

## CHAPTER 6

# Mitigation Monitoring and Reporting Program

### A. Introduction

When approving projects with Environmental Impact Reports (EIRs) that identify significant impacts, the California Environmental Quality Act (CEQA) requires public agencies to adopt monitoring and reporting programs or conditions of project approval to mitigate or avoid the identified significant effects (Public Resources Code Section 21081.6(a)(1)). A public agency is required to ensure that the measures are fully enforceable, through permit conditions, agreements, or other means (Public Resources Code Section 21081.6(b)). The mitigation measures required by a public agency to reduce or avoid significant project impacts not incorporated into the design or program for the project may be made conditions of project approval as set forth in a Mitigation Monitoring and Reporting Program (MMRP). The program must be designed to ensure project compliance with mitigation measures during project implementation.

The MMRP includes the mitigation measures identified in the EIR required to address the significant impacts associated with the proposed project. The required mitigation measures are summarized in this program; the full text of the impact analysis and mitigation measures is presented in the Draft EIR in Chapter 2, Summary, except as revised in this Final EIR. The mitigation revisions in the Final EIR include revisions to Mitigation Measures 4.B-2, 4.B-3, 4.C-1a, and 4.D-1, as presented in Chapter 2 of this document. The revisions to these mitigation measures were made to reflect required implementation procedures in the Mitigation Monitoring and Reporting Program.

### B. Format

The MMRP is organized in a table format (see **Table 6-1**), keyed to each significant impact and each EIR mitigation measure. Only mitigation measures adopted to address significant impacts are included in this program. Each mitigation measure is set out in full, followed by a tabular summary of monitoring requirements. The column headings in the tables are defined as follows:

- **Mitigation Measures adopted as Conditions of Approval:** This column presents the mitigation measure identified in the EIR.
- **Implementation Procedures:** This column identifies the procedures associated with implementation of the migration measure.

- **Monitoring Responsibility:** This column contains an assignment of responsibility for the monitoring and reporting tasks.
- **Monitoring and Reporting Action:** This column refers the outcome from implementing the mitigation measure.
- **Mitigation Schedule:** The general schedule for conducting each mitigation task, identifying where appropriate both the timing and the frequency of the action.
- **Verification of Compliance:** This column may be used by the lead agency to document the person who verified the implementation of the mitigation measure and the date on which this verification occurred.

## C. Enforcement

If the Specific Plan is adopted, the MMRP would be incorporated as a condition of approval for all future projects in the Planning Area. As such, all mitigation measures for significant impacts must be carried out in order to fulfill the requirements of approval. A number of the mitigation measures would be implemented during the course of the development review process for future projects in Downtown. These measures would be referenced on architectural, development and similar plans, in technical reports, and in the field prior to construction. Most of the remaining mitigation measures would be implemented during the construction or project implementation phase.

TABLE 6-1  
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Implementation Procedures <sup>1</sup>	Monitoring Responsibility	Monitoring and Reporting Action	Monitoring Schedule	Verification of Compliance
<b>B. Air Quality and Greenhouse Gases</b>					
<p><b>Mitigation Measure 4.B-1:</b> In order to be consistent with the MSM A-1 and MSM A-2 transportation control measures (TCMs) listed in Table 4.B-4, the City shall require that the following measures be included as potential Transportation Demand Management (TDM) strategies to be implemented by individual project applicants, where feasible and appropriate:</p> <ul style="list-style-type: none"> <li>• Install charging units for electric vehicles at residences and businesses.</li> <li>• Develop incentives for businesses to include preferential parking for electric and/or hybrid vehicles. (As required by the 2010 California Green Building Standards Code, Chapter 5, Section 5.106.5.2)</li> </ul>	<p>A project applicant, as appropriate for a proposed project, will hire a qualified consultant, approved by the City of Napa, to prepare a Transportation Demand Management Plan (to be implemented by the project applicant) that adheres to all specifications in this measure.</p> <p>The TDM will verify in writing that the plan adheres to all of BAAQMD's guidance which is applicable to the project.</p>	<p>City of Napa Public Works Traffic Engineer; Economic Development, Building Official</p>	<p>Review of TDM plan. Verify inclusion of TDM strategies in applicable construction plans and specifications.</p>	<p>During permit processing.</p>	<p><i>Ongoing</i></p>
<p><b>Mitigation Measure 4.B-2:</b> The City shall ensure that all projects in the Planning Area incorporate the following measures to reduce or avoid exposure of sensitive receptors to TACs:</p> <p>For construction activities, measures may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>• Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes (as required by the state airborne toxics control measure [Title 13, Section 2485 of the California Code of Regulations]). Provide clear signage that posts this requirement for workers at the entrances to the site.</li> <li>• Use new diesel engines that are designed to minimize DPM emissions (usually through the use of catalyzed particulate filters in the exhaust), or retrofitting older engines with catalyzed particulate filters which would reduce up to 85 percent of DPM emissions.</li> </ul> <p>For operational activities, in order to comply with the <i>Air Quality and Land Use Handbook: A Community Health Perspective</i> (ARB 2005) and achieve an acceptable interior air quality level for sensitive receptors, appropriate measures, shall be incorporated into residential building design. For projects to be developed under the Specific Plan that include residential receptors within 1,000 feet of a source of TACs (stationary or CNR railroad), the appropriate measures shall include one of the following methods (As required</p>	<p>Prior to approval of projects within the Planning Area, ensure that each project's specifications will incorporate measures to reduce or avoid exposure to TACs, as feasible.</p>	<p>City of Napa Community Development Department; planner assigned to project.</p> <p>Building Official; Field Inspector</p>	<p>Verify incorporation of specifications into construction plans and project design.</p>	<p>Prior to approval of demolition permit or grading permit.</p> <p>and</p> <p>During construction through to issuance of occupancy permit.</p>	<p><i>Ongoing</i></p>

<sup>1</sup> In this Mitigation Monitoring and Reporting Program table, every subsequent development project undertaken pursuant to the Specific Plan would be required to adhere to each mitigation measure.

TABLE 6-1 (Continued)  
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Implementation Procedures <sup>1</sup>	Monitoring Responsibility	Monitoring and Reporting Action	Monitoring Schedule	Verification of Compliance
B. Air Quality and Greenhouse Gases (continued)					
<p>by the 2010 California Green Building Standards Code, Chapter 5, Section 5.106.5.2):</p> <ol style="list-style-type: none"> <li>1. The project applicant shall retain a qualified air quality consultant to prepare a health risk assessment (HRA) in accordance with the ARB and the Office of Environmental Health and Hazard Assessment requirements to determine the exposure of project residents to TACs prior to issuance of a demolition, grading, or building permit. The HRA shall be submitted to the Planning Division for review and approval. The applicant shall implement the approved HRA recommendations, if any. If the HRA concludes that the air quality risks from nearby sources are at or below acceptable levels, then additional measures are not required.</li> <li>2. The project applicant shall implement the following features that have been found to reduce the air quality risk to sensitive receptors and shall be included in the project construction plans. These shall be submitted to the Planning Division and the Building Division for review and approval prior to the issuance of a demolition, grading, or building permit and ongoing.                         <ol style="list-style-type: none"> <li>a. Do not locate sensitive receptors near distribution center's entry and exit points.</li> <li>b. Do not locate sensitive receptors in the same building as a perchloroethylene dry cleaning facility.</li> <li>c. Maintain a 50' buffer from a typical gas dispensing facility (under 3.6 million gallons of gas per year).</li> <li>d. Install, operate and maintain in good working order a central heating and ventilation (HV) system or other air take system in the building, or in each individual residential unit, that meets the efficiency standard of the MERV 13. The HV system shall include the following features: Installation of a high efficiency filter and/or carbon filter to filter particulates and other chemical matter from entering the building. Either HEPA filters or ASHRAE 85% supply filters shall be used.</li> <li>e. Retain a qualified HV consultant or HERS rater during the design phase of the project to locate the HV system based on exposure modeling from the mobile and/or stationary pollutant sources.</li> </ol> </li> </ol>					

TABLE 6-1 (Continued)  
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Implementation Procedures <sup>1</sup>	Monitoring Responsibility	Monitoring and Reporting Action	Monitoring Schedule	Verification of Compliance
<b>B. Air Quality and Greenhouse Gases (continued)</b>					
<p>f. Maintain positive pressure within the building.</p> <p>g. Achieve a performance standard of at least one air exchange per hour of fresh outside filtered air.</p> <p>h. Achieve a performance standard of at least 4 air exchanges per hour of recirculation</p> <p>i. Achieve a performance standard of 0.25 air exchanges per hour of in unfiltered infiltration if the building is not positively pressurized.</p> <p>j. Project applicant shall maintain, repair and/or replace HV system or prepare an Operation and Maintenance Manual for the HV system and the filter. The manual shall include the operating instructions and maintenance and replacement schedule. This manual shall be included in the CC&amp;R's for residential projects and distributed to the building maintenance staff. In addition, the applicant shall prepare a separate Homeowners Manual. The manual shall contain the operating instructions and maintenance and replacement schedule for the HV system and the filters. It shall also include a disclosure to the buyers of the air quality analysis findings.</p>					
<p><b>Mitigation Measure 4.B-3:</b> The City shall ensure that individual project applicants incorporate the following measures to reduce or avoid exposure of sensitive receptors to odors during development under the Specific Plan:</p> <ul style="list-style-type: none"> <li>Consider the odor-producing potential of land uses when the exact type of facility that would occupy areas zoned for commercial or mixed-use land uses is determined. Facilities that have the potential to emit objectionable odors would be located with appropriate buffers from existing and proposed sensitive receptors.</li> </ul> <p>Identify odor control devices within building permit applications to mitigate the exposure of receptors to objectionable odors if a potential odor-producing source is to occupy the Planning Area. The identified odor control devices would be installed before the issuance of certificates of occupancy for the potentially odor-producing use.</p>	<p>Prior to approval of individual projects within the Planning Area, ensure that each project's specifications comply with this measure.</p>	<p>City of Napa Community Development Department; planner assigned to the project, building official, and building plan checker</p>	<p>Verify incorporation of specifications into project design.</p>	<p>Prior to issuance of building permits and Prior to issuance of occupancy permits.</p>	<p>Ongoing</p>

TABLE 6-1 (Continued)  
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Implementation Procedures <sup>1</sup>	Monitoring Responsibility	Monitoring and Reporting Action	Monitoring Schedule	Verification of Compliance
<b>B. Air Quality and Greenhouse Gases (continued)</b>					
<b>Mitigation Measure B-4:</b> Implement Mitigation Measure 4.B-1 to ensure consistency with the BAAQMD TCMs to promote clean, fuel efficient and zero emission vehicles.	See Mitigation Measure 4.B-1.				
<b>Mitigation Measure 4.B-5:</b> The City shall ensure that applicant(s) for individual projects to be developed under the Specific Plan would incorporate Green Building and Development Measures as listed in Appendix C (AIR-2). Each increment of new development under the Specific Plan requiring a discretionary approval from the City (e.g., proposed tentative subdivision map, conditional use permit), would demonstrate that GHG emissions from operation would be reduced by 30 percent from business-as-usual 2020 emissions levels, in order to achieve 1990 levels by 2020.	Incorporate Green Building and Development Measures into project design and demonstrate GHG emissions from operations would adhere to reduction goals set by the City.	City of Napa Community Development Department, planner assigned to project and building plan checker	Ensure compliance of individual project applications with Green Building and Development Measures.	During permit processing.	<i>Ongoing</i>
<b>Mitigation Measure B-6:</b> Implement Mitigation Measure 4.B-5 to reduce GHGs.					
<b>C. Biological Resources</b>					
<b>Mitigation Measure 4.C-1a:</b> The City shall ensure that subsequent projects in the Planning Area incorporate the following measures to reduce or avoid impacts to fish species:  <ul style="list-style-type: none"> <li>Avoid, reduce, or compensate for indirect impacts to fish species; for example, removal of riparian vegetation would require compensatory shade plantings.</li> <li>Design creek and river crossings so as to maintain connectivity and allow for unimpeded flow of water, and if at all possible avoid building piers or footings within the channel.</li> </ul>	Incorporate all specifications of this measure into project design and development to reduce or avoid impacts to fish species.	City of Napa Community Development Department; planner assigned to the project.	Ensure incorporation of all specifications of these measures into project design and development.	Prior to construction permits.	<i>Ongoing</i>
<b>Mitigation Measure 4.C-1b:</b> Pre-Construction Special-Status Avian Surveys. No more than two weeks in advance of any tree or shrub pruning, removal, or ground-disturbing activity that will commence during the breeding season (February 1 through August 31), a qualified wildlife biologist will conduct pre-construction surveys of all potential special-status bird nesting habitat in the vicinity of the planned activity. Pre-construction surveys are not required for construction activities scheduled to occur during the non-breeding season (August 31 through January 31). Construction activities commencing during the non-breeding season and continuing into the breeding season do not require surveys (as it is assumed that any breeding birds taking up nests would be acclimated to project-	The project applicant will prepare construction plans that incorporate pre-construction surveys and buffer zones. If required, avoidance procedures will be implemented.  The project applicant will hire a qualified biologist and the project applicant and its contractor(s) will engage the qualified biologist to conduct pre-construction surveys as described.	City of Napa Community Development Department; planner assigned to the project.	Approve a qualified biologist.  Review pre-construction survey reports.  If active nests are found, inspect construction site to confirm buffer zones.	No more than 14 days before start or restart of construction during the months of February to August.	<i>Ongoing</i>

TABLE 6-1 (Continued)  
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Implementation Procedures <sup>1</sup>	Monitoring Responsibility	Monitoring and Reporting Action	Monitoring Schedule	Verification of Compliance
<b>C. Biological Resources (cont.)</b>					
<p>related activities already under way). Nests initiated during construction activities would be presumed to be unaffected by the activity, and a buffer zone around such nests would not be necessary. However, a nest initiated during construction cannot be moved or altered.</p> <p><i>If pre-construction surveys indicate that no nests of special-status birds are present or that nests are inactive or potential habitat is unoccupied: no further mitigation is required.</i></p> <p><i>If active nests of special-status birds are found during the surveys: implement Mitigation Measure 4.C-1c.</i></p>					
<p><b>Mitigation Measure 4.C-1c:</b> Avoidance of active nests. If active nests of special-status birds or other birds are found during surveys, the results of the surveys would be discussed with the California Department of Fish and Game and avoidance procedures will be adopted, if necessary, on a case-by-case basis. In the event that a special-status bird or protected nest is found, construction would be stopped until either the bird leaves the area or avoidance measures are adopted. Avoidance measures can include construction buffer areas (up to several hundred feet in the case of raptors), relocation of birds, or seasonal avoidance. If buffers are created, a no disturbance zone will be created around active nests during the breeding season or until a qualified biologist determines that all young have fledged. The size of the buffer zones and types of construction activities restricted will take into account factors such as the following:</p> <ol style="list-style-type: none"> <li>Noise and human disturbance levels at the Plan area and the nesting site at the time of the survey and the noise and disturbance expected during the construction activity;</li> <li>Distance and amount of vegetation or other screening between the Plan area and the nest; and sensitivity of individual nesting species and behaviors of the nesting birds.</li> </ol>	Incorporate all specifications of this measure into project design and development to reduce or avoid impacts to active nests of special-status birds or other birds found during the surveys.	City of Napa Community Development Department; planner assigned to the project.	Ensure incorporation of all specifications of these measures into project design and development.	Prior to construction permits.	Ongoing
<b>D. Cultural Resources</b>					
<p><b>Mitigation Measure 4.D-1:</b> The City shall require that any future development under the Specific Plan meets the intent and goals of the City of Napa Downtown Historic Design Guidelines. This includes any project that would alter historic resources or would be constructed adjacent to a historic resource.</p>	Ensure that each subsequent project in the Planning Area complies with the Downtown Historic Design Guidelines.	City of Napa Community Development Department; planner assigned to the project.	Ensure compliance of individual project applications with City of Napa Downtown Historic Design Guidelines.	Prior to project approval.	Ongoing

TABLE 6-1 (Continued)  
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Implementation Procedures <sup>1</sup>	Monitoring Responsibility	Monitoring and Reporting Action	Monitoring Schedule	Verification of Compliance
<b>D. Cultural Resources (cont.)</b>					
<p><b>Mitigation Measure 4.D-2a:</b> When specific projects are proposed under the Specific Plan that involves ground-disturbing activity into native soils, the City's "Pastfinder" archaeological database shall be consulted. Recommendations provided by the "Pastfinder" database shall be implemented based on a parcel's archaeological sensitivity. In those cases where a site-specific cultural resources study is necessary, it shall be performed by qualified cultural resources professional. The study will include an updated records search, pedestrian survey of the project area, development of a historic context, sensitivity assessment for buried prehistoric and historic-period deposits, and preparation of a technical report that meets federal and state requirements. If significant resources are identified and cannot be avoided, treatment plans will be developed in consultation with the City and Native American representatives to mitigate potential impacts to less than significant.</p>	<p>The project applicant will hire a qualified cultural resources professional to conduct an evaluation, and if necessary, will prepare a site-specific cultural resources study in accordance with the specifications of this measure.</p> <p>If necessary, treatment plans will be developed in consultation with the City and Native American representatives.</p>	<p>City of Napa Community Development Department; planner assigned to project.</p>	<p>Review and approval of the cultural resources professional's technical report(s).</p> <p>If significant resources are identified and cannot be avoided, review and approval of treatment plans in consultation with Native American representatives.</p>	<p>Prior to project approval.</p>	<p>Ongoing</p>
<p><b>Mitigation Measure 4.D-2b:</b> Should any archaeological artifacts be found during construction in the Planning Area, all construction activities within 50 feet shall immediately halt and the City must be notified. A qualified archaeologist shall inspect the findings within 24 hours of the discovery. If the site is determined to contain significant cultural resources, funding will be provided to identify, record, report, evaluate, and recover the resources as necessary. Construction within the area of the find shall not recommence until impacts on the historical or unique archaeological resource are mitigated. Additionally, Public Resources Code § 5097.993 stipulates that a project sponsor must inform project personnel that collection of any Native American artifact is prohibited by law.</p>	<p>The project applicant will provide documentation to the City that project personnel were given training regarding the illegality of collecting Native American artifacts.</p> <p>If archaeological artifacts are found, project applicant and its contractor(s) will halt all construction activities within 50 feet and notify the City. Qualified archaeologist will inspect the findings within 24 hours of the discovery. Identify record, report, evaluate, and recover the resources as necessary. Upon full mitigation City will give approval for commencement of construction within the area.</p>	<p>Community Development Department; planner assigned to project, building official, and building plan checker</p>	<p>Review and approve documentation that project personnel have been trained regarding the illegality of collecting Native American artifacts.</p> <p>Ensure construction within 50 feet of found archaeological artifacts halted; ensure notification of City has occurred; review and approve selection of qualified archaeologist; review and approve archaeologist's report of recovery. Upon full mitigation of historical or unique archaeological resource(s), give approval for commencement of construction within the area.</p>	<p>Prior to demolition or grading permit (whichever occurs first); ongoing during demotion, grading, and construction.</p>	<p>Ongoing</p>

TABLE 6-1 (Continued)  
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Implementation Procedures <sup>1</sup>	Monitoring Responsibility	Monitoring and Reporting Action	Monitoring Schedule	Verification of Compliance
D. Cultural Resources (cont.)					
<p><b>Mitigation Measure 4.D-3:</b> Prior to the start of any subsurface excavations that would extend beyond previously disturbed soils, all construction forepersons and field supervisors shall receive training by a qualified professional paleontologist, as defined by the Society of Vertebrate Paleontology (SVP), who is experienced in teaching non-specialists, to ensure they can recognize fossil materials and will follow proper notification procedures in the event any are uncovered during construction. Procedures to be conveyed to workers include halting construction within 50 feet of any potential fossil find and notifying a qualified paleontologist, who will evaluate its significance. Training on paleontological resources will also be provided to all other construction workers, but may involve using a videotape of the initial training and/or written materials rather than in-person training by a paleontologist. If a fossil is determined to be significant and avoidance is not feasible, the paleontologist will develop and implement an excavation and salvage plan in accordance with SVP standards.</p>	<p>All construction forepersons, field supervisors, and construction workers shall receive training by a qualified professional paleontologist; the training shall conform to all specifications of this measure. Project sponsor will provide documentation of such trainings to the City.</p> <p>The paleontologist will develop and implement an excavation and salvage plan in accordance with the specifications of this measure.</p>	<p>City of Napa Community Development Department; planner assigned to project and building official.</p>	<p>Review and approve project sponsor's documentation of trainings of forepersons, field supervisors and all construction workers.</p> <p>Review and approve paleontologist's excavation and salvage plan.</p>	<p>Prior to demolition or grading permit (whichever occurs first); prior to the start of any subsurface excavations.</p>	<p>Ongoing</p>
<p><b>Mitigation Measure 4.D-4:</b> The treatment of any human remains and associated or unassociated funerary objects discovered during soil-disturbing activities shall comply with applicable state laws. Such treatment would include immediate notification of the Napa County Coroner. In the event of the coroner's determination that the human remains are Native American, the coroner shall notify of the Native American Heritage Commission, which would appoint a Most Likely Descendant (MLD) (PRC § 5097.98). The archaeological consultant, the Event Authority, and MLD shall make all reasonable efforts to develop an agreement for the treatment, with appropriate dignity, of any human remains and associated or unassociated funerary objects (CEQA Guidelines § 15064.5[d]). The agreement would take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. The PRC allows 48 hours to reach agreement on these matters. If the MLD and the other parties could not agree on the reburial method, the Event Authority shall follow Section 5097.98(b) of the PRC, which states that "the landowner or his or her authorized representative shall reinter the human remains and items associated with Native American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance."</p>	<p>Upon discovery of human remains and associated or unassociated funerary objects, the project applicant will immediately notify Napa County Coroner and City of Napa project planner. After such notification, the archaeological consultant, project applicant, Native Heritage Commission, and Most Likely Descendant (MID) will develop an agreement in accordance with the specifications of this measure and state law.</p> <p>If the MLD and the other parties could not, applicant will reinter the human remains in accordance with the specifications of this measure and state law.</p> <p>The project applicant will incorporate the specifications of this measure into project specifications and grading and construction plans.</p>	<p>City of Napa Community Development Department; planner assigned to project and field inspector.</p>	<p>Ensure prompt notification of Napa County Coroner; if remains are determined to be Native American, review Coroner's report to Native American Heritage Commission.</p> <p>Facilitate consultation between archaeological consultant, project applicant, Native Heritage Commission and Most Likely Descendant over the allowed 48 hours.</p> <p>If agreement is reached, review report(s) by archaeological consultant and project applicant of actions taken and final disposition of human remains and associated or unassociated funerary objects. Ensure that report(s) are provided to Most Likely</p>	<p>Ongoing during grading and construction of individual projects.</p>	<p>Ongoing</p>

TABLE 6-1 (Continued)  
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Implementation Procedures <sup>1</sup>	Monitoring Responsibility	Monitoring and Reporting Action	Monitoring Schedule	Verification of Compliance
D. Cultural Resources (cont.)					
<b>Mitigation Measure 4.D-4 (cont.)</b>			Descendant and his or her tribe, as well as to the local information center.  If agreement is not reached, review and approve project applicant's reinterment plan and archaeological consultant's report(s) on reinterment. Forward report(s) to Most Likely Descendant and his or her tribe, as well as to the local information center.		
I. Noise					
<p><b>Mitigation Measure 4.I-1a:</b> Construction contractors for subsequent development projects within the Planning Area shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically-attenuating shields or shrouds, etc.) when within 400 feet of sensitive receptor locations. Additional techniques shall include, but not be limited to the following noise control elements:</p> <ul style="list-style-type: none"> <li>Non-residential construction project activities (Monday through Friday) shall be limited to the hours of 7:00 a.m. to 7:00 p.m. with no start up of machines or equipment prior to 8 a.m. No delivery of materials nor equipment shall occur prior to 7:30 a.m. or after 5:00 p.m. No cleaning of machines or equipment shall occur after 6:00 p.m. No servicing of equipment shall occur past 6:45 p.m. Construction of weekends and holidays shall be limited to the hours of 8:00 a.m. to 4:00 p.m., unless a permit allows otherwise.</li> </ul> <p>Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used;</p>	The project applicant will incorporate the specifications of this measure into project specifications and grading and construction plans.	City of Napa Community Development Department; planner assigned to project, building official, and field inspector.	Review and approve project specifications and grading and construction plans for inclusion of specifications in this measure.  Inspect site during construction to ensure compliance with project specifications and grading and construction plans.	Prior to issuance of building and grading permit(s).  Field inspections during construction.	<i>Ongoing</i>

TABLE 6-1 (Continued)  
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Implementation Procedures <sup>1</sup>	Monitoring Responsibility	Monitoring and Reporting Action	Monitoring Schedule	Verification of Compliance
I. Noise (cont.)					
<p>this muffler shall achieve lower noise levels from the exhaust by approximately 10 dBA. External jackets on the tools themselves shall be used where feasible in order to achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever feasible;</p> <ul style="list-style-type: none"> <li>All construction equipment shall not be placed adjacent to developed areas unless said equipment is provided with acoustical shielding.</li> </ul> <p>Signs shall be posted at all construction site entrances to the property upon commencement of project construction, for the purposes of informing all contractors and subcontractors, their employees, agents, materialmen, and all other persons at the construction site, of the basic requirements of Mitigation Measures 4.1-a through 4.1-c.</p>					
<p><b>Mitigation Measure 4.1-1b:</b> Should pile-driving be necessary for a proposed project, the project sponsor would require that the construction contractor limit pile driving activity to the least disturbing hours of the day. To further mitigate pile driving and/or other extreme noise-generating construction impacts, a set of site-specific noise attenuation measures shall be completed under the supervision of a qualified acoustical consultant. No extreme noise-generating activities shall be allowed on weekends and holidays. Techniques included may include but not be limited to the following:</p> <ul style="list-style-type: none"> <li>Erect temporary plywood noise barriers around the construction site,</li> <li>Implement "quiet" pile-driving technology (such as pre-drilling of piles and the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions;</li> <li>Use noise control blankets on building structures as buildings are erected to reduce noise emission from the site;</li> <li>Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings; and</li> </ul> <p>Monitor the effectiveness of noise attenuation measures by taking noise measurements.</p>	<p>The project applicant will incorporate the specifications of this measure into project specifications and grading and construction plans.</p>	<p>City of Napa Community Development Department; planner assigned to project, building official, and field inspector</p>	<p>Review and approve project specifications and grading and construction plans for inclusion of specifications in this measure.</p> <p>Inspect site during construction to ensure compliance with project specifications and grading and construction plans.</p>	<p>Prior to issuance of building and grading permit(s).</p> <p>Field inspections during construction.</p>	<p>Ongoing</p>

TABLE 6-1 (Continued)  
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Implementation Procedures <sup>1</sup>	Monitoring Responsibility	Monitoring and Reporting Action	Monitoring Schedule	Verification of Compliance
I. Noise (cont.)					
<b>Mitigation Measure 4.I-1c:</b> The City shall condition approval of projects in the Planning Area near receptors sensitive to construction noise, such as residences and schools, such that, in the event of a justified complaint regarding construction noise, the City would have the ability to require changes in the construction practices to address the noise complaints.	Approval of permits for projects adjacent to sensitive receptors will be conditioned upon the City's ability to require changes in the construction practices to address justified noise complaints.  Project applicants will post the City's noise complaint procedure in publicly accessible locations at each construction site.	Community Development Department; planner assigned to project and code enforcement officer.	Review all noise complaints received; assess whether noise complaints are justified; alert Project Sponsor of revised construction practices.  Inspect site during construction to ensure compliance with revised construction practices.	At approval of project specifications, grading permits and building permits; ongoing during demolition, grading, construction.	<i>Ongoing</i>
<b>Mitigation Measure 4.I-3:</b> Groundborne vibration exposure to proposed Specific Plan residences within 200 feet of the mainline track shall be analyzed in a detailed vibration study by a qualified acoustical engineer to determine if vibration isolation shall be required in building design, such as supporting the new building foundations on elastomer pads similar to bridge bearing pads. The results of each study shall be submitted to the City prior to project approval.	Retain qualified acoustical engineer to determine if vibration isolation shall be required in building design; if so; incorporate such measures into project design.  Ensure that each subsequent development projects undertaken pursuant to the Specific Plan that are subject to vibration exposure, adhere to vibration study recommendations, as feasible.	Community Development Department; planner assigned to project and field inspector.	Approve consultant selection and scope of work.  Ensure project design incorporates qualified acoustical engineer's recommendations.  Review and approve project plans, demolition plans, grading plans and constructions plans for adherence to the Specific Plan's design guidelines.	Prior to project approval.  Inspect site during construction to ensure compliance with project specifications and grading and construction plans.	<i>Ongoing</i>
L. Transportation and Traffic					
<b>Mitigation Measure 4.L-1a:</b> The City shall continue to coordinate with Caltrans to install a traffic signal at the intersection of SR 29 Northbound Off-ramp / First Street or identify other acceptable alternatives to the signal. If the signal pursued, the City shall work closely with Caltrans to ensure that the signal timing is properly synchronized with the closely spaced intersection to the east at California Boulevard / First Street.	The City of Napa Public Works Department will contact Caltrans regarding the signal and work with Caltrans to address this issue.	City of Napa Public Works Department, project engineer; City of Napa community Development Department.  Caltrans.	Approval of intersection improvements by City Public Works and Caltrans.	Prior to issuance of an encroachment permit.	<i>Ongoing</i>
<b>Mitigation Measure 4.L-2b:</b> The City shall continue to coordinate with Caltrans to install a traffic signal at the intersection of SR 29 Northbound Off-ramp / First Street or identify other acceptable alternatives to the signal. If the signal pursued, the City shall work closely with Caltrans to ensure that the signal timing is properly synchronized with the closely spaced intersection to the east at California Boulevard / First Street.	City of Napa Public Works Department will contact Caltrans about regarding the signal. Private developers will pay a Street Improvement Fee which contributes funds toward the First Street Over-Crossing project.	City of Napa Public Works Department, project engineer; City of Napa community Development Department.  Caltrans.	Calculation and receipt of payment.	Prior to issuance of building permits.	<i>Ongoing</i>

TABLE 6-1 (Continued)  
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Implementation Procedures <sup>1</sup>	Monitoring Responsibility	Monitoring and Reporting Action	Monitoring Schedule	Verification of Compliance
L. Transportation and Traffic (cont.)					
<p><b>Mitigation Measure 4.L-6:</b> This mitigation measure should be applied to developments under the Specific Plan that would generate substantial multi-modal trips crossing at-grade railroad crossings that could substantially increase hazards between incompatible uses (i.e., motor vehicles and trains, or pedestrians and trains):</p> <p><b>Transportation Impact Studies (TIS) for At-grade Railroad Crossings</b> – The TIS, otherwise required to be prepared for proposed developments under this project, in accordance with standard City policies and practices, must evaluate potential impacts to at-grade railroad crossings resulting from project-related traffic. The TIS should examine whether the proposed project would generate substantial multimodal trips crossing at-grade railroad crossings that could substantially increase hazards between incompatible uses (i.e., motor vehicles and trains, pedestrians and trains), which may include a Diagnostic Review for each railroad crossing.</p> <p>If required, the Diagnostic Review must be completed with all affected properties and Stakeholders, in coordination with the California Public Utilities Commission (CPUC). It will include: roadway and rail descriptions; collision history; traffic volumes for all modes; train volumes; vehicular speeds; train speeds; and existing rail and traffic controls. Based on the Diagnostic Review and the number of projected trips, the TIS will evaluate if the proposed project increases hazards at the crossing. For example, vehicle traffic generated by the proposed project may cause vehicle queuing at intersections resulting in traffic spilling back onto at-grade railroad crossings.</p> <p>Where the TIS identifies substantially hazardous crossing conditions caused by the proposed project, mitigations relative to the project’s contribution to the crossing as necessary shall be applied through project redesign and/or incorporation of improvements to reduce potential adverse impacts. Proposed improvements must be coordinated with CPUC and affected railroads and all necessary permits/approvals obtained, including a GO 88-B Request (Authorization to Alter Highway Rail Crossings). These improvements may include:</p> <ul style="list-style-type: none"> <li>• Installation of additional warning signage;</li> </ul>	<p>The project applicant will retain a qualified transportation engineer to prepare a <i>Transportation Impact Study (TIS) for At-grade Railroad Crossings</i> that adheres to all specifications of this measure.</p> <p>Where the TIS identifies substantially hazardous crossing conditions caused by the proposed project, the project applicant will incorporate mitigations (relative to the project’s contribution) to the crossing(s) as recommended by the TIS.</p>	<p>Community Development Department; planner assigned to project, in coordination with the Public Works Department; project engineer.</p>	<p>Review and approve selection of qualified transportation engineer.</p> <p>Prior to approval of project plans, ensure incorporation of mitigation to the affected crossing(s) as recommended by the TIS.</p>	<p>During permit processing.</p>	<p>Ongoing</p>

TABLE 6-1 (Continued)  
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Implementation Procedures <sup>1</sup>	Monitoring Responsibility	Monitoring and Reporting Action	Monitoring Schedule	Verification of Compliance
L. Transportation and Traffic (cont.)					
<ul style="list-style-type: none"> <li>• Improvements to warning devices at existing rail crossings;</li> <li>• Installation or improvement to automobiles and/or pedestrian control gates;</li> <li>• Installation of concrete panels to provide a smooth crossing surface;</li> <li>• Reduction in the flangeway gap to improve pedestrian and bicyclist safety;</li> <li>• Installation of median separation to prevent vehicles from driving around railroad crossings;</li> <li>• Improvements to traffic signaling at intersections adjacent to crossings (e.g., signal preemption);</li> <li>• Prohibition of parking within 100 feet of the crossings to improve the visibility of warning devices and approaching trains;</li> <li>• Where soundwalls, landscaping, buildings, etc. would be installed near crossings, maintain the visibility of warning devices and approaching trains;</li> <li>• Elimination of driveways near crossings;</li> <li>• Installation of vandal-resistant fencing or walls to limit the access of pedestrians onto the railroad right-of-way.</li> </ul> <p>This mitigation measure would be applied by the City on a development project (case-by-case) basis, as appropriate. The incorporation of improvements identified in this mitigation measure could reduce the project's impact to the at-grade railroad crossing to a less-than-significant level.</p>					



August 22, 2023

Planning Director  
City of Napa  
P.O. Box 660  
Napa, CA 94559

SUBJECT: 22-0137 First & Oxbow Hotel DR & UP, REFRL-001395, Andrew Wood, 730 Water St (Dilley)

NapaSan has reviewed the above named application, which will be reviewed at an Interdepartmental Staff Meeting.

The owner shall pay to NapaSan the prevailing fees and charges in effect as established by Resolutions and Ordinances before the issuance of a City Building Permit, and shall adhere to the rules and regulations as they apply to the application.

NapaSan has identified the following comments based on the current application. NapaSan reserves the right to modify the following conditions/comments based on changes to future applications or changes to the project site plan.

The proposed project shall be subject to the following conditions of approval:

1. A NapaSan permit is required for this project. A plan showing the required sanitary sewer improvements, conforming to NapaSan standards, shall be prepared by a registered civil engineer and shall be submitted to NapaSan for approval.
2. The owner shall obtain a demolition permit from NapaSan prior to removal of the existing buildings. Demolition credits shall be valid for a period of two years from the date the demolition permit is issued, unless the owner elects to continue paying sewer service charges after issuance of the demolition permit. Contact NapaSan for more information about demolition credits. The owner will be required to hire a Class A licensed contractor to cut and cap all of the existing laterals at the connection to the main.
3. The sanitary sewer system in First Street may require upgrading. The limits would be determined by NapaSan after further study conducted by the owner. All costs associated with the study and any required upgrades shall be borne by the owner. The owner shall enter into an improvement agreement with NapaSan and post the appropriate bonds covering the sanitary sewer work.

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4. Napa Sanitation District adopted a Collection System Master Plan (CSMP) in February 2021. The growth projections in the CSMP are consistent with the City of Napa General Plan, the Napa County General Plan, and the General Plan Update in progress at that time. This project is being developed at an intensity greater than was specified in the City of Napa General Plan. The CSMP identified several trunk pipelines in existing collection systems that have capacity deficiencies during wet weather flow conditions directly related to inflow/infiltration (I&I). This project is upstream of pipelines that were identified by the CSMP as lacking sufficient wet weather capacity. Development of this property may increase projected sewer flows. Development of this property may create additional impacts to the downstream trunk pipeline that were not considered in the CSMP. NapaSan will require the project to participate in an I&I reduction project consistent with the requirements of Napa Sanitation District Board Resolution 21-006. Contact NapaSan for additional information.
5. Sanitary sewer facilities are required to have a minimum of 36" of cover at all points within the public right of way. The proposed sanitary sewer facilities shall be designed to meet this requirement.
6. A grease interceptor will be required for any restaurant or food service types of use.
7. Should there be a drain in the trash enclosure, it shall be connected to the grease interceptor serving the building and the trash enclosure shall meet NapaSan standards. Contact NapaSan for more information.
8. The appropriate language shall be included in the CC&Rs regarding maintenance of common sanitary sewer laterals serving multiple parcels. A draft set of CC&Rs shall be submitted to NapaSan for review and approval. NapaSan reserves the right to require each parcel or condominium unit to be served by a separate sanitary sewer lateral.
9. No floor drains are allowed in the building except in the restroom and food service areas.
10. Discharge lines from the elevator sump pits shall not be connected to the sanitary sewer system.
11. Should there be a drain in the below grade parking area, it shall be connected to a sand and oil separator and shall meet NapaSan standards. The drain shall not be connected to a grease interceptor. The entrance of the parking structure shall be sloped away from the building and stormwater shall not enter the sanitary sewer system. Contact NapaSan for more information.



12. No plumbing from outdoor pool/spa areas or water features shall be connected to the sanitary sewer system.
13. All roof top plumbing fixtures shall be located under a covered area which extends past any open side a distance equal to 1/2 the height of the opening and shall be graded to slope away from the opening. Contact NapaSan staff for more information.
14. NapaSan has Best Management Practices (BMPs) for specific industries/businesses which contain proven practices for reducing pollution in wastewater. Some BMPs are mandatory. The proposed project shall comply with mandatory BMPs. All sewer discharges from the proposed development shall meet the Local Limits for constituents of concern established by NapaSan.
15. Each parcel shall be served by a separate sanitary sewer lateral. Commercial and residential/hotel uses shall be served by separate sanitary sewer laterals extending from the building to the sewer main.
16. Trees shall not be located within 10' of sewer pipes.
17. Bioretention areas shall not be located within 5' of sanitary sewer pipes.
18. There is an existing 4" diameter sewer force main located on the subject parcels. The force main is no longer in service. The owner or developer shall remove or abandon the force main within the extent of the subject parcels per NapaSan requirements.
19. The proposed development would be subject to the following fees, based on the rates in effect at the time they are paid:
  - a. Agreement Fees
  - b. Demolition Permit Fees
  - c. Plan Check Fees
  - d. Inspection Fees
  - e. Capacity Charges (based on use and square footage for commercial space. Outdoor dining and event space is included in the square footage)
  - f. Capacity Charges (per unit for transient occupancy)
20. NapaSan has updated sanitary sewer and recycled water standard specifications and details. The updated specifications and details are available online at NapaSan's website ([www.NapaSan.com](http://www.NapaSan.com)). NapaSan may revise the standard specifications and details at any time. It is the responsibility of the engineer, contractor, and developer to verify that



they are in possession of the current version of the standards prior to design and construction of sanitary sewer and recycled water improvements.

The capacity charge for an equivalent dwelling unit currently is \$11,519 and will increase by the Consumer Price Index (CPI) annually in July. Commercial capacity charges are determined per NapaSan Code Section 5.02.030.B. Contact NapaSan Staff at (707) 258-6030 or [mfitch@napasan.com](mailto:mfitch@napasan.com) for additional information.

Sincerely,

A handwritten signature in black ink that reads "Michael Fitch".

Michael Fitch  
Assistant Engineer

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