5.7 Hazards and Hazardous Materials

This section provides an analysis of risks to the public and the environment posed by the proposed Project related to hazards and hazardous materials. A “material” is defined as hazardous if it appears on a list of hazardous materials prepared by a federal, state, or local regulatory agency, or if it has characteristics defined as hazardous by such an agency. Information in this section is based in large part on a Phase I Environmental Site Assessment (Phase I ESA) prepared by National Due Diligence Services (NDDS) dated February 3, 2015. The assessment was conducted utilizing generally accepted ESA industry standards in general accordance with ASTM Standard E1527-13, Standard Practice for Environmental Site Assessments: Phase I ESA Process. The Phase I ESA, including appendices, is included herein as Appendix J.

5.7.1 Existing Conditions

1. Project Setting and Existing Use

The Project is located in an incorporated commercial and undeveloped area of the City of Napa, Napa County and consists of three irregular-shaped parcels of land that total approximately 11.55 acres. The parcels are structurally vacant with generally open land covered with grasses and limited trees. As reported in the Phase I ESA, the property appears to have been historically developed with a farm in the southern portion during the 1940s but the farm was removed and the property has remained undeveloped since at least 1958.

2. Topography

The United States Geological Survey (USGS), Napa California Quadrangle 7.5 minute series topographic map was reviewed for the Phase I ESA. Based on the USGS map, the Project is located in an area of low rolling hills that is approximately 21 feet above mean sea level (AMSL). According to the Soil Survey of Napa County, California from the U.S. Department of Agriculture, Natural Resource Conservation Service, the soils are composed of Coombs gravelly loam, which has slopes of approximately 2% to 5%. The geology of the site is summarized as volcanic flow rocks with minor pyroclastic deposits of the Tertiary period.

3. Hydrology

Information obtained from the Soil Survey of Napa County, California USDA, NRCS website, indicated that the depth to the high groundwater table is estimated to be greater than 80 inches below the ground surface. Information specific to the Project site was not available. Based on local topography, groundwater in the general vicinity of the Project is inferred to flow radially to the west/northwest. The City of Napa Water District provides the Project and the vicinity with public water. Groundwater beneath the Project site is not utilized for domestic and/or commercial purposes.
4. **Other Service Systems**

Sanitary discharges from the Project site are discharged into the municipal sanitary sewer system operated by the Napa Sanitation District. PG&E provides electricity and natural gas to the area. Solid waste is collected by independent contractors.

5.7.2 **Regulatory Setting**

In the 1980s following a judicial decision related to liability of property owners to effect site cleanup, the demand for Phase I and II Environmental Site Assessments increased significantly. Consistent with the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), the courts have held that remediation for hazardous substances is required and a Phase I ESA is the tool by which hazardous substances are identified prior to approval and construction of a development. In 1998, Congress approved the Superfund Cleanup Acceleration Act of 1998 requiring purchasers of commercial property to perform a Phase I study meeting the specific standard of ASTM E1527: Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process.

The Phase I ESA is generally considered the first step in the process of environmental due diligence. Standards for performing a Phase I site assessment have been promulgated by the US Environmental Protection Agency and are based in part on ASTM in Standard E1527-13. If a site is considered contaminated a Phase II ESA, which is a more detailed investigation involving chemical analysis for hazardous substances, is conducted.

On a local level, the City of Napa Fire Department is responsible for inspecting facilities containing toxic and/or hazardous materials. The Fire Department will review the Project plans to ensure all policies and regulations related to state and local codes will be enforced for both fire protection and presence or use of hazardous materials.

Proximity to airports is considered a hazard depending on the site location in relation to flight paths, noise and proposed building heights. The Project is not located within the Napa Valley Airport flight plan area. However, the Napa County Airport Land Use Compatibility Plan (ALUCP) shows the Project site is within compatibility zones C, D and E, which are the least restrictive zones. A consistency analysis of the Project’s land uses related to the Napa County Airport ALUCP is contained in Section 5.7.4, Subsection 3, Aircraft Hazards (page 5.7-16. Section 5.9, Land Use and Planning evaluates Project ALUCP consistency with the Health and Safety Element of the General Plan.

5.7.3 **Thresholds of Significance**

For the purpose of this DEIR, the thresholds of significance for evaluation of project impacts are based upon suggested criteria from the City of Napa Environmental Checklist and the California Environmental Quality Act (CEQA) Environmental Checklist found within Appendix G of the CEQA Guidelines. This Project would result in a significant impact if it would:

   a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials
b) 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

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area

f) For a project within the vicinity of private airstrip, result in a safety hazard for people residing or working in the project area

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan

h) Expose people or structures to a significant risk or loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands

The City's General Plan, Chapter 8 - Health and Safety - discusses hazardous materials in terms of hazardous wastes resulting from manufacturing and processing goods. The City of Napa Fire Department is a part of the Napa Interagency Hazard Incident Team. The response team responds to uncontrolled releases, identifies the category of chemicals involved, contains the spill if possible, oversees cleanup activities and makes sure that the site is safe to be occupied again. In addition, the County Department of Environmental Management (DEM) coordinates with the County Agricultural Commissioner Office (ACO) to implement various hazardous materials programs. The General Plan includes the following Policies to reduce the risks to health and safety from hazardous wastes:

**HS-7.1** The City shall continue to monitor, modify if necessary and implement goals of the Household Hazardous Wastes Element.

**HS-7-2** The City shall support the Countywide Integrated Solid Waste Management Plan.

**HS 7-4** The City shall seek to further develop and support policies such as green chemistry and Extended Producer Responsibility that will reduce the overall generation of hazardous wastes and/or provide more sustainable funding and collection opportunities for the local residents and businesses.

### 5.7.4 Project Impacts Prior to Mitigation

Information from standard federal and state environmental record sources was provided through Environmental Data Resources, Inc. (EDR). Data from governmental agency lists are updated and integrated into one database by EDR. Records from one government source are compared to records from others to clarify any ambiguities for the property being researched. The demographic and geographic information available provides assistance in identifying and managing risk with an accuracy of approximately ±300 feet for geocoded locations. The records review included the following:
Federal National Priorities List (NPL) – NPL is the Environmental Protection Agency (EPA) database of uncontrolled or abandoned hazardous waste sites identified for priority remedial actions under the Superfund Program. The Project site is not listed as an NPL facility and none are listed within the prescribed research radii.

Federal Delisted NPL Sites – These are sites previously on the NPL list which have been remediated and have been removed from the EPA’s priority list. The Project site is not listed as a Delisted NPL facility and no such facilities are within the prescribed research radii.

Federal Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) – This list is a compilation of sites that EPA has investigated or is currently investigating for a release or threatened release of hazardous substances. The Project site is not listed as a CERCLIS facility. However, Napa Pipe Corp. is listed as a CERCLIS facility and is located to the northwest at a distance of approximately 2,493 feet. However, the facility appears to be located in a different hydrogeological flow area, which appears to be down gradient relative to the Project site. The Napa Pipe site was considered low priority for further assessment in 1990.

Federal CERCLIS No Further Remedial Action Planned Sites List (NFRAP) – This list is a compilation of sites that the EPA has investigated and has determined does not pose a threat to human health or the environment under the CERCLA framework. The Project site is not listed as a CERCLIS-NFRAP facility and no properties within the prescribed research radii are listed.

Federal Resource Conservation and Recovery Act (CORRACTS) Facilities List (RCRA) – The RCRA Program identifies and tracks hazardous waste from the point of generation to the point of disposal. The RCRA Treatment, Storage and Disposal (TSD) database is a compilation by the EPA of reporting facilities that treat, store or dispose of hazardous waste. The CORRACTS database is the EPA’s list of treatment storage or disposal facilities subject to corrective action under RCRA. The Project site is not listed as a RCRA CORRACTS TSD facility and no such facilities are listed as being within the prescribed research radii.

Federal Resource Conservation and Recovery Act (RCRA) Non-CORRACTS TSD Facilities List – The RCRA TSD database is a compilation by the EPA of reporting facilities that treat, store or dispose of hazardous waste. The Project site is not listed as an RCRA-TSD facility and no such facilities are listed within the prescribed research radii.

Federal RCRA Generator List – The RCRA program identifies and tracks hazardous waste from the point of generation to the point of disposal. The RCRA Generators database is a compilation by the EPA of reporting facilities that generate hazardous waste. The Project site is not listed as a RCRA facility and no such facilities are listed on an adjacent property.

Federal Institutional Control/Engineering Control Registries – The Federal Institutional Control/Engineering Control Registries is a database used to record
institutional controls, land use restrictions and engineering control requirements on contaminated properties. No Federal Institution Control or Engineering Controls were listed for the Project site.

**Federal Emergency Response Notification System (ERNS)** – The ERNS system is a national database used to collect information on reported release of oil or hazardous substances. No ERNS sites were listed on the Project site or on the adjacent properties.

**State and Tribal Priority List (NPL Equivalent)** – The California Department of Environmental Protection (CAL/DEP) maintains a State NPL-equivalent list of sites under investigation that could be and/or are potentially contaminated and present a possible threat to human health and the environment. The Project site is not listed as a State NPL-equivalent facility and no such facilities are listed within the prescribed research radii.

**State and Tribal CERCLIS-Equivalent List** – The CAL/DEP maintains a State CERCLIS-equivalent List of sites under investigation that could be actually or potentially contaminated and presenting a possible threat to human health and the environment. The Project site is not listed as a State CERCLIS-equivalent facility. However, two State CERCLIS-equivalent facilities are listed as being within the prescribed search radii:

- NOVA Group, Inc., 741 Napa Vallejo Highway, is listed as a CERCLIS-equivalent facility by the CAL/DEP. Based on its location, the facility appears to be in a different hydrogeological flow area which appears to be cross gradient relative to the Project site. NDDS concludes that this facility is not a concern to the Project site due to its cross gradient location, the suburban nature of the surrounding area and the fact that the responsible party is identified.

- Napa Pipe-SLIC/Sub15, 1052 Kaiser Road, is listed as CERCLIS-equivalent facility by the CAL/DEP and is generally located approximately 2,493 feet northwest of the Project site. Based on its location, the facility appears to be located in a different hydrogeological flow area which appears to be down gradient relative to the Project site. NDDS concludes that this facility is not a concern to the Project due to its down gradient location, the suburban nature of the surrounding area and the fact that the responsible party is identified.

**State and Tribal Solid Waste/Landfill Facilities (SWF/FLU)** – A database of SWF/LF is prepared by the CAL/DEP. The Project is not listed as a SWF/LF facility and no such facilities are listed within the prescribed research radii.

**State and Tribal Leaking Underground Storage Tank List (LUST)** – The CAL/DEP compiles lists of all leaks of hazardous substances from underground storage tanks. The Project site is not listed as a LUST facility. Two LUST facilities are listed within the prescribed search radii as follows:

- Kaiser Permanente, 2600 Napa Valley Corporate Drive, is listed as a LUST facility by the CAL/DEP. The site is located approximately 1,048 feet northwest of the Project site and is identified in the EDR report as a case closed LUST facility as of October 12, 2009. The facility appears to be located in a different hydrogeological
flow area down gradient relative to the Project site. NDDS concludes that this facility is not a concern to the Project site due to its status, down gradient location, the suburban nature of the surrounding area and the fact that the responsible party is identified.

Napa Pipe-SLIC/Sub15, 1025 Kaiser Road, is listed as a CERCLIS-equivalent facility by the CAL/DEP and is listed as a LUST facility by the CAL/DEP and is generally located approximately 2,587 feet to the north of the Project site. It is identified in the EDR report as a case closed LUST facility as of July 21, 2009. The facility appears to be located in a different hydrogeological flow area, which appears to be down gradient relative to the Project. NDDS concludes that this facility is not a concern to the Project due to its down gradient location, the suburban nature of the surrounding area and the fact that the responsible party is identified.

**State and Tribal Underground Storage Tank List (UST)** – The CAL/DEP compiles a list of UST locations. The Project site is not listed as a registered UST facility and none are listed on the adjoining/adjacent properties.

**State and Tribal Institutional Control/Engineering Control Registries** – The CAL/DEP compiles a list of Institutional Control and Engineering Controls. The Project site is not listed as having an Institutional Control or Engineering Control.

**State and Tribal Voluntary Cleanup Sites** – The CAL/DEP compiles a list of Voluntary Cleanup Sites (VCS). The Project site is not listed as a VCS and no such sites are listed within the prescribed research radii.

**State and Tribal Brownfields Sites** – The CAL/DEP compiles a list of Brownfields Sites. The Project is not listed as a Brownfields Site and none are listed within the prescribed research radii.

**Dry Cleaners** – The CAL/DEP and its sub-agencies compile lists of Dry Cleaner Sites. The Project is not listed as a Dry Cleaner facility and no such sites are within the prescribed search radii.

**Spills** – The CAL/DEP and its sub-agencies compile a list of Spill Sites. The Project site is not listed as a Spill Site.

**California Hazardous Material Incident Report System (CHMIRS)** – The CAL/DEP and its sub-agencies compile lists of CHMIRS facilities that have disposed of hazardous materials or had reported hazardous material incidents (accidental releases or spills). The Project site is not identified on the CHMIRS lists.

**Napa County Masters List (NCML)** – Napa County compiles a list of facilities that have deposited hazardous materials. The disposal can be either a one-time event or an ongoing operation. The Project site is not identified on the NCML list.
1. **Hazardous Materials**

A Phase I ESA was prepared by NDDS in February 2015 to identify apparent and potential sources of contamination that, by their association or proximity to the Project site, could represent a recognized environmental condition (REC), Controlled REC (CRECs), and/or Historical REC (HRECs) as defined by the American Society for Testing and Materials (ASTM) Standard No. E1527-13. “REC,” “CREC,” and “HREC” are defined as follows:

- An REC is the presence of likely presence of any hazardous substances or petroleum products in, on or at a property under the following conditions: 1) due to any release to the environment; 2) under conditions indicative of a release to the environment, or 3) under conditions that pose a material threat of a future release to the environment. As such, de minimus conditions are not RECs.

- A CREC is an REC resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority (e.g. as evidenced by the issuance of a no further action letter or equivalent, or meeting risk-based criteria established by the regulatory authority), with hazardous substances or petroleum products allowed to remain in-place subject to the implementation of required controls (e.g., property use restrictions, activity and use limitation, institutional controls, or engineering controls).

- An HREC is a past release of any hazardous substances or petroleum product that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls (e.g., property use restrictions, activity and use limitation, institutional controls or engineering controls).

The Phase I ESA permits the user to satisfy one of the requirements to qualify for the innocent landowner, contiguous property owner or bona fide prospective purchaser limitations identified as liability under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) (42 U.S.C. §9601). ASTM Standard E1527-13 constitutes “all appropriate inquiry into the previous ownership and uses of the property consistent with good commercial or customary practice” as defined at 42 U.S.C. §9601(35)(B).

The scope of work included:

- Site reconnaissance (1/25/14 and 9/1/14) to visually assess current site utilization, potential on-site use or storage of hazardous materials and indications of surface and subsurface contamination.
- Review of local geology and hydrogeology using readily available data.
- Review of current and historical conditions and uses of the site and immediate vicinity using available resources, including:
  - Historical aerial photographs and topographic maps,
  - Environmental and geologic reports and maps
  - State and federal government databases, and
  - Local agency files.
The site visits were conducted on January 25, 2014 by Matt Christensen and September 24, 2014 by Michael K. Stewart of NDDS. The purpose of the site visits was to assess the possible presence of petroleum products and hazardous materials on the site and to visually search for indications of surface and subsurface contamination. Observations made at that time included:

- None of the following were observed on the site:
  - Hazardous materials and/or petroleum products
  - Above-ground or underground storage tanks
  - Solid waste containers
  - Structures on the property
  - Water wells or cisterns
  - Oil or gas wells
  - Indications of industrial wastewater disposal or treatment facilities
  - Evidence of releases of hazardous materials and petroleum products
  - On-site transformers
  - Evidence of on-site landfilling
  - On-site pits, ponds or lagoons
  - Sumps or catch basins other than for storm water removal
  - Radiological substances or equipment
  - Settling ponds, lagoons, surface impoundments, wetlands or natural catch basins

The Project site is structurally vacant with generally open land covered with grasses and limited trees. Surface water drainage from the property is via sheet flow to the northwest. No hazardous materials are generated on the property. A review of the standard historical sources did not yield evidence that storage tanks or vessels used for the storage of hazardous materials or petroleum products were present on the adjoining properties.

The Project site is connected to the City of Napa Water District. The 2011 Water Quality Report stated that the drinking water supplied to the site is within state and federal standards, including lead and copper.

Flood Insurance Rate Map No. 306055C0519F dated September 29, 2010, shows the Project site is located in Flood Zone "X," which consists of areas outside the 100- and 500-year flood zones.

The Phase I ESA also included the following analysis.

**Asbestos Containing Materials (ACM)**

Asbestos is the name given to a number of naturally occurring, fibrous silicate minerals mined for their useful properties such as thermal insulation, chemical and thermal stability and high tensile strength. Asbestos is commonly used as an acoustic insulator, in thermal insulation, fire proofing and in other building materials. Exposure to airborne friable asbestos may result in a potential health risk because persons breathing the air may breathe in asbestos fibers. Continued exposure can increase the
amount of fibers that remain in the lungs. Fibers embedded in lung tissue over time may cause serious lung diseases including: asbestosis, lung cancer, or mesothelioma.

The Occupational Safety and Health Administration (OSHA) regulation 29 CFR 1926.1101 requires certain construction materials be presumed to contain asbestos for purposes of this regulation. All thermal system insulation (TSI), surfacing material and asphalt/vinyl flooring that is present in a building constructed prior to 1980 are identified as “suspect asbestos-containing material” (SACM) if they have not already been appropriately tested. In addition, constructed materials, which contain SACMs were known to have been used in building construction until at least 1990.

No structures were observed on the Project site; therefore, an asbestos evaluation was not required. However, if the site is ever developed and/or utilized as a school, learning center and/or day care facility, asbestos testing will be required.

**Radon Gas**

Radon gas is a product of the decay series that begins with uranium. Radon is produced directly from radium, which can be commonly found in bedrock that contains black shale and/or granite. Radon gas can migrate through the ground and enter buildings through porous concrete or fractures and tends to accumulate in poorly ventilated basements. Long-term exposure to radon has been associated with lung cancer.

An evaluation of radon gas potential on the Project site was performed utilizing the research results available from the USEPA. The USEPA has designated three radon potential zones. Zone 1 is an area with the average predicted indoor radon concentration in residential dwellings exceeding the EPA Action limit of 4.0 PicoCuries per Liter (pCi/L). Zone 2 is an area with average predicted indoor radon concentration of 2.0-4.0 pCi/L. Zone 3 is an area with an average predicted indoor radon concentration in residential dwellings below 2.0 pCi/L.

The EPA has found homes with elevated levels of radon in all three zones and recommends site specific testing in order to determine radon levels at a specific location. Napa County is located in Zone 3 of the USEPA’s Radon Map (EPA-402-R-93-071) for the State of California. If the Project site is ever developed and/or utilized as a residential development, school, learning center and/or day care facility, radon testing will be required.

**Lead-Based Paint (LBP)**

Lead is a highly toxic metal that affects virtually every system of the body. While adults can suffer from excessive lead exposures, the groups most at risk are fetuses, infants and children under six. Congress passed the Residential Lead-Based Pain Hazard Reduction Act of 1992, also known as “Title X”, to protect families from exposure to lead from paint, dust and soil. Section 1018 of this law directed the Housing and Urban Development (HUD) and the USEPA to require the disclosure of known information on lead-based paint (LBP) and LBP hazards before the sale or lease of most housing built
before 1978. Sellers, landlords and their agents are responsible for providing this information to a buyer before sale or lease.

According to Section 1017 of Title X, “LBP hazard is any condition that causes exposure to lead from lead-contaminated dust, bare, lead-contaminated soil or LBP that is deteriorated or intact LBP present on accessible surfaces, friction surfaces or impact surfaces that would result in adverse human health effects.” Therefore, under Title X intact lead-based paint on most walls and ceilings is not considered a “hazard,” although the condition of the paint should be monitored and maintained to ensure that it does not become deteriorated. LBP is defined as any paint, varnish, stain or other applied coating that has 1 mb/cm² (or 5,000 µg/g by weight) or more of lead.

No structures were observed on the Project site. As such, an LBP evaluation was not required. However, if the property is ever developed and/or utilized as a school, learning center, and/or day care facility, then LBP testing will be required.

Mold Evaluation

A limited visual inspection for the conspicuous presence of suspect mold growth was performed as part of the Phase I ESA. A class of fungi, molds has been found to cause a variety of health problems in humans, including allergic, toxicological and infectious responses. Molds are decomposers of organic materials and thrive in humid environments, producing reproductive spores just as plants produce seeds. Mold growth will often occur when excessive moisture or water accumulates indoors, particularly if the moisture remains undiscovered or unaddressed. When mold spores land on a damp spot indoors, they may begin growing and digesting whatever they are growing on in order to survive. Building materials including drywall, wallpaper, baseboards, wood framing, insulation and carpeting often play host to such growth.

The Phase I ESA provided recommendations from EPA to prevent the growth of mold in buildings. Because there are no existing buildings on the Project site, the following is included for information purposes only.

- Fix leaky plumbing and leaks in the building envelope as soon as possible
- Watch for condensation and wet spots. Fix source(s) of moisture problem(s) as soon as possible
- Prevent moisture due to condensation by increasing surface temperature or reducing the moisture level in the air (humidity). To increase surface temperature, insulate or increase air circulation. To reduce the moisture level in air, repair leaks, increase ventilation (if outside air is cold and dry) or dehumidify (if outdoor air is warm and humid)
- Keep heating, ventilation and air conditioning (HVAC) drip pans clean, flowing properly and unobstructed
- Vent moisture-generating appliances, such as dryers, to the outside where possible
- Maintain low indoor humidity, below 60% relative humidity (RH), ideally 30-50%, if possible
- Perform regular building/HVAC inspections and maintenance as scheduled
• Clean and dry wet or damp spots within 48 hours
• Do not let foundations stay wet. Provide drainage and slope the ground away from the foundation

**Vapor Migration Screening (VMS)**

NDDS conducted a Vapor Encroachment Screen and identified the Project site as a future concern. A copy of the Vapor Encroachment Screen report is included in Appendix to the Phase I ESA.

**Historical Use Information**

As noted, the property appears to have been historically developed with a farm during the 1940s but the property has remained undeveloped since at least 1958. Review of standard historical sources did not yield evidence that storage tanks or vessels used for the storage of hazardous materials or petroleum products were present on the adjoining properties.

   a) Years 1940 & 1947 - property generally appears to be developed with a residence and agricultural use in the southern portion
   b) Year 1958 - property generally appears to be undeveloped land
   c) Years 1968, 1972, 1982 - property generally appears to be undeveloped land
   d) Year 1993 - property generally appears to be undeveloped land
   e) Years 1998, 2005, 2006, 2009, 2010 - property generally appears to be undeveloped land
   f) Year 2012 - property generally appears to be undeveloped land

2. **Sanborn Fire Insurance Maps** - Sanborn Fire Insurance Maps were originally created for assessing fire insurance liability in urbanized areas throughout the United States. The maps include detailed records regarding town and building information in approximately 12,000 U.S. towns and cities from 1867 to 1970. From an environmental standpoint, the map collection is a useful aid in documenting historical property developments of environmental concern such as dry cleaning facilities, gas stations, manufacturing plants, etc. According to EDR, no Sanborn Maps of the Project site were available.

3. **City Directories** - A City Directory Abstract from EDR was reviewed for past names and businesses that were listed for the Project site and adjoining properties. There were no listings for years 1923, 1929, 1935, 1942, 1947, 1954, 1960, 1965, 1970, 1975, 1981 and 1990.

4. **Historical Topographic Maps** - The U.S. Geological Survey (USGS), Napa, California Quadrangle 7.5-minute series topographic maps were reviewed. The topographic
maps were published by the USGS in 1968, 1973 and 1980 and obtained through EDR. For each of the years noted, the site generally appears to be undeveloped land. The adjoining land also appears to be undeveloped.

5. Additional Historical Record Sources - No additional environmental record sources were reviewed by NDDS.

6. Prior Assessment Reports - No prior environmental reports were reviewed by NDDS.

Historical Use Information on Adjoining Properties

Review of the standard historical sources listed above resulted in the following summary of uses for the adjoining properties.

- North – Prior to its current use as commercial property, the property was undeveloped land.
- East – Historically undeveloped land and agricultural use
- South – Prior to its current use as commercial property, the property was undeveloped land.
- West – Prior to its current use as commercial property, the property was undeveloped land.

NDDS observed the following related to uses on adjacent properties during the vicinity reconnaissance.

- Storage Tanks – No evidence of ASTs and/or USTs on the adjoining/adjacent properties
- Transformers/PCGs – At least three pad-mounted electrical transformers were located on the adjoining/adjacent properties. Based on their locations, NDDS determined they are not a concern for the Project site.
- Petroleum Products/Hazardous Materials – Limited reconnaissance did not indicate the improper use, storage or handling of petroleum products and/or hazardous materials on adjoining/adjacent properties.

Additional Environmental Record Sources

NDDS requested information regarding the presence of activity and use limitations (AULs) from the agencies listed below. As defined by ASTM Standard E1527-13, AULs are the legal or physical restrictions or limitations on the use of, or access to, a site or facility: 1) to reduce or eliminate potential exposure to hazardous substances or petroleum products in the soil or groundwater on the property; or 2) to prevent activities that could interfere with the effectiveness of a response action, in order to ensure maintenance of a condition of no significant risk to public health or the environment. These legal or physical restrictions, which may include institutional and/or engineering controls (IC/ECs) are intended to prevent adverse impacts to individuals or populations that may be exposed to hazardous substances and petroleum products in the soil or groundwater on the property.
1. County Recorder/Assessor - According to the Napa County Tax Assessor's Office, no AULs are listed and/or recorded against the Project site.

2. Fire Officials - Records from the City of Napa Fire Marshal's Office were requested for information pertaining to the presence of USTs, the use of hazardous materials and/or AULs at the Project site. Based on their review, no USTs and/or hazardous materials reports were on file.

3. Building Department - Records from the City of Napa Building/Planning Department were requested for information pertaining to the developmental history of the Project site and for the presence of documentation relative to USTs. Based on their review, no UST documents were on file and the Project site is listed as undeveloped land.

**Agency Contacts**

NDDS contacted the site manager, who confirmed that there were no known environmental issues related to the Project site. To the best of their knowledge, the contact person was not aware of any environmental liens associated with the site. Local government agencies contacted included:

- City of Napa Fire Marshal's Office
- Napa Building/Zoning Department
- Napa County Tax Assessor’s Office

No hazardous materials or environmental issues on the Project site were identified by any of the local agencies contacted.

2. **Regional Fire Setting**

The City's General Plan notes that Napa is characterized by a narrow valley floor surrounded and intermingled with steep, hilly terrain. Certain areas are very susceptible to wildland fires in the City's hilly areas characterized by steep slopes, poor fire apparatus access, inadequate water pressure and highly flammable vegetation.

The City has adopted the California Fire Code firefighting regulations to protect life and property from wildland fires. Among the policies identified in the General Plan are provision of adequate access roads, on-site fire protection systems, signage, ignition resistant building materials and defensible space. The City's major fire hazard areas are depicted on Exhibit 5.7-1, Wildland Urban Interface (WUI) Fire Hazard Areas. As shown on the map, the Project site, which lies at the southeast boundary of the City, is removed by some distance from the nearest WUI and has low potential for impacts from wildfires. The Project site's proximity to fire hazard areas is shown on the exhibit.

The City's General Plan provides updated maps depicting the WUI and, as shown on the exhibit, the most recent update was 2009. Since that time, Napa County experienced outbreaks of several fires in the fall of 2017. Exhibit 5.7-2, 2017 Napa Fire Complex Status Map, depicts the locations of the fires as of October 13, 2017. As shown, the Project site was within close proximity to fire perimeters but was not an active burn area. State and local codes and regulations require compliance with measures to reduce fire hazards for new construction. The Project will be required to comply with all applicable building codes for fire-safe construction.
Chapter 5 – Environmental Setting, Impacts, and Mitigation Measures

5.7 – Hazards and Hazardous Materials

Draft Environmental Impact Report

January 2018 Trinitas Mixed-Use Project

Source: Figure 8-8, Envision Napa 2020, Policy Document, Chapter 8: Health and Safety

Exhibit 5.7-1 Wildland Urban Interface (WUI) Fire Hazard Areas
Chapter 5 – Environmental Setting, Impacts, and Mitigation Measures

Draft Environmental Impact Report

5.7 – Hazards and Hazardous Materials

Exhibit 5.7-2  2017 Napa Fire Complex Status Map

Source: Figure 8-8, Envision Napa 2020, Policy Document, Chapter 8: Health and Safety
3. Aircraft Hazards

The City’s General Plan notes that the State Aeronautics Act requires that a County that has a public-use airport must establish an airport land use commission (ALUC) to protect public health, safety and welfare by ensuring the adoption of land use measures that minimize the public’s exposure to excessive noise and safety hazards. The ALUC is responsible for adopting an Airport Land Use Compatibility Plan to address these safety issues. The ALUC adopted the Napa County Airport Land Use Compatibility Plan (ALUCP) in 1991 and revised the ALUCP in 1999. The ALUC is authorized to review general plans, specific plans, and implementing ordinances to determine consistency with the ALUCP. Once consistency is determined, the ALUC only reviews for consistency such actions as general plan or specific plan amendments.

The General Plan identifies four principal land use impacts and compatibility considerations associated with airport activities.

- Noise - usually perceived as the most significant adverse impact of airport activity. This impact is further discussed in Section 5.10, Noise herein.
- Hazards to Flight - requiring the protection of navigable airspace by preventing physical obstructions and other land use characteristics that could affect flight safety.
- Safety on the Ground - limiting people’s exposure to risks of injury or damage to property in the event of an aircraft accident.
- Overflights - evidenced by the annoyance expressed by people who live near airports but who are outside of the defined noise and safety zones.

The Project is located approximately 4 miles from Napa Valley Airport and is not located within the airport’s flight plan area. The Project site is located within the Napa County Airport Land Use Compatibility Plan (ALUCP), as shown on Exhibit 5.7-3, ALUCP Compatibility Plan Map. The ALUCP divides the compatibility area into Zones A through E, with Zone A being the most restrictive in terms of building height and noise constraints and Zone E the least restrictive. The majority of the Project site is located within Zone E. A portion of the parking lot on the southwest side of the site is located in Zone D. A small portion of the hotel will be located in Zone C. Because a portion of the hotel is located within Zone C, the Project will be referred to the Airport Land Use Commission for a determination of consistency with the ALUCP. Regulations for each Zone are identified below.
Source: Shutt Mean Associates (October 1999)

Exhibit 5.7-3  ALUCP Compatibility Plan Map
ALUCP Zone C

Zone C Regulations include the following Use Review Criteria from the Napa Zoning Code:

17.34.050 ALUCP Zone C regulations

Within ALUCP Zone C, which is the extended approach/Departure zone, most lower intensity nonresidential uses are acceptable. However, the following standards shall apply in addition to the standards of the principal zoning district.

C. Uses Not Normally Acceptable

2. Hotels and motels;
3. Health clubs;
4. Restaurants or bars seating more than 80 persons;
5. Multistory buildings;
6. Theaters, assembly halls, and conference centers;
7. New ponds.

D. Use Review Criteria. In determining whether proposed uses in subsection C have been appropriately designed, the decision-making body shall consider the following criteria:

1. Density. Density of use averaged over the entire site (excluding streets) should not exceed 50 persons per acre in structures, or 75 persons in and out of structures; however, density on any one acre should not exceed twice the indicated number of people per acre.
2. Clustering. Clustering of development within the density parameters is encouraged to protect and provide open land/safety areas for emergency landing (such as requiring building envelopes, contiguous parking and landscape areas, and larger setbacks form certain geographic features such as creeks, roads, etc.).
3. Noise. Applicable noise reduction measures have been incorporated for noise sensitive uses (such as hotels, motels and offices) consistent with ALUCP and city General Plan standards.
4. Location. Structures have been set back as far as possible from the extended centerline of the runway.
ALUCP Zone D

Zone D Regulations allow hotel use with the following Use Review Criteria from the Napa Zoning Code.

17.34.040 ALUCP Zone D regulations

Within ALUCP Zone D, most non-residential uses are normally acceptable. However, the following standards shall apply in addition to the standards of the principal zoning district:

D. Use Review Criteria. In determining whether proposed uses in subsection C have been appropriately designed, the decision-making body shall consider the following criteria.

1. Density. Density of use averaged over the entire site (excluding streets) should not exceed 100 persons per acre in structures, or 150 persons in and out of structures.

2. Clustering. Clustering of development within the density parameters is encouraged to protect and provide open land/safety areas for emergency landing (such as requiring building envelopes, contiguous parking and landscape areas, and larger setbacks form certain geographic features such as creeks, roads, etc.).

3. Noise. Applicable noise reduction measures have been incorporated for noise sensitive uses (such as hotels, motels and offices) consistent with ALUCP and city General Plan standards.

17.34.030 ALUCP Zone E regulations

Within ALUCP Zone E most land uses are normally acceptable, however, the following standards shall apply in addition to the standards of the principal zoning district:

A. Over flight easements acceptable to the city in consultation with the airport proprietor shall be required as a condition of subdivision approval and/or discretionary permits for new construction, including expansions greater than 5,000 square feet in size. Such easements shall be prepared prior to issuance of a building permit and granted to the airport proprietor.

B. Prohibited Uses. Highly noise sensitive outdoor uses referenced in the ALUCP, such as meditative retreats.

C. Uses Not Normally Acceptable. The following uses raise concerns related to size, noise sensitivity or their propensity to attract birds that must be addressed if the use is to be approved. Such uses shall require use permits and shall be referred to the ALUC for a compatibility determination prior to final approval.

1. Landfills;

2. New ponds greater than one-half acre in size;

3. Amphitheaters;
4. Residential Uses—All. Any proposed residential use shall consider the proximity of flight patterns, frequency of over flights, terrain conditions and type of aircraft in determining acceptable use locations.

D. General Design Requirements.
   1. Lights, Glare, Electronic Interference. All uses and structures shall be designed so as to prevent hazard to flight that could occur as a result of smoke, glare, distracting lights, or electronic interference. All exterior lighting shall be directed downward or shielded to prevent glare to aircraft and meet any approved ALUC lighting guidelines. The Community Development Director may require the applicant to consult with Airport Land Use Commission (ALUC) staff, the airport manager or a qualified airport land use planning consultant regarding whether a use or structure would create such a hazard. If the use or structure cannot be designed to prevent such hazard, it may be denied.

   2. Height. All uses and structures shall be designed to prevent hazard to flight that could occur as a result of very tall structures intruding into flight areas. Height limits shall be as in the underlying zoning district, or, if height limits are not specifically assigned by the underlying district, the height limit shall be 35 feet. Any project proposing heights over the applicable height limit shall require a use permit and be referred to the ALUC prior to final approval.

   3. Lot Coverage. Lot coverage is governed by density and/or FAR limits assigned by the General Plan. If such limits are not identified for a particular site due to “Study Area” designations, the building lot coverage limit shall be 20%. Any project proposing a change in the General Plan FAR, density, or, for an unassigned site, building lot coverage over 20%, shall be referred to the ALUC prior to final approval.

Use Review Criteria

As identified above, the ALUC has established Use Review Criteria to determine whether a use included in subsection C of §17.34.050 (Zone C regulations) has been appropriately designed. As shown on Exhibit 5.7-4, ALUCP Zones, a majority of the Project lies within Zone E, and would not require ALUC referral. However, small areas on the southern portion of the site are located within Zones C and D. The portion of the Project site within Zone D is comprised of parking lot, drive aisles and landscaping. The portion of the Project within Zone C is comprised of approximately 1.07 acres, and a density calculation is required because a portion of the hotel building is located within Zone C. The portion of the Project within Zone C consists of approximately 12,430 square feet and is made up of first floor lobby areas, 21 hotel rooms on floors 2 through 4, 40 surface parking spaces, and landscaping.
Exhibit 5.7-4  ALUCP Zones
Density

ALUCP Zone D has an allowable density of 100 persons per acre in structures or 150 people inside and out of structures. The proposed Project does not contain structures or areas of outdoor congregation within Zone D. Therefore, a density calculation is not provided for Zone D.

ALUCP Zone C has a maximum density recommendation established at 50 persons per acre in structures and 75 persons in and out of structures. Site density for the Project has been analyzed using the parking ordinance to determine the maximum number of people utilizing each area of the hotel and amenities. This method of calculation is an accepted method of calculation for ALUC, per ALUCP Appendix D – Methods for Determining Concentrations of People.

ALUCP Appendix D – Methods for determining concentrations of people

ALUCP Appendix D recommends developing an assumption regarding the number of persons per The Uniform Building Code to calculate the number of persons on-site. Because the proposed Project is an 11.55-acre development of a hotel, a winery, and an office, and only a minimal portion of the Project site (1.07 acres) is located within Zone C, maximum occupancy of the portion of the hotel within Zone C (12,430 square feet) will be analyzed using the Uniform Building Code for density consistency.

Maximum Occupancy using the Uniform Building Code

As detailed above, the Uniform Building Code can be used as a standard for determining the maximum occupancy of certain uses. The ALUCP Appendix D includes Exhibit A, which specifies the number of square feet per occupant. Exhibit A contains an assumption for hotel and apartment uses, which is 200 square feet per occupant. The density is calculated by dividing the total floor area of a proposed use by the minimum square foot per occupant requirement listed in the table. The maximum occupancy can then be divided by the size of the parcel in acres to determine the persons per acre.

The ALUCP Appendix D provides guidance for incorporating occupancy levels into calculations for maximum density. The proposed hotel is anticipated to have an 80% occupancy rate. The maximum occupancy rate calculation is shown below:

\[
\text{Hotel within Zone C} - 1 \text{ person per 200 square feet} \\
12,430 \text{ sf (hotel area within Zone C)} \\
\div 200 \text{ sf} \\
62.15 \text{ occupants maximum} \\
\div 1.07 \text{ acres (Project site)} \\
58.08 \text{ occupants per acre} \\
\times 80\% \text{ occupancy} \\
46.47 \text{ occupants per acre}
\]
Density Analysis for Hotel Portion within Zone C

Based on the Uniform Building Code maximum occupancy method for determining concentrations of people, the density of the proposed Project within Zone C is 46.5 persons per acre. The Project would be considered consistent with the ALUCP use review criteria for Zone C requiring that site density remain fewer than 50 persons per acre in structures. Additionally, the use review criteria requires that the concentration of people using outdoor space not exceed 75 persons per acre. There is no outdoor gathering space in Zone C; therefore, this calculation is not necessary.

The allowable density in Zone C of 50 persons per acre will not be exceeded, because the calculated site density is 46.5 persons per acre.

Clustering

The ALUCP Design Review Criteria recommends clustering. The shape of the Project site is roughly L-shaped, with the hotel building and winery facing Highway 221 to the east of the Project site and the office building within the parcel extending towards Napa Valley Corporate Drive to the west. The hotel is bordered by a parking lot and landscaping. The buildings are centered on the Project site and oriented outside of Zone C as much as possible with parking and extensive landscape on the perimeters.

Noise

The proposed Project is located within a small portion of Zones C and D, where airport noise is not an issue due primarily to the fact that the Project is not located within the immediate approach zone and its distance to the airport. The Noise Study (Appendix M) analyzed the proposed Project’s compliance with noise standards and determined that the Project is in compliance with the City’s noise standards and ALUC Noise Compatibility Guidelines, as discussed in Section 5.10, Noise. No noise reduction measures are proposed for the Project related to airport noise. The Project site is located outside the Napa County Airport Master Plan 55 dBA CNEL noise contour.

Location

The ALUCP recommends structures are set back as far as possible from the extended centerline of the runway. The centerline of the runway travels from the runway through the centers of Zone B and Zone C. As shown on Exhibit 5.7-4 (page 5.7-21), the Project lies Zones C, D and E.

In addition to density, clustering, noise, and centerline, the ALUCP Design Review Criteria establishes recommendations on building height limits in the airport compatibility zone by deferring to limits established by the zoning code. Height regulations for the proposed Project are set forth by Zoning Code §17.14.030. Development regulations for the Project site restrict building heights to 50 feet, with exception for development up to 60 feet with Planning Commission design review, and additional projections beyond the height limit via use permit.
The Project has been designed within the height limits established by the zoning code of 60 feet with Planning Commission Design Review. The ALUCP Design Review Criteria defers height limits to the zoning code. The proposed Project will remain consistent with the City's height restrictions and the airport compatibility overlay.

The proposed Project has been designed to incorporate all of the regulations from the ALUCP zone regulations. Use Review Requirements, such as a clustered orientation of buildings, ALUCP zone density requirements, and general design requirements will be analyzed and submitted to ALUC for consistency. While consistency is desirable, the governing body of a local jurisdiction may overrule the Airport Land Use Commission’s determination by taking the following actions:

- Hold a public hearing to reconsider the proposed action
- Make a finding that the proposed action is consistent with the intent of the State Aeronautics Act
- The motion to override must be passed by a two-thirds vote

5.7.5 Mitigation Measures

No mitigation measures were presented in the Phase I ESA based on the conclusion that no hazardous materials are known or suspected on the Project site. In addition, Policy Resolution No. 27 containing City of Napa Standard Mitigation Measures, does not identify the requirement for standard mitigation measures for hazards or hazardous materials.

5.7.6 Level of Significance after Mitigation

Thresholds of significance identified in the CEQA Guidelines, Appendix G, state the Project would have a significant impact if it would:

a) Create a significant hazard to the public or environment through routine transport, use or disposal of hazardous materials,

b) Create a significant hazard through reasonably foreseeable upset and accident conditions,

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials,

d) Be located on a site which is included on a list of hazardous materials sites

e) For a project located within an airport land use plan or within two miles of a public airport or public use airport result in a safety hazard for people residing or working in the project area,

f) For a project within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area,

ɡ) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan

h) Expose people or structures to a significant risk or loss, injury or death involving wildland fires.

The Phase I ESA did not recommend additional environmental studies for the site based on the findings that no known or suspected on-site conditions warrant regulatory involvement. No actions requiring environmental soil sampling, soil remediation, groundwater sampling
and/or groundwater remediation are required. No on-site RECs, off-site RECs, CRECs or HRECs with the potential to adversely impact the Project site were identified during the assessment. In addition, no de minimis environmental conditions were identified in connection with the Project site, no off-site RECs were identified in the vapor migration screening and no other environmental issues of concern were identified.

Two nearby developments (NOVA Group, Inc. and Napa Pipe) that are listed as CERCLIS-equivalent facilities were assessed. The Phase I ESA concluded that neither facility is a concern to the Project due to their down gradient locations, the suburban nature of the surrounding area and the fact that the responsible party is identified. Therefore, based on the conclusions in the Phase I ESA assessment, NDDS recommends no further investigations of the Project site at this time.

The Phase I analysis responds to CEQA Guidelines, Appendix G Checklist as follows:

The proposed Project will not create a significant hazard to the public or environment through the routine transport, use or disposal of hazardous materials

The proposed Project will not create a hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

The proposed Project will not emit hazardous emissions or handle hazardous materials, substances or waste within one-quarter mile of an existing or proposed school.

The site is not located on list of hazardous materials sites compiled pursuant to California Government Code §65962.5 and, therefore, would not create a significant hazard to the public or the environment.

The Project is located within an airport land use plan as the Napa Valley Airport is approximately 4 miles south of the Project. However, the Project is not located within the airport’s flight plan and will not create a safety hazard for people working or residing in the Project area. The Project site is located outside of the 55 CNEL and is consistent with the required density limitations for development within Zone C of the ALUCP. The Project will not impair implementation or physically interfere with an adopted emergency response plan or emergency evacuation plan. There will be no exposure of people or structures to a significant risk or loss, injury or death involving wildland fires as the Project site is in an urbanized area and not within the City’s Wildland Urban Interface Fire Hazard Areas as depicted in the City of Napa General Plan.

As noted, NDDS recommended, based on the conclusions in the Phase I ESA, that no further investigations of the Project site were necessary at this time.

5.7.7 Cumulative Impacts

The proposed Project, when combined with other projects in the vicinity, will not result in significant cumulative impacts. Individually, all hazards and hazards materials impacts due to Project implementation are less than significant as no hazardous materials were observed on the site and none will be generated by any uses associated with Project development. The site
is not within a Wildland/Urban Interface for fire hazard risks and the Project has been
designed to incorporate all regulations from the ALUCP zone regulations. The Phase I ESA did
not recommend mitigation measures because no known or suspected hazards exist on the
Project site, and no uses will be conducted on the site that will include hazardous materials.
The City’s Policy Resolution No. 27 did not include any recommended standard mitigation
measures in the area of hazards and hazardous materials. Therefore, the proposed Project
would not result in cumulatively considerable impacts in the area of hazards and hazardous
materials.

5.7.8 Unavoidable Adverse Impacts

The proposed development of the Trinitas Project, will not result in an unavoidable adverse
impact to the public or the environment through the transport or use of hazardous materials,
emit hazardous emissions into the environment, or result in reasonably foreseeable upset
and accident conditions involving the release of hazardous materials into the environment.
Adherence to the City’s Building and Fire Code regulations will ensure the Project will not
result in an unavoidable adverse impact to existing or future development in the Project
vicinity. All impacts due to Project implementation will be less than significant.