissions threshold of significance. The City shall adopt the CEQA GHG Emissions threshold of significance by the end of 2025 for use in future	The City shall include and implement a new 2040 General Plan Policy to adopt the CEQA GHG Emissions threshold of significance for use by end of 2025 for use in future CEQA	By the end of 2025.	Once	City of American Canyon Community			

Mitigation Measure/ Implementation Program	Action Required	Timing	Monitoring Frequency	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
CEQA GHG emissions analyses through 2030. In addition, upon completion of future CAO updates and as necessary, the City shall update the CEQA GHG Emissions threshold of significance and American Canyon CEQA GHG Checklist to be consistent with each CAP update.	GHG emissions analyses through 2030.			Development Department			
GHG-3: Adopt American Canyon CAP to Meet the State's 2030 and 2045 GHG Emissions Goals							
The City shall draft and adopt the American Canyon qualified CAP by the end of 2025 to outline how American Canyon will meet the State's 2030 goal of 40 percent below 1990 emissions levels and 2045 goal of carbon neutrality. Implementation measures in the updated qualified CAP to achieve the 2030 and 2045 goals may include, but are not limited to, the following: ▪ Develop and adopt Zero Net Energy requirements for new and remodeled residential and non-residential development; ▪ Develop and adopt a building electrification ordinance for existing and proposed structures; ▪ Expand charging infrastructure and parking for electric vehicles; ▪ Implement carbon sequestration by expanding the urban forest, participating in soil-based or compost application sequestration initiatives, supporting regional open space protection, and/or incentivizing rooftop gardens; and ▪ Implement policies and measures included in the California 2022 Climate Change Scoping Plan, such as mobile source strategies for increasing clean transit options and zero emissions vehicles by providing electric vehicle charging stations.	The City shall draft and adopt the American Canyon qualified CAP by the end of 2025 to outline the State's 2030 goal of 40 percent below 1990 emissions levels and 2045 goal of carbon neutrality.	By the end of 2025.	Once	City of American Canyon Community Development Department			

Mitigation Measure/ Implementation Program	Action Required	Timing	Monitoring Frequency	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
Noise							
NOI-1: Conduct Construction Noise Analysis:							
The City shall review future development within 1,000 feet of a sensitive receiver, and where applicable, require the following feasible measures as standard conditions of approval to reduce construction noise levels below a level of significance: ▪ **Mufflers.** During excavation and grading construction phases, all construction equipment, fixed or mobile, shall be operated with closed engine doors and shall be equipped with properly operating and maintained mufflers consistent with manufacturers' standards. ▪ **Stationary Equipment.** All stationary construction equipment shall be placed so that emitted noise is directed away from the nearest sensitive receivers. ▪ **Equipment Staging Areas.** Equipment staging shall be located in areas that will create the greatest distance feasible between construction-related noise sources and noise-sensitive receivers. ▪ **Smart Back-up Alarms.** Mobile construction equipment shall have smart back-up alarms that automatically adjust the sound level of the alarm in response to ambient noise levels. Alternatively, back-up alarms shall be disabled and replaced with human spotters to ensure safety when mobile construction equipment is moving in the reverse direction in compliance with applicable safety laws and regulations. ▪ **Electrically-Powered Tools and Facilities.** Electrical power shall be used to run air compressors and similar power tools and to power any temporary structures, such as construction trailers or caretaker facilities, where feasible. ▪ **Noise Disturbance Coordinator.** The project applicant shall designate a "noise disturbance coordinator" responsible for responding to any local complaints about construction noise. The disturbance coordinator shall determine the cause of any noise complaint and shall require that reasonable measures be implemented to correct the problem. A telephone number for the disturbance coordinator and the City shall be posted at the construction site.	Applicant shall provide the City with project plans indicating compliance with applicable noise reduction measures. City shall confirm applicable measures are implemented during project construction.	Prior to project approval	Once before construction and then periodically during construction	City of American Canyon Community Development Department			

Mitigation Measure/ Implementation Program	Action Required	Timing	Monitoring Frequency	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
▪ **Temporary Noise Barriers.** Erect temporary noise barriers, where feasible, when construction noise is predicted to exceed the City's construction standards and when the anticipated construction duration is greater than is typical (e.g., two years or greater). Temporary noise barriers shall be constructed with solid materials (e.g., wood) with a density of at least 1.5 pounds per square foot with no gaps from the ground to the top of the barrier. If a sound blanket is used, barriers shall be constructed with solid material with a density of at least 1 pound per square foot with no gaps from the ground to the top of the barrier and be lined on the construction side with acoustical blanket, curtain or equivalent absorptive material rated sound transmission class (STC) 32 or higher.							
NOI-2: Implement Roadway Vehicle Noise Reduction Measures							
The City shall install "quiet pavement" roadway improvements, such as rubberized asphalt or open grade asphalt concrete overlays along impacted roadway segments (American Canyon Road east of Flosden Road and west of I-80; Flosden Road south of American Canyon Road; and Newell Drive north of American Canyon Road). The program may be funded by "fair share" developer contributions for proposed projects along impacted roadways to pay for the "quiet pavement" roadway improvements.	The City shall install "quiet pavement" roadway improvements such as rubberized asphalt or open grade asphalt concrete overalys along impacted roadway segments.	Prior to project approval	Once	City of American Canyon Community Development Department			
NOI-3: Construction Vibration Control Plan							

Prior to issuance of a building permit for a project that includes the following, the project applicant shall prepare a groundborne noise and vibration analysis to assess and mitigate potential noise and vibration impacts related to these construction activities.
▪ Pile driving within:
  ▪ 135 feet of fragile structures such as historical resources;
  ▪ 100 feet of non-engineered timber and masonry buildings (e.g., most residential buildings); or
  ▪ 75 feet of engineered concrete and masonry (no plaster);
▪ A vibratory roller within:
  ▪ 40 feet of fragile historical resources; or
	The project applicant shall prepare a groundborne noise and vibration analysis to assess and mitigate potential noise and vibration impacts. The noise and vibration analysis shall be conducted by a qualified and experienced acoustical consultant or engineer.	Prior to issuance of building permit	Once	City of American Canyon Community Development Department			

Mitigation Measure/ Implementation Program	Action Required	Timing	Monitoring Frequency	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
▪ 25 feet of any other structure ▪ A dozer or other large earthmoving equipment within: ▪ 20 feet for a fragile historical structure; or ▪ 15 feet of any other structure The noise and vibration analysis shall be conducted by a qualified and experienced acoustical consultant or engineer. The vibration levels shall not exceed FTA architectural damage thresholds (e.g., 0.12 in/sec PPV for fragile or historical resources, 0.2 in/sec PPV for non-engineered timber and masonry buildings, and 0.3 in/sec PPV for engineered concrete and masonry). If vibration levels would exceed this threshold, alternative uses such as drilling piles as opposed to pile driving, static rollers as opposed to vibratory rollers, and lower horsepower earthmoving equipment shall be used. If necessary, construction vibration monitoring shall be conducted to ensure FTA vibration thresholds are not exceeded.							
Paleontological Resources							
PAL-1: Retention of Qualified Professional Paleontologist							
Prior to submittal of a discretionary development application in areas underlain by high or undetermined sensitivity geologic units (i.e., Pleistocene alluvial fan deposits; Markley Sandstone; Jameson Shale Member of Markley Sandstone; Domengine Sandstone; and sandstone and shale of the Great Valley Complex), the City shall require a Qualified Professional Paleontologist [as defined by the Society of Vertebrate Paleontology (SVP) (2010)] be retained to determine the project's potential to significantly impact paleontological resources according to SVP (2010) standards. If necessary, the Qualified Professional Paleontologist shall recommend mitigation measures to reduce potential impacts to paleontological resources to a less than significant level. The City shall review and approve the Qualified Professional Paleontologist's findings and recommendation. All recommendations shall be incorporated into the project plans prior to issuance of a grading permit.	The project applicant shall retain a Qualified Professional Paleontologist to determine the project's potential impact to paleontological resources. If necessary, the Qualified Professional Paleontologist shall recommend mitigation measures tor educe potential impacts to paleontological resources to a less than significant level. The City shall review and approve the Qualified Professional Paleontologist's findings and recommendations. All recommendations shall be incorporated into the project plans prior to issuance of a grading permit.	Prior to submittal of a discretionary development application.	Once	City of American Canyon Community Development Department			

Mitigation Measure/ Implementation Program	Action Required	Timing	Monitoring Frequency	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
Wildfire							
WF-1: Wildfire Risk Reduction During Construction							
For projects located in proximity to agricultural or undeveloped areas (including hillside areas) with flammable vegetation, prior to issuance of a grading or building permit, whichever occurs first, the applicant shall submit documentation that they will implement the following measures to reduce risk of loss, injury, or death from wildfire during construction: 1. Construction equipment powered by internal combustion engines shall be equipped with spark arresters. The spark arresters shall be maintained pursuant to manufacturer recommendations to ensure adequate performance. 2. Certain project construction activities with potential to ignite wildfires during red-flag warnings issued by the National Weather Service for the project site location shall be prohibited. Example activities that shall be prohibited during red-flag warnings include welding and grinding outside of enclosed buildings. 3. Fire extinguishers shall be required to be onsite during construction. Fire extinguishers shall be maintained to function according to manufacturer specifications. Construction personnel shall receive training on the proper methods of using a fire extinguisher.	The applicant shall provide the City with their applicable wildfire reduction measures, in accordance with the mitigation measure. The City shall confirm that the measures are properly implemented at the construction site.	Prior to issuance of a grading or building permit, whichever occurs first	Periodically during construction	City of American Canyon Community Development Department			
WF-2: Fire Resistant Vegetation and Landscaping							
Prior to issuance of a building permit, the applicant shall submit landscape plans prepared by a registered Landscape Architect that are consistent with applicable Building and Fire Codes at the time the building permit is issued.	The City shall review landscape plans prepared by a registered Landscape Architect to ensure consistency with applicable Building and Fire Codes.	Prior to issuance of a building permit	Once prior to building permit, then again to confirm landscaping was properly installed	City of American Canyon Community Development Department & AC Fire District			

TITLE
Draft Fiscal Year 2025/26 Annual Work Plan

RECOMMENDATION
Review and discuss the Fiscal Year 2025/26 Work Plan for the Parks and Community Services Commission for consideration by the City Council at the June 17, 2025, Council meeting.

CONTACT
Alexandra Ikeda, Parks and Recreation Director

BACKGROUND & ANALYSIS
The Council formed the Parks and Community Services Commission in 1999 (Attachment 1). The Commission's Fiscal Year 2024/25 Annual Work Plan is shown in Attachment 3.

In 2003, Council adopted the Parks and Community Services Guidelines (Attachment 2) and made a change to the American Canyon Municipal Code Chapter 2.29 which narrowed the Commission's purview and clarified its role and function as follows: *"The function, power and duties of the Parks and Community Services Commission shall include a review of issues referred to the Commission by the City Council, the City Manager, the Community Services Department, or residents or organizations of the City;' to provide advice, comment and make recommendations regarding such issues as requested; to organize or facilitate community benefit activities or functions; and other duties as assigned by the City Council."*

Per these guidelines, the Commission serves in an advisory capacity to the City Council and staff. Each fiscal year, the Commission develops a Work Plan for the upcoming fiscal year. The Work Plan will list issues and projects to be addressed by the Commission and should be consistent with the Council's adopted goals and priorities pertaining to parks, recreation, and community services.

For issues and projects that come up during the year that are out of the realm of the approved Work Plan and would require significant staff time or City funds, the Commission should determine if it is feasible to wait until the next year to address the issue or project. If the Commission determines that the issue or project should be addressed in the current year, a recommendation for modification of the Work Plan will need to be submitted to the Council for Consideration. This

recommendation for modification of the Work Plan will need to indicate which issues or projects will be postponed or eliminated to accommodate and add the new issue or project to the Work Plan.

Proposed Draft Fiscal Year 2025/26 Work Plan - Items:

- Develop a Senior Services Program Fee Waiver
- Develop a Community Grant Policy
- Update Resolution 2014-93 Inflatable Play Equipment Policy
- Parks and Community Services Master Plan Update
- Review Current Capital Improvement Program Projects for parks and recreation
- Identify FY26/27 Capital Improvement Program Projects for parks and recreation

Next Steps:

Staff recommends the Commission review and comment on the proposed Draft Fiscal Year 2025/26 Work Plan and make recommendations on items that should be added for consideration. The Work Plan will be proposed to Council during a Joint Special meeting on June 17, 2025.

ATTACHMENTS:

1. Ordinance No. 99-03: Chapter 2.29 to Municipal Code
2. Parks and Community Services Commission Guidelines
3. FY24/25 Work Plan

ORDINANCE NO. 99-03

AN ORDINANCE OF THE CITY OF AMERICAN CANYON ADOPTING AN ORDINANCE REGARDING THE ADDITION OF CHAPTER 2.29 TO THE AMERICAN CANYON MUNICIPAL CODE CREATING A NEW PARKS AND COMMUNITY SERVICES COMMISSION

The City Council of the City of American Canyon does hereby ordain as follows:

Section 1. A new Chapter is hereby added to the American Canyon Municipal Code regarding the creation of a City Parks and Community Services Commission, to read as follows:

CHAPTER 2.29 PARKS AND RECREATION COMMISSION

Section 2.29.010	Creation of Parks and Community Services Commission/Terms of Commissioners
Section 2.29.020	Jurisdiction and Functions of Commission
Section 2.29.030	Compensation of Commissioners
Section 2.29.040	Designation of Chairperson and Vice Chairperson, Committees and Staff
Section 2.29.050	Time and Place of Meetings, Definition of Commission Quorum
Section 2.29.060	Commission Rules and Records

Section 2.29.010 Creation of Parks and Community Services Commission/Terms of Commissioners.

There is created a Parks and Community Services Commission for the City. It shall consist of seven (7) members, appointed in the manner and for the terms prescribed in Sections 2.04.070 and 2.28.010, respectively, of this code, except that the terms of members of the initial Commission shall expire three (3) years after the effective date of the appointment, and appointments made after the commencement of the term to fill a vacancy or removal shall be for the balance of the unexpired term.

Section 2.29.020 Jurisdiction and Functions of Commission.

A. The Parks and Community Services Commission for the City shall perform all functions as described below, and shall serve in an advisory capacity to the Parks and Community Services Department and the City Council.

B. The functions, powers and duties of the Parks and Community Services Commission shall include review of issues referred to the Commission by the City Council, the City Manager, the Parks and Community

Services Department, or residents or organizations of the City; to provide advice, comment and make recommendations regarding such issues as requested; to organize or facilitate community benefit activities or functions; and other duties as assigned by the City Council.

C. Areas of purview of the Commission shall include, but not be limited to, park maintenance, park improvements, open space management, natural resource management, forestry maintenance and management, park and recreation facility maintenance and management, riparian habitat conditions, environmental health, recreation programming, aquatics programming, transportation needs and services, human services programming and needs, and community services in general.

D. The City Council may from time to time refer a matter to the Commission for review, comment, recommendation or action. All actions of the Parks and Community Services Commission are subject to appeal to the City Council by any person or organization affected by such action through the procedures set forth in Chapter 2.04 of this code.

E. All actions taken by the Commission shall be reported by the Parks and Community Services Director to the City Clerk, and shall be placed on the next regular agenda of the City Council after receipt of the report by the City Clerk. Actions taken by the Commission shall not be considered final until the City Council has heard and further considered the matter, or has determined that further consideration of the matter is not required. When placed on the agenda of the city council, the city council may elect to consider the matter and may schedule the matter for a hearing or public hearing before the city council. The City Council shall consider any appeal of an action taken by the Parks and Recreation Commission by an interested person or organization through the procedures set forth in Chapter 2.04 of this Code. The decision of the City Council, after considering or hearing the matter, shall be final.

Section 2.29.030 Compensation of Commissioners.

The members of the Parks and Community Services Commission shall each receive compensation payable out of the general fund of the City, provided adequate funds have been budgeted therefor, in the amount of twenty five dollars ($25) per meeting, not to exceed fifty dollars ($50) per month. Standing or temporary committee or subcommittee members shall not be compensated. The compensation for Commissioners prescribed herein shall be exclusive of any amounts payable as reimbursement for actual or necessary expenses authorized by the City Council and incurred in the performance of official duties for the City.

Section 2.29.040 Designation of Chairperson and Vice Chairperson, Committees and Staff.

A. Designation of the chairperson and vice chairperson for the Commission shall be governed by section 2.28.020 of this Code.

B. The Commission may from time to time create committees or subcommittees to study issues, to perform work on behalf of the Commission, to provide a service to the residents or a segment of the residents of the City, or to improve the quality of the environment of the City and living conditions of the residents of the City.

C. Standing committees of the Commission shall be the Community Services Committee and the Natural Resources Committee. Standing or temporary committees or subcommittees shall have a minimum of two (2) Commissioners assigned to the committees. The Commission shall make appointments of committee or subcommittee members with the approval of the City Manager or his designee.

D. The City Manager may appoint a department head and other staff and provide compensation for their services as may be authorized by the City Council and by the annual City budget.

Section 2.29.050 Time and Place of Meetings, Definition of Commission Quorum.

A. The Commission shall hold at least one regular meeting each month at such time, date and place designated by the Commission. The chairperson or a majority of the Commission, after giving notice to the Commissioners, and to any media and members of the public who have previously requested such notices in writing, so that the notice is received at least twenty-four (24) hours before the meeting, may hold special meetings.

B. A majority of the Commissioners shall constitute a quorum.

Section 2.29.060 Commission Rules and Records.

The Parks and Community Services Commission shall adopt rules for the transaction of its business, shall keep a public record of its resolutions, transactions, findings, recommendations and actions. Minutes of the Parks and Community Services Commission meetings shall be filed with the City Clerk.

Section 2. Effective Date. This ordinance shall take effect thirty (30) days after its adoption.

Section 3. Severability. This Ordinance shall be liberally constructed to achieve its purposes and preserve its validity. If any provision or clause of this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are declared to be severable and are intended to have independent validity.

The foregoing ordinance was introduced and read at a regular meeting of the City Council of the City of American Canyon, State of California, held on the 20th day of May, 1999 and was passed and adopted at a regular meeting of the City Council of the City of American Canyon, State of California held on the 3rd day of June, 1999 by the following vote:

AYES: Anderscon, Maples, Canziani, Colcleaser, Shaver

NOES: None

ABSTAIN: None

ABSENT: None

Ben Anderson, Mayor

ATTEST:

Mark Joseph, City Clerk

APPROVED AS TO FORM:

William D. Ross, City Attorney

City of American Canyon

Parks & Community Services Commission

GUIDELINES

The Parks and Community Services Commission was established through Ordinance 99-03, which amended the City of American Canyon Municipal Code. The Code includes Chapter 2.29, creating the powers, duties, and responsibilities of the Commission. The purpose of these Guidelines is to clarify the role of the Commission and explain more thoroughly Council's intent regarding how the Commission should function.

The Commission serves in an advisory capacity to the City Council and the Community Services Department. It is anticipated and expected that Commissioners will not always agree with each other on some issues and that the City Council may not always agree with Commission recommendations. That said, Commissioners are reminded of the following:

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2. The Commission should render as much assistance as possible to the City Council and avoid placing the Council in an untenable position.
3. Commissioners should not knowingly embarrass staff or the City Council.
4. The Commission should assist the Council in developing public trust in the Commission system.
5. The Commission must comply with the Brown Act, which stipulates that recommendations can only be made at a duly noticed meeting that is open to the public.
6. Commissioners should maintain a good working relationship with fellow Commissioners and always respect each other's viewpoint, even though it may be contrary to their own.
7. The Community Services Director is the staff member assigned to the Commission. The Community Services Director reports to and works for

the City Manager. The Commission does not involve itself in personnel issues.

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The Commission shall annually choose one of its members as Chairperson and one as Vice Chairperson.

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The Chair:

- preserves order and decorum, and addresses all questions of order
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Vice Chairperson – The Vice Chairperson, in the absence of the Chair, should take the place of the Chair and perform all duties of the Chairperson. In the event both Chair and Vice Chair are absent, the balance of the members should appoint someone to function in the role of Chair.

Secretary – The Community Services Director will, at his discretion, appoint a person to serve as Secretary to the Commission. The Secretary is the custodian of all records and official correspondence, and will provide clerical support to the Commission.

The Secretary of the Commission will complete all minutes. Copies of all minutes and agendas will be forwarded to the City Council, the Planning Commission, and the City Manager in a timely manner.

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p.m. Generally, the meeting place is the Recreation Center, located at the corner of Elliott and Knightsbridge. However, a regular meeting of the Commission may be adjourned to any location within the City of American Canyon, if properly noticed.

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<u>Development Of Yearly Work Plan</u>

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modification of the work plan should be submitted to Council for consideration. The Commission should recommend what issues or projects on the work plan should be postponed or eliminated due to the proposed new addition to the plan.

Commission Functions/Project and Program Review Guidelines

The areas of purview of the Commission could include park improvements and development, park maintenance, open space management, natural resource management, forestry maintenance and management, riparian habitat conditions, environmental health, recreation programming, aquatics programming, transportation needs and services, human services programming and needs, and community services in general.

Parks and Community Services Commissions typically spend a significant amount of time on park development, park and recreation facility use issues and recreation programming issues.

Park and Recreation Facility Plan Review -When reviewing development plans for park and recreation facilities, the Commission should take the following things into consideration:

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- Needs of the neighborhood and/or community.
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Staff members are assigned to provide information and advice to the Parks and Community Services Commission. Just as the City Council does not accept every staff recommendation or every Commission recommendation, it is also anticipated that the Commission may not adopt every staff proposal. Staff members are selected on the basis of their technical knowledge; experience and capability in the Commission's area of responsibility and the Commission shall carefully weigh staff recommendations against other considerations before establishing any position. Occasionally a staff member or the City Manager may appeal a Committee recommendation or action to the City Council, and this action is perfectly proper.

Commissioner Relations

The association between Commission members will be a very important one. Commissioners come from various backgrounds and probably have different reasons for serving on the Parks and Community Services Commission. Each Commissioner will contribute in his/her own way. Commissioners shall always respect the viewpoint of other Commissioners even though it may be opposite of their own ideas. Commissioners must allow fellow Commissioners to articulate his or her views and then attempt to make an objective evaluation of those views. Commission member's viewpoints should be based on what is best for the total community and what is best for all concerned.

Commission Attendance Requirements

Any member of the Commission may be removed from office at any time by a majority vote of the City Council. If a Commissioner is absent from three consecutive regular meetings or from twenty-five percent of the duly scheduled meetings of the Commission within any calendar year, his/her office shall thereupon become vacant and shall be filled as any other vacancy.

Residency

All Commissioners shall be initially and during their incumbencies, bona fide residents of the City.

Conclusion

Service as a Parks and Community Services Commissioner is a highly responsible position. Each Commissioner was selected on the basis of integrity, competence, community service, and positive interest in improving the American Canyon community. By working together, the City Council, City staff and the Parks and Community Services Commission can enhance the quality of life in American Canyon.

Chapter 2.29

PARKS AND COMMUNITY SERVICES COMMISSION

Sections:

2.29.010 Creation of parks and community services commission—Terms of commissioners.

2.29.020 Jurisdiction and functions of commission.

2.29.030 Compensation of commissioners.

2.29.040 Designation of chairperson and vice-chairperson, committees and staff.

2.29.050 Time and place of meetings.

2.29.010 Creation of parks and community services commission—Terms of commissioners.

There is created a parks and community services commission for the city. It shall consist of five members, appointed in the manner and for the terms prescribed in Sections 2.04.070 and 2.28.010, respectively, of this code, except that the terms of members of the initial commission shall expire two years after the effective date of the appointment, whereupon the city council shall stagger the subsequent appointments. (Ord. 2001-04 § 1 (part), 2001)

2.29.020 Jurisdiction and functions of commission.

A. The parks and community services commission for the city shall perform all functions as described below, and shall serve in an advisory capacity to the community services department and the city council.

B. The functions, powers and duties of the parks and community services commission shall include review of issues referred to the commission by the city council, the city manager, the community services department, or residents or organizations of the city; to provide advice, comment and make recommendations regarding such issues as requested; to organize or facilitate community benefit activities or functions; and other duties as assigned by the city council.

C. Areas of purview of the commission shall include, but not be limited to, park maintenance, park improvements, open space management, natural resource management, forestry maintenance and management, park and recreation facility maintenance and management, riparian habitat conditions, environmental health, recreation programming, aquatics programming, transportation needs and services, human services programming and needs, and community services in general. (Ord. 2001-04 § 1 (part), 2001)

2.29.030 Compensation of commissioners.

A. The members of the parks and community services commission shall each receive a stipend payable out of the general fund of the city, provided adequate funds have been budgeted therefor, in the amount of twenty-five dollars per month. Standing or temporary committee or subcommittee members shall not be compensated. The stipend for commissioners prescribed herein shall be exclusive of any amounts payable as reimbursement for actual or necessary expenses authorized by the city council and incurred in the performance of official duties for the city.

B. To receive the stipend, each commissioner must attend at least one meeting per month, regular or special, of the commission, or at least one subcommittee meeting per month of the commission. (Ord. 2001-04 § 1 (part), 2001)

2.29.040 Designation of chairperson and vice-chairperson, committees and staff.

A. Designation of the chairperson and vice chairperson for the commission shall be governed by Section 2.28.020.

B. The commission may from time to time create committees or subcommittees to study issues, to perform work on behalf of the commission, to provide a service to the residents or a segment of the

residents of the city, or to improve the quality of the environment of the city and living conditions of the residents of the city.

C. Standing committees of the commission shall be the activities committee and the natural resources committee. Standing or temporary committees or subcommittees shall have at least one commissioner assigned to the committees. The commission shall make appointments of committee or subcommittee members with the approval of the city manager or his designee.

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City of American Canyon

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CITY OF AMERICAN CANYON
CITY MANAGER'S OFFICE

DATE: June 18, 2024

TO: Mayor and City Council

FROM: Jason Holley, City Manager

C/C: Parks and Recreation Director Ikeda

RE: "FY2024/25 Work Plan" for the Parks and Community Services Commission.

Below is the proposed *DRAFT* Work Plan for FY2024/25 for the Parks and Community Services Commission.

1. Update the Parks and Community Services Master Plan.
2. Facility naming for the "former" Napa Junction Elementary School, Community Park I, and Community Park II.
3. Review the utilization of City parks for community groups and events.
4. Update the Municipal Code for Skate Park use.
5. Provide input on the design of park projects in the current Capital Improvement Program.
6. Develop recommendations for park projects in future Capital Improvement Program.