Final Mitigated Negative Declaration
Meritage Commons

City of Napa
Community Development Department

Prepared for:
Lead Agency
City of Napa
1600 First Street
Napa, CA 94559
Contact Person: Ken MacNab
(707) 257-9530

Prepared by:
CAA Planning, Inc.
65 Enterprise, Suite 130
Aliso Viejo, CA 92656
Contact Person: Shawna L. Schaffner
(949) 581-2888

November 20, 2015
1. Introduction

This Final Mitigated Negative Declaration document has been prepared to respond to public comments received on the Mitigated Negative Declaration (MND) for the proposed Meritage Commons project. The MND was available for a 30-day public review period commencing August 5, 2015 and ending on September 3, 2015. The California Environmental Quality Act (CEQA) Guidelines §15105(a) states that the Lead Agency shall provide a public review period of not less than 30 days for a proposed Mitigated Negative Declaration when review by state agencies is required.

Distribution of the MND and Notice of Intent for review and comment included the following state agencies and organizations:

- California State Clearinghouse
- California Air Resources Board
- California Department of Transportation – Caltrans District #4
- California Department of Fish and Wildlife – Region #3
- Native American Heritage Commission
- Public Utilities Commission
- Regional Water Quality Control Board – Region #2
- State Water Resources Control Board

In addition, the Notice of Intent to Adopt a Mitigated Negative Declaration was posted in the local newspaper, and was mailed to property owners and occupants within a 500’ radius. Copies of the MND were made available for public review at:

- City of Napa Community Development Department
  1600 First Street
  Napa, CA 94559
  Hours: Monday through Friday, 8:00 a.m. to 5:00 p.m.

CEQA Guidelines §15204(b) provides that in reviewing negative declarations, persons and public agencies should focus on the proposed finding that the project will not have a significant effect on the environment. If persons and public agencies believe that the project may have a significant effect, they should 1) identify the specific effect; 2) explain why they believe the effect would occur, and 3) explain why they believe the effect would be significant.

CEQA Guidelines §15204(c) further advises: “Reviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments.” Pursuant to CEQA Guidelines §15064, an effect shall not be considered significant in the absence of substantial evidence. Section 15204(d) also states, “each responsible agency and trustee agency shall focus its comments on environmental information germane to that agency’s statutory responsibility.” Section 15024(e) states: “This section shall not be used to restrict the ability of reviewers to comment on the general adequacy of a document or the lead agency to reject comments not focused as recommended by this section.”

The City of Napa received four written comment letters on the MND from two state agencies and one local agency. Each comment letter is included in its entirety in this document. Each letter containing comments on the MND is followed by responses corresponding to comments submitted in the letter.
As described in detail in the following sections, the information provided in the comments does not indicate a fair argument that the project would potentially cause a significant environmental impact. The responses to comments demonstrate that the project as mitigated would not potentially create a significant environmental impact or have a cumulatively considerable effect on the environment. The responses merely provide further data and analysis that clarifies, amplifies, elaborates, or makes minor modifications to the MND. An environmental impact report is not required, because all potentially significant environmental impacts that may result from the project are mitigated to less than significant.

This Final Initial Study/Mitigated Negative Declaration contains a summary of the environmental effects of the project (Section 2.0). A list of comments received and the City’s responses to the comments received are shown in Section 3.0. The project modifications following the public review period (Section 4.0) show revisions to the Draft IS/MND needed to respond to public and agency comments as well as any other changes and corrections to the document identified by City Staff.
## 2. Summary of Public Review Draft IS/MND

The table below identifies the level of impact for each checklist item, as well as any proposed mitigation and the level of impact after mitigation. It should be noted that the MND incorporated City Policy Resolution 27 for standard mitigation measures and conditions of approval for all development projects within the City of Napa. As identified on page 29 of the MND, the Proposed Project is subject to all standard mitigation adopted by Policy Resolution 27.

<table>
<thead>
<tr>
<th>Checklist Item</th>
<th>Impact Before Mitigation</th>
<th>Mitigation Proposed</th>
<th>Impact After Mitigation</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. Aesthetics</td>
<td>Less than significant</td>
<td>None</td>
<td>N/A</td>
</tr>
<tr>
<td>II. Agricultural Resources</td>
<td>Less than significant</td>
<td>None</td>
<td>N/A</td>
</tr>
<tr>
<td>III. Air Quality</td>
<td>Less than significant</td>
<td>None</td>
<td>N/A</td>
</tr>
<tr>
<td>IV. Biological Resources</td>
<td>Potentially significant, mitigated</td>
<td>Mitigation Measures BR-1, BR-2, BR-3, and BR-4 will be implemented to mitigate any potential adverse impact on riparian habitat and protected wetlands.</td>
<td>Less than significant</td>
</tr>
<tr>
<td>V. Cultural Resources</td>
<td>Potentially significant, mitigated</td>
<td>Mitigation Measures CR-1, CR-2, CR-3, and CR-4 will be implemented to mitigate any potential adverse impact on archeological resources, paleontological resources, and human remains.</td>
<td>Less than significant</td>
</tr>
<tr>
<td>VI. Geology and Soils</td>
<td>Potentially significant, mitigated</td>
<td>Mitigation Measures Geo-1, Geo-2, and Geo-3 will be implemented to mitigate any potential adverse impact due to seismic ground shaking, liquefaction, landslide, lateral spreading, subsidence, and collapse.</td>
<td>Less than significant</td>
</tr>
<tr>
<td>VII. Greenhouse Gas Emissions</td>
<td>Less than significant</td>
<td>None</td>
<td>N/A</td>
</tr>
<tr>
<td>VIII. Hazards and Hazardous Materials</td>
<td>Less than significant</td>
<td>None</td>
<td>N/A</td>
</tr>
<tr>
<td>IX. Hydrology and Water Quality</td>
<td>Potentially significant, mitigated</td>
<td>Mitigation Measures H-WQ-9 and H-WQ-10 will be implemented to mitigate any potential impact on-site or area drainage and runoff.</td>
<td>Less than significant</td>
</tr>
<tr>
<td>X. Land Use and Planning</td>
<td>Less than significant</td>
<td>None</td>
<td>N/A</td>
</tr>
<tr>
<td>XI. Mineral Resources</td>
<td>No impact</td>
<td>None</td>
<td>N/A</td>
</tr>
<tr>
<td>Checklist Item</td>
<td>Impact Before Mitigation</td>
<td>Mitigation Proposed</td>
<td>Impact After Mitigation</td>
</tr>
<tr>
<td>--------------------------------</td>
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<td>-------------------------------------------------------------------------------------</td>
<td>-------------------------</td>
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<tr>
<td>XII. Noise</td>
<td>Potentially significant, mitigated</td>
<td>Mitigation Measure N-2 will be implemented to mitigate any potential impacts due to persons’ exposure to noise levels in excess of established standards and ordinance.</td>
<td>Less than significant</td>
</tr>
<tr>
<td>XIII. Population and Housing</td>
<td>Less than significant</td>
<td>None</td>
<td>N/A</td>
</tr>
<tr>
<td>XIV. Public Services</td>
<td>Less than significant</td>
<td>None</td>
<td>N/A</td>
</tr>
<tr>
<td>XV. Recreation</td>
<td>Less than significant</td>
<td>None</td>
<td>N/A</td>
</tr>
<tr>
<td>XVI. Transportation and Traffic</td>
<td>Potentially significant, mitigated</td>
<td>Mitigation Measures T-1, T-2, T-3, T-4, T-5, T-6, T-7, and T-8 will be implemented to mitigate any potential adverse impact resulting from a conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system.</td>
<td>Less than significant</td>
</tr>
<tr>
<td>XVII. Utilities and Service Systems</td>
<td>Potentially significant, mitigated</td>
<td>Mitigation Measure U-12 will be implemented to mitigate any potential adverse impact on wastewater treatment facilities, water supplies, and wastewater capacity.</td>
<td>Less than significant</td>
</tr>
</tbody>
</table>
3. Comments on the Public Review Draft and City Responses

Comment letters and responses are provided in this section.

State Agencies
  California Department of Transportation, District 4, dated August 4, 2015
  California Department of Fish and Wildlife dated September 2, 2015
  California Department of Transportation, District 4, dated September 3, 2015

Local Agencies
  Napa Sanitation District dated September 3, 2015

Individuals/Interested Parties
  None
August 4, 2015

Mr. Ken McNab
Community Development Department
City of Napa
1600 First Street
Napa, CA 94559

Dear Mr. McNab:

**Meritage Resort Expansion #2 - Use Permit Application and Traffic Impact Study**

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the project referenced above. Caltrans' new mission, vision, and goals signal a modernization of our approach to California's transportation system. We review this local development for alignment with sustainability, livability, economy, and safety and health values. Our comments seek to promote the State's smart mobility goals that support a vibrant economy and build active communities rather than sprawl. They are based on the Use Permit Application and Traffic Impact Study (TIS).

**TIS**

1. Mitigation Measures #1 and #4 are contingent upon construction of the grade-separated connector from southbound (SB) State Route (SR) 221 to SB SR 29 (Soscol Junction). If the Soscol Junction project is not constructed, what are the project's alternative mitigation measures?  

[ ] A-1

2. If the Soscol Junction project is constructed, what is the timeline for the proposed project to open? How will the impacts be mitigated if the proposed project opens prior to the Soscol Junction project being completed?  

[ ] A-2

3. Please provide a queue analysis for SR 221 at Napa Valley Corporate Way (Intersection #4) and SR 29/221 (Intersection #7), showing whether the existing storage length for the left-turn can accommodate additional project and special events volume under all scenarios.  

[ ] A-3

4. Any proposed improvements to the state right-of-way (ROW) must follow current Caltrans standard and will need a Caltrans encroachment permit.  

[ ] A-4

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability."
Response to Letter A  
California Department of Transportation – District 4  
August 4, 2015

A-1 The City acknowledges receipt of a letter dated August 4, 2015 from the California Department of Transportation. In addition, the City received an additional letter from Caltrans dated September 3, 2015, which contains similar comments. All comments have been responded to within Response to Letter A (August 4, 2015). The August 4 letter references mitigation measures T-1 and T-4 from the Traffic Impact Study (TIS), which have been incorporated into the MND as Mitigation Measure T-6 (page 169). These mitigation measures were incorporated to mitigate impacts at the intersection at SR 29/221 (Soscol Junction).

The project relies on the City’s General Plan EIR analysis for impacts related to traffic congestion at SR 29/221 Soscol Junction, as provided by CEQA Guidelines § 15183, which states “… projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the site.” The General Plan EIR took into consideration cumulative conditions, identifying traffic impacts at SR 29/221 Soscol Junction as significant and unavoidable impacts. While CEQA Guidelines §15183 does not require an additional EIR because the impact has already been addressed as a significant impact, the MND provides analysis related to the project’s fair share contribution and provides a mitigation measure requiring such payment.

The Proposed Project’s fair share payment is based on a percentage of traffic contribution of the Soscol Junction project as considered in the State Route 29 Gateway Corridor Improvement Plan and analyzed by Caltrans in the SR 29/221 Soscol Junction Project Environmental Impact Report. Project Impact Conclusions and Cumulative Impacts are discussed on pages 156 and 157 of the MND. As discussed, the improvements contemplated in the Soscol Junction EIR are needed with or without development of the Proposed Project, and a prior expansion of the Meritage Hotel also required a fair share payment related to traffic impacts at SR 29/221 Soscol Junction.

The Proposed Project does not contemplate an alternative mitigation measure, as there is no feasible alternative identified in the General Plan EIR. Detailed information regarding tiering and project impacts can be found in the MND in the Project Description (pages 31-32) and in the Transportation and Traffic Section (pages 148-169).

A-2 Construction of the Proposed Project has been divided into two phases; Phase One is construction of the Commons, and Phase Two is construction of the new exhibition hall and circulation upgrades at the existing hotel site. Once the Proposed Project has obtained necessary approvals and permitting, it is anticipated that Phase One will take approximately 21 months for construction. Phase Two will take approximately 12 months and will be constructed at a later date. The Proposed Project relies on a fair share payment to mitigate impacts at Soscol Junction. As noted above, these improvements are considered in the State Route 29 Gateway Corridor Improvement Plan and analyzed by Caltrans in the SR 29/221 Soscol Junction Project Environmental Impact Report, and are anticipated to have a construction period of four to six years, commencing in 2019. Mitigation will remain as identified in Mitigation Measure T-6 regardless of completion timing. There are no feasible alternative or interim mitigation measures for impacts at Soscol Junction. The project relies on the City’s General Plan EIR, which identifies a significant impact at Soscol Junction.
In response to Comment A-3, a queue analysis summary table prepared by the project’s traffic engineer for SR 221/Napa Valley Corporate Way (Intersection #4) and SR 29/221 Soscol Junction (Intersection #7) is shown below for the Proposed Project. The data provided in the table below was taken from the Appendix D to the MND (Existing Plus Project Conditions LOS Calculations) and Appendix F (Cumulative Conditions LOS Calculations).

### Maximum Vehicle Queues

<table>
<thead>
<tr>
<th>Mvmt</th>
<th>Storage</th>
<th></th>
<th></th>
<th></th>
<th></th>
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</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>AM Queue (feet)</td>
<td>PM Queue (feet)</td>
<td>AM Queue (feet)</td>
<td>PM Queue (feet)</td>
<td>AM Queue (feet)</td>
<td>PM Queue (feet)</td>
<td>AM Queue (feet)</td>
<td>PM Queue (feet)</td>
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</tr>
<tr>
<td>Intersection #4</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>EBL¹</td>
<td>&gt;400</td>
<td>15</td>
<td>14</td>
<td>23</td>
<td>33</td>
<td>93</td>
<td>234</td>
<td>109</td>
<td>277</td>
<td></td>
</tr>
<tr>
<td>WBL²</td>
<td>-</td>
<td>24</td>
<td>19</td>
<td>24</td>
<td>19</td>
<td>972</td>
<td>290</td>
<td>972</td>
<td>290</td>
<td></td>
</tr>
<tr>
<td>NBL³</td>
<td>300</td>
<td>60</td>
<td>21</td>
<td>66</td>
<td>9</td>
<td>306</td>
<td>197</td>
<td>306</td>
<td>122</td>
<td></td>
</tr>
<tr>
<td>SBL⁴</td>
<td>130</td>
<td>26</td>
<td>22</td>
<td>26</td>
<td>4</td>
<td>82</td>
<td>470</td>
<td>82</td>
<td>470</td>
<td></td>
</tr>
<tr>
<td>Intersection #7</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
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<tr>
<td>EBL⁵</td>
<td>415</td>
<td>67</td>
<td>40</td>
<td>68</td>
<td>42</td>
<td>310</td>
<td>181</td>
<td>338</td>
<td>200</td>
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<tr>
<td>WBL⁶</td>
<td>220</td>
<td>36</td>
<td>34</td>
<td>39</td>
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<td>338</td>
<td>193</td>
<td>365</td>
<td>212</td>
<td></td>
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<tr>
<td>NBL⁷</td>
<td>165</td>
<td>62</td>
<td>367</td>
<td>65</td>
<td>373</td>
<td>293</td>
<td>913</td>
<td>329</td>
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<tr>
<td>SBL⁸</td>
<td>510</td>
<td>356</td>
<td>574</td>
<td>364</td>
<td>666</td>
<td>2,112</td>
<td>1,601</td>
<td>2,123</td>
<td>1,622</td>
<td></td>
</tr>
</tbody>
</table>

Note: **Bold** indicates that queuing is greater than storage

Footnotes:

1. The storage length presented is for the EBL turn lane. However, there is also a shared through/left lane, whose presence increases the storage available to the prior intersection over 400 feet upstream. Therefore, there is adequate capacity to accommodate 95th percentile queuing, especially noting that the queue length reported includes both vehicles left and through vehicles.
2. Queues are shown for the westbound through/left movement for which no turn pocket is provided. Therefore queuing would back up through the main lane.
3. Queuing for this movement slightly exceeds capacity in the cumulative scenario. This could be addressed by a minor increase in the timing allocation for this movement.
4. Queuing for this movement is the result of a large increase in turning movements as predicted by the model. The project does not add to this movement.
5. Queueing does not exceed storage for any scenario.
6. Queueing exceeds storage in the unmitigated cumulative scenario; however, this would be solved through mitigation (interchange).
7. Queueing exceeds storage without project in the PM. Project would add a small increment to this queue length. Queueing exceeds storage in the unmitigated cumulative scenario; however, this would be solved through mitigation (interchange).
8. Queueing exceeds storage without project in the PM. Project would add a small increment to this queue length. Queueing exceeds storage in the unmitigated cumulative scenario; however, this would be solved through mitigation (interchange).

In summary, for Intersection #4, maximum queues may exceed storage in the cumulative scenario for through/left turn movements, resulting in LOS F. These queuing issues can be resolved through signal retiming, which is within the jurisdiction of Caltrans and has been incorporated into the MND at mitigation measure T-8.

### Mitigation measure T-7

Mitigation measure T-7 contemplates construction of an additional northbound left-turn lane at Kaiser Road and SR 221. The project applicant will follow current Caltrans standards and seek an encroachment permit if so required for mitigation measure T-7, as well as any proposed improvements done within the State Right of Way (ROW).
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Mr. Ken McNab/City of Napa  
August 4, 2015  
Page 2

5. Table 6, Project Trip Generation, page 31, shows AM (PM) generated trips as 77 (119) vehicles per hour (vph) resulted from the proposed project, while Table 9, Project Contribution to Existing Volumes, page 39, demonstrates AM (PM) generated trips as 38 (59) vph resulted from the proposed project. We believe the AM (PM) traffic assignment under Project Only Conditions would be under-estimated when assignment on Figure 8, Project Peak Hour Traffic Volumes, page 39, is derived from 38 (59) vph as project trips in Table 9. We recommend the TIS re-assign AM (PM) traffic as shown under Project Only Conditions on Figure 8 instead of as shown in Table 9. We further recommend the TIS be revised under Project Only and 2035 Cumulative+Project Conditions, accordingly.

Parking Management
Parking management strategies encourage more efficient use of parking facilities to accommodate parking demand. Given the proximity of Bordeaux Way and the project site, a Parking Management Plan (PMP) will guide the practical capacity/use of the parking system in this area. The PMP’s shared parking arrangements with adjacent property owners will also encourage efficient use of the parking. Consider preferential or dedicated car share and carpooling parking for event guests as an additional incentive to reduce single vehicle occupancy trips. The Exhibition Hall will create additional parking demand for event guests as demonstrated in Table 4’s event guest parking increase. If applicable, we recommend the Bay Area Commute Benefits Program, which included Napa County, and intends to encourage employees to use sustainable modes of transportation rather than drive alone to work. The Emergency Ride Home Program, Vanpool Drive, and Bike Commuter incentives are also available through Solano Napa Commuter Information (SNCI) https://rideshare.511.org/rewards/county_benefits.aspx.

Encroachment Permit
Work that encroaches onto the state ROW requires an encroachment permit that is issued by Caltrans. To apply, a completed encroachment permit application, environmental documentation, and five (5) sets of plans clearly indicating the state ROW must be submitted to: Mr. David Ballady, Office of Permits, California Department of Transportation, District 4, P.O. 23660, Oakland, CA 94623-0660. Traffic-related mitigation measures should be incorporated into the construction plans during the encroachment permit process. See the website link for more information: http://www.dot.ca.gov/hq/traffops/developserv/permits/.

As soon as they are available, please send at least one hard copy and one CD of the environmental document with the technical appendices.

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California’s economy and livability"
A-5  Comment A-5 refers to Figure 8, and Tables 6 and 9 in the Transportation and Traffic Impact Study. Figure 8 shows Project Peak Hour Traffic Volumes, Table 6 shows total project trip generation, and Table 9 shows project trips only passing through Intersection #7, which accurately represents fewer trips than Table 6. Figure 8 values have been incorporated into Table 9. In addition, Table 25 on page 158 of the MND represents Cumulative Year (Year 2035) Conditions Intersection LOS.

A-6  The project complies with the City’s Municipal Code for parking requirements. A parking management plan is not a requirement. A standalone parking study was submitted to the City to detail the project’s compliance with the municipal code.

A-7  As noted in the response to Comment A-4 above, the project applicant will adhere to Caltrans requirements for permits and all standards for applying for such permits, including the requirements noted in the Caltrans letter of August 4, 2015.
Mr. Ken McNab/City of Napa
August 4, 2015
Page 3

Please feel free to call or email Sandra Finegan at (510) 622-1644 or sandra.finegan@dot.ca.gov with any questions regarding this letter.

Sincerely,

PATRICIA MAURICE
District Branch Chief
Local Development – Intergovernmental Review

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"
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September 2, 2015

Mr. Ken MacNab
City of Napa
Community Development Department
1600 First Street
Napa, CA 94559

Dear Mr. MacNab:

Subject: Meritage Commons Hotel Expansion, Mitigated Negative Declaration, SCH #2015082011, Napa County

California Department of Fish and Wildlife (CDFW) staff has reviewed the above Meritage Commons Hotel Expansion (Project) Mitigated Negative Declaration (MND). CDFW is submitting comments on the MND as a means to inform the City of Napa (City) as the Lead Agency, of our concerns regarding potentially significant impacts to sensitive resources associated with the proposed Project.

The Project site is located on the west side of State Route 221 along both sides of Bordeaux Way in southern Napa County. The Project proposes to expand the existing Meritage Resort and Spa onto a 9.3-acre vacant parcel located immediately north of the existing hotel across Bordeaux Way. The Project would provide 134 new hotel rooms, and expand upon ancillary hotel-serving uses to provide a greater variety of guest-serving amenities. The Project site is predominantly characterized by annual grassland in the upland elevations and riparian woodland along the stream channel located along the northern boundary.

CDFW is identified as a Trustee Agency pursuant to the California Environmental Quality Act (CEQA) Section 15366 and is responsible for the conservation, protection, and management of the State’s biological resources. CDFW also acts as a Responsible Agency based on its discretionary authority regarding Project activities that impact streams and lakes (Fish and Game Code §§ 1600 – 1816), or result in the “take” of any species listed as candidate, threatened, or endangered pursuant to the California Endangered Species Act (CESA, Fish and Game Code, § 2050 et seq.). Pursuant to our jurisdiction, CDFW is concerned the Project will have a significant impact on annual grassland that provides suitable habitat for several special-status species including but not limited to: western burrowing owl (Athene cunicularia), Swainson’s hawk (Buteo swainsoni) and golden eagle (Aquila chrysaetos).

Impact Analysis and Mitigation Measures

Rare, threatened and endangered species to be addressed should include all those which meet CEQA definition (see CEQA Guidelines, § 15380). The MND should include the reasonably foreseeable direct and indirect changes (temporary and permanent) that may occur with implementation of the Project (pursuant to CEQA, § 15355).

Conserving California’s Wildlife Since 1870
The City acknowledges receipt of comments from the California Department of Fish and Wildlife (CDFW) in a letter dated September 2, 2015 and that CDFW is a Trustee Agency responsible for conservation, protection, and management of the state’s biological resources. The City further acknowledges that CDFW is considered a Responsible Agency under California Public Resources Code §21069 in that a discretionary permit from CDFW may be required in the future. No permit is currently being sought from CDFW.

As discussed in Section IV, Biological Resources in the MND (beginning at page 55), the Proposed Project was analyzed for potential impacts to biological resources as a result of project construction. A Biological Technical Report, dated April 2015 was prepared by a certified Biologist from Glenn Lukos Associates and includes data from multiple site visits and background research. The Biological Technical Report is included as Appendix C to the MND. The project Biologist communicated with CDFW during preparation of the environmental analysis for the Proposed Project and conducted a site visit with CDFW representative Suzanne Gilmore, Environmental Scientist, on February 24, 2015.

The MND includes analysis of reasonably foreseeable direct and indirect changes that may occur with implementation of the Proposed Project in Section IV, Biological Resources. In addition, the MND analyzes the construction of a pedestrian bridge crossing the drainage channel on the northerly portion of the project site. While a pedestrian bridge is not a part of the Proposed Project, it was included in the analysis as a reasonably foreseeable future action, and the resultant impacts are detailed on page 74 of the MND and on page 43 of Appendix C. In the event that the pedestrian bridge is proposed for construction, it may require a Lake and Streambed Alteration Agreement from the CDFW, as detailed on page 72 of the MND.

The City understands and acknowledges CDFW jurisdiction over birds, migratory birds, and protected species. The CDFW’s authority in these matters is described in detail in Section IV, Biological Resources of the MND.
Mr. Ken MacNab  
September 2, 2015  
Page 2

CDFW has jurisdiction over actions that may result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code Sections protecting birds, their eggs and nests include 3503 (regarding unlawful take, possession or needless destruction of the nests or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird). Fully Protected Species may not be taken or possessed at any time (Fish and Game Code Section 3511). Migratory raptors are also protected under the federal Migratory Bird Treaty Act.

Swainson’s Hawk

Swainson’s hawk are threatened due to loss of nesting and foraging habitat, and CDFW considers impacts to Swainson’s hawk foraging habitat to be a potentially significant impact that should be mitigated. CDFW records show several documented Swainson’s hawk nest sites within 5 miles of the Project area, with the nearest occurrence 0.6 miles from the Project site. Project implementation would result in the permanent loss of approximately 7 acres of foraging habitat for Swainson’s as well as for other raptor species.

Mitigation Measure BR-1 of the MND requires nesting surveys if vegetation clearing activities occur between February 1 and August 31. The MND document should include measures to mitigate loss of Swainson’s hawk foraging habitat that may result from implementation of the Project. Any permanent loss of Swainson’s hawk foraging habitat should be appropriately mitigated due to ongoing and cumulative loss of this habitat type in the South Napa Valley area.

To mitigate for the loss of Swainson’s hawk foraging habitat in a method consistent with the Staff Report Regarding Mitigation for Impacts to Swainson’s Hawks (Buteo swainsoni) in the Central Valley of California, CDFW 1994, (SWH Staff Report), CDFW recommends the MND update Mitigation Measure (MM) BR-1 to incorporate the following language:

- For projects within one-mile of an active nest tree (the SWH Staff Report defines an active nest as used during one or more of the last five years), provide one-acre of land for each acre of development authorized (1:1 ratio).
- For projects within five miles of an active nest tree, but greater than one-mile from the nest tree, provide 0.75 acres of land for each acre of development authorized (0.75:1 ratio).
- For projects within 10 miles of an active nest tree, but greater than 5 miles from an active nest tree, provide 0.5 acres of land for each acre of development authorized (0.5:1 ratio).

CDFW recommends that Project-related disturbance within a minimum of 0.25 miles (and up to 0.5 miles depending on site-specific conditions) of active Swainson’s hawk nest site should be reduced or eliminated during the critical phases of the nesting cycle (March 1 through September 15) in order to avoid significant impacts to the hawk. If Project activities must be conducted during this critical phase, then appropriate buffers should be established by a qualified biologist. MM BR-1 should be updated to extend nesting season for Swainson’s hawk until September 15 (or until the young have fully fledged and are feeding independently).
The City understands and appreciates the listing status and rationale for listing of the Swainson’s hawk. This information was described in Section IV, Biological Resources of the MND. Based on this information and a detailed analysis of the biological resources and resource values present on the Project, the MND concluded that the Proposed Project would not have a significant effect on Swainson’s hawk foraging due to: 1) the small amount of habitat reduction, 2) the low quality of the habitat available, and 3) the developed setting of the Project site.

The Swainson’s hawk was listed as a threatened species in 1983 by the California Fish and Game Commission due to a rapidly declining population (CDF&G Wildlife Management Division, 5-Year Status Review: Swainson’s Hawk, dated 1993). One of the major attributes to this decline was a loss of habitat. As described in the MND (page 66), Swainson’s hawks exhibit large home ranges in central California, with home ranges between 6,817 and 6,306 acres. The Project site amounts to approximately 0.1% of the mean Swainson’s hawk home range. Loss of this small amount of habitat would not significantly affect the amount of available Swainson’s foraging habitat in the project vicinity.

The 7.6 acres of undeveloped land that comprise the Project site were prepared for development in conjunction with the development of the Napa Valley Corporate Park. At that time, the site was mass graded as evidenced by the raised earth platform on which a PG&E transmission line tower is situated and a continuous earth berm that parallels the adjacent street. The Project site is surrounded on three sides by industrial and resort development, limiting its potential wildlife habitat value. Vegetation on the site, as documented in the MND, consists of non-native semi-herbaceous plant communities typically associated with disturbed areas, including wild oat grasslands, yellow star-thistle fields, and Himalayan blackberry brambles. These communities have no particular habitat value or special protection or conservation status. Yellow star-thistle and Himalayan blackberry are considered undesirable “invasive species.” The Project site is frequently mowed for fire prevention purposes and was identified in the MND as having low quality for foraging habitat.

There is no substantial evidence that the project site is subject to use by Swainson’s hawks. As noted on page 41 of Appendix C to the MND, a Swainson’s hawk was reported via an eBird entry on the existing Meritage hotel site, but the Swainson’s hawk was not detected by the project biologist and has not been reported on the Project site via eBird. The nearest known Swainson’s hawk nest recorded by CDFW is more than 5 miles from the site.

A substantial reduction in numbers or habitat of a rare, threatened, or endangered species would be considered a significant impact under CEQA, which would require mitigation. The Project site represents a small amount of relatively low-quality Swainson’s hawk foraging habitat. Development of the site would not result in a “substantial reduction” in foraging habitat, and therefore the potential effect of the project was identified as less than significant in the MND.

In response to CDFW’s comment regarding the nesting season, Mitigation Measure BR-1 is hereby revised as follows:

BR-1 The Project Applicant shall perform vegetation clearing outside of the nesting season (February 1 through August 31 March 1 through September 15) if feasible. If avoidance of the nesting season is not feasible, a qualified biologist shall conduct a nesting bird survey within three days prior to construction-related disturbance of the site, including demolition activities and grading, and including a survey for Swainson’s hawk nests within 500 feet of the project site. If active nests are identified, the biologist shall establish suitable buffers around the nests as dictated by the species’ behavior and life history requirements. The buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from their nests.
Mitigation lands should be protected in perpetuity under a conservation easement, and include an endowment fund for long-term resource management for raptor habitat. CDFW is available to work with the applicant to develop a mitigation plan that reduces impacts to less-than-significant.

If "take" or adverse impacts to Swainson’s hawk or any other species listed under the California Endangered Species Act (CESA) cannot be avoided either during Project activities or over the life of the Project, please be advised that a CESA permit must be obtained (pursuant to Fish and Game Code Section 2080 et seq.). Issuance of a CESA permit is subject to CEQA documentation; therefore, the CEQA document should specify impacts, mitigation measures, and a mitigation monitoring and reporting program. If the proposed Project will impact any CESA-listed species, early consultation is encouraged, as significant modification to the Project and mitigation measures may be required in order to obtain a CESA permit. More information on the CESA permitting process can be found on the CDFW website at https://www.wildlife.ca.gov/Conservation/CESA.

Stream Resources and Aquatic Habitat
A tributary to the South Creek watershed is located within the proposed Project site. For any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of a river or stream, or use material from a streambed, CDFW may require a Lake and Streambed Alteration Agreement (LSAA), pursuant to Section 1600 et seq. of the Fish and Game Code, with the applicant. CDFW, as a responsible agency under CEQA, will consider the CEQA document for the project. The CEQA document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for completion of the Agreement. To obtain information about the LSAA notification process, please access our website at https://www.wildlife.ca.gov/Conservation/LSA; or to request a notification package, contact CDFW’s Bay Delta Regional Office at (707) 944-5500.

CDFW appreciates the opportunity to provide comments on the MND for the proposed Project. If you have any questions, please contact Ms. Suzanne Gilmore, Environmental Scientist, at (707) 944-5536; or Ms. Karen Weiss, Senior Environmental Scientist (Supervisory), at (707) 944-5525.

Sincerely,

[Signature]

Scott Wilson
Regional Manager
Bay Delta Region

cc: State Clearinghouse
B-5 As detailed in Response to Comment B-3 above, no mitigation is required for effects on Swainson’s hawk foraging habitat. The Proposed Project will not result in a significant effect on this resource under CEQA.

B-6 The City does not anticipate that the Proposed Project will result in a “take” or significant adverse impact to Swainson’s hawk or any other species listed under the California Endangered Species Act (CESA). In the unlikely event that the potential for take or significant effect is identified, the applicant will be required to obtain the appropriate approval under CESA.

B-7 The City acknowledges that a Lake and Streambed Alteration Agreement (LSAA) may be required if the Project will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of a river or stream, as detailed on page 72 on the MND. In the event that the Project or subsequent development involves a potential effect on these resources, the applicant will need to obtain an LSAA from the CDFW.

The Biological Technical Report identified potential impacts and mitigation for effects on CDFW jurisdictional waters caused by a potential future pedestrian bridge. The pedestrian bridge is not a part of the Project on file with the City, and no entitlements are sought for a pedestrian bridge at this time. However, the pedestrian bridge is analyzed in the MND as a reasonably foreseeable project component. Under the heading Project Effects on Jurisdictional Waters on page 74 of the MND, the pedestrian bridge is identified as having the potential to impact up to approximately 0.007 acre of United States Army Corps of Engineers jurisdictional waters. In addition, installation of a bridge could impact approximately 0.007 acre of vegetated riparian habitat depending on bridge design and could further impact 0.01 acre of red willow thicket through trimming. Mitigation Measure BR-3 included in the MND requires the Project Applicant to consult with the Corps and CDFW and to obtain any necessary permits. With implementation of Mitigation Measure BR-3, future impacts related to a reasonably foreseeable future project component to Stream Resources and Aquatic Habitat are adequately mitigated.

Section IV, Biological Resources of the MND addresses the potential effect on jurisdictional waters due to a drainage course running along the northern boundary line of the property. During a site visit on February 24, 2015 a representative from CDFW indicated that the agency may have jurisdiction over the slope located immediately to the south of the drainage course. In May 2015, Glenn Lukos submitted a request to CDFW for concurrence that no permit would be required based on revised project plans to avoid impacts. On September 11, 2015 Suzanne Gilmore confirmed that no permit was required as long as additional avoidance is incorporated into the Project. Therefore, the project grading plan has been updated to further avoid areas of potential concern; as such, the Proposed Project will not require an LSAA, because riparian resources along the bank of the drainage are to be fully avoided.
September 3, 2015

Mr. Ken McNab
Community Development Department
City of Napa
1600 First Street
Napa, CA 94559

Dear Mr. McNab:

Meritage Resort Expansion #2 – Mitigated Negative Declaration

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the project referenced above. Our comments seek to promote the State’s smart mobility goals that support a vibrant economy and build active communities rather than sprawl. They are based on the Mitigated Negative Declaration.

Please respond to our concerns initially addressed in our letter to the City of Napa dated August 2, 2015:

1. Mitigation Measures #1 and #4 are contingent upon construction the Soscol Junction improvement project, a grade-separated connector from southbound (SB) State Route (SR) 221 to SB SR 29. If the Soscol Junction project is not constructed, what are the project’s alternative mitigation measures?

2. What is the timeline for the proposed hotel expansion project to open and what mitigations will be in place if the hotel expansion project’s opening is prior to the Soscol Junction project being completed?

3. Please provide a queue analysis for SR 221 at Napa Valley Corporate Way (Intersection #4) and SR 29/221 (Intersection #7), showing whether the existing storage length for the left-turn can accommodate additional project and special events volume under all scenarios.

4. Any improvements in the state’s right-of-way must follow current Caltrans’ design standards.

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California’s economy and livability."
C-1 The City received a letter from the California Department of Transportation (Caltrans) dated August 4, 2015 (included herein as Comment Letter A) in response to the Draft Transportation Impact Study. Letter A can be found on page 6 of this document. The Caltrans September 3, 2015 letter (Comment Letter C) contains comments that are substantially the same as comments included in Letter A. In addition, there are fewer comments in Letter C than in Letter A.

A complete response to all comments contained in both letters can be found starting on page 7 of this document.
Mr. Ken McNak/City of Napa  
September 3, 2015  
Page 2

Please feel free to call or email Sandra Finegan at (510) 622-1644 or sandra.finegan@dot.ca.gov with any questions regarding this letter.

Sincerely,

PATRICIA MAURICE  
District Branch Chief  
Local Development – Intergovernmental Review

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability."
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September 3, 2015

Mr. Ken MacNab
Planning Manager
Community Development Department
1600 First Street
Napa, CA  94559

SUBJECT:  Napa Sanitation District Comments on the Initial Study of
Environmental Significance Mitigated Negative Declaration for the
Meritage Commons Project

Dear Mr. MacNab:

The Napa Sanitation District (NSD) appreciates this opportunity to comment on the Meritage Commons Initial Study of Environmental Significance Mitigated Negative Declaration (MND). NSD serves a population of approximately 80,000 with wastewater collection and treatment services within the City of Napa and nearby unincorporated areas of Napa County. The site of the proposed the Meritage Commons Project (Project) is within NSD’s boundary.

NSD has reviewed the Notice of Intent to Adopt a MND for the Project and has compiled a comprehensive set of both general and detailed comments on various aspects of the project related to wastewater collection, treatment, disposal and recycling, as well as public health and water quality impacts. Our general comments are shown below and detailed comments are attached in Table A.

1. The Project will be subject to NSD’s capacity charges (not “increased” as stated in the MND) for a commercial facility per Ordinance 101 and will be subject to an Inflow and Infiltration (I/I) mitigation fee at a 2:1 ratio per Resolution 11-025 for development over what was studied in the NSD 2007 Collection System Master Plan.

2. The Project will be required to install approximately 900 feet of 8-inch recycled water main in Bordeaux Way per the NSD conditions of approval for the Project dated May 19, 2015.

3. The Project shall be required to find an alternate location to discharge elevator sump pump water, external condensate drains, roof leaders and wash water which are prohibited from being discharged to sanitary sewer per NSD Code.
Response to Letter D  
Napa Sanitation District  
September 3, 2015  

D-1 The City of Napa appreciates comments from the Napa Sanitation District (NSD). As identified on pages 170-171 of the MND, the Proposed Project is subject to an Inflow and Infiltration (I/I) mitigation fee at a 2:1 ratio per Resolution 11-025 for development over what was studied in the NSD 2007 Collection System Master Plan. Special Mitigation Measure U-12 of the MND (page 174) requires that the applicant pay a fee to the Napa Sanitation District “as required for land uses which produce greater amounts of wastewater than was analyzed in the 2007 Collection Systems Master Plan.”

D-2 The City and the project applicant acknowledge that as a Condition of Approval the Napa Sanitation District requires that the owner/developer shall install approximately 900 linear feet of 8-inch recycled water main along Bordeaux Way, from the existing main to the north easterly property line of the subject property.

D-3 The Proposed Project is required to conform to all applicable regulations in the NSD Code. Condition of Approval 51 stipulates that a plan showing the required sanitary sewer improvements shall be prepared by a registered civil engineer conforming to NSD standards, and shall be submitted to NSD for approval. In addition, the City and the project applicant acknowledge that a Condition of Approval prohibits connection of elevator sump pumps to the sanitary sewer system. The project applicant will adhere to all conditions of approval related to wastewater collection, treatment, disposal, and recycling.
Mr. Ken MacNab  
September 3, 2015  
Page 2

Thank you for the opportunity to submit comments. Please feel free to contact me at (707) 258-6031 or rgamble@napasan.com if you have any questions or would like additional information.

Sincerely,

Robin Gamble Holley  
Junior Engineer
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### Table A

<table>
<thead>
<tr>
<th>Comment Number</th>
<th>Section Number</th>
<th>Page Number</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>MND-1</td>
<td>VII. Greenhouse Gas Emissions</td>
<td>91</td>
<td><strong>Section 1. Operational Emissions, Water Usage, Terminology should be updated:</strong> The reference to “reclaimed water” should be updated to “recycled water.”</td>
</tr>
<tr>
<td>MND-2</td>
<td>VII. Greenhouse Gas Emissions</td>
<td>93</td>
<td><strong>Section 2, Project Design Features, Terminology should be updated:</strong> The reference to “reclaimed water” should be updated to “recycled water” in the discussion and Table 9.</td>
</tr>
<tr>
<td>MND-3</td>
<td>XVII. Utilities and Service Systems</td>
<td>170</td>
<td><strong>Section 1.b, (Paragraph 1) Discussion should be updated:</strong> The discussion regarding construction of new water or wastewater treatment facilities should be updated to include installation of approximately 900 feet of 8-inch recycled water main in Bordeaux Way per NSD conditions of approval for the Project. Appropriate mitigation measures for the installation of the recycled water main should be evaluated.</td>
</tr>
<tr>
<td>MND-4</td>
<td>XVII. Utilities and Service Systems</td>
<td>171</td>
<td><strong>Section 1.b, (Paragraph 4) Discussion should be updated:</strong> The reference to “capacity fee” should be updated to “capacity charge”. The discussion should be updated to state standard commercial capacity charges and an Inflow and Infiltration (I/I) mitigation fee consistent with NSD Resolution 11-025 will apply to the Project.</td>
</tr>
<tr>
<td>MND-5</td>
<td>XVII. Utilities and Service Systems</td>
<td>172</td>
<td><strong>Section 1.d, (Paragraph 3) Terminology should be updated:</strong> The reference to “reclaimed water” should be updated to “recycled water”.</td>
</tr>
<tr>
<td>MND-6</td>
<td>XVII. Utilities and Service Systems</td>
<td>172</td>
<td><strong>Section 1.e, Discussion should be updated:</strong> The reference to “capacity fee” should be updated to “capacity charge”. The discussion should be updated to state standard commercial capacity charges and I/I mitigation fee.</td>
</tr>
<tr>
<td>MND-7</td>
<td>XVII. Utilities and Service Systems</td>
<td>174</td>
<td><strong>Section 3, U-12, Mitigation should be updated:</strong> The reference to “increased discharge capacity charge” should be updated to “I/I mitigation fee”.</td>
</tr>
</tbody>
</table>

Comment Number Abbreviations: MND = Mitigated Negative Declaration for the Meritage Commons, Project = Meritage Commons Project, AQEA = Air Quality and GHG Emissions Assessment, GE = Geotechnical Evaluation, SCP = Stormwater Control Plan
D-4 Table A of the Napa Sanitation District letter contains additional recommended edits for the MND. The minor clarifications and text edits depicted in Table A are hereby incorporated by “track changes” into the MND. None of the clarifications or revisions result in new or different impacts related to the project, and no further analysis is required.
<table>
<thead>
<tr>
<th>Comment Number</th>
<th>Section Number</th>
<th>Page Number</th>
<th>Comment</th>
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</thead>
<tbody>
<tr>
<td>MND-8</td>
<td>XVII. Utilities and Service Systems</td>
<td>181</td>
<td><strong>Inventory of Mitigation Measures and Conditions of Approval, U-12, Mitigation should be updated</strong>: The reference to “increased discharge capacity charge” should be updated to “I/I mitigation fee”.</td>
</tr>
<tr>
<td>AQEA-1</td>
<td>Water Usage Systems</td>
<td>9</td>
<td><strong>Water Usage, Terminology should be updated</strong>: The reference to “reclaimed water” should be updated to “recycled water”.</td>
</tr>
<tr>
<td>AQEA-2</td>
<td>Vegetation</td>
<td>9</td>
<td><strong>Vegetation, Terminology should be updated</strong>: The reference to “reclaimed water” should be updated to “recycled water”.</td>
</tr>
<tr>
<td>GE-1</td>
<td>Concrete</td>
<td>32</td>
<td><strong>Section 10.5, Concrete, Terminology should be updated</strong>: The reference to “reclaimed water” should be updated to “recycled water”.</td>
</tr>
<tr>
<td>SCP-1</td>
<td>V. Source Control Measures</td>
<td>9</td>
<td><strong>V.B Source Control Table, Interior floor drains and elevator shafts, Permanent source control BMPs should be updated</strong>: Elevator shaft sump pumps are prohibited from connecting to sanitary sewer. Update the BPM to reflect this requirement.</td>
</tr>
<tr>
<td>SCP-2</td>
<td>V. Source Control Measures</td>
<td>10</td>
<td><strong>V.B Source Control Table, Miscellaneous Drains or Wash Water, Permanent source control BMPs should be updated</strong>: External condensate drains and roof leader are prohibited from connection to sanitary sewer. Internal condensate drains are allowed to connect to sanitary sewer. Only NSD approved Boilers shall be connected to sanitary sewer. Update the BPM to reflect these requirements.</td>
</tr>
<tr>
<td>SCP-3</td>
<td>V. Source Control Measures</td>
<td>10</td>
<td><strong>V.B Source Control Table, Plazas, sidewalks and exposed parking lots, Operational source control BMPs should be updated</strong>: exterior wash water is prohibited from being discharged to sanitary sewer. Update the BPM to reflect this requirement.</td>
</tr>
</tbody>
</table>

These comments are organized in the order they appear in the Meritage Commons MND and appendices.
4. Project Modifications Following the Public Review Period

The Proposed Project has undergone modifications to The Commons (Phase One) amenities and building footprint, as shown on the attached updated Site Vicinity Plan and referred to as the “Updated Project” herein. The Updated Project includes a redesigned east building that reduces the building from three wings to two wings for an overall reduction of approximately 17,000 square feet (13,000 square feet for the spa and 4,000 square feet of additional hotel area).

The Updated Project replaces the proposed spa facility, including the spa pool, 12 treatment rooms, plunge pools, and retail amenities, with 11 new guest rooms, a new yoga lawn. The mix of guest rooms would be updated from 89 standard guest rooms and 45 suites to 105 standard guest rooms and 40 suites. The fitness and movement facility will remain as originally contemplated.

The event lawn has been slightly enlarged and shifted north towards the building; the bocce ball court has been repositioned from south of the event lawn to east of the event lawn; and the proposed tasting room courtyard to the north of the event lawn, including three tasting rooms totaling approximately 1,500 square feet, have been removed from the plan and reserved for future potential development. The updated plan identifies an area immediately south of the event lawn as “future development,” which could accommodate these tasting rooms/flex spaces, but is not contemplated as a part of Phase One. The environmental impacts of Phase Two have been fully analyzed; however, at the time of development the City may evaluate the findings of this document and require further review under CEQA.

Additional project refinements may require further City review and consideration under CEQA if in the opinion of the City said refinements are inconsistent with the MND or if other changes have been made necessitating additional review.
5. Changes to the Public Review Draft IS/MND Needed to Address Project Modifications

The Proposed Project analyzed by the MND concluded that with the implementation of mitigation measures the project impact would be less than significant. A sensitivity analysis was applied to the Updated Project finding that impacts as a result of the Updated Project would result in the same or slightly lesser impacts than those identified in the MND, and no additional mitigation measures are required for the following reasons:

I. **Aesthetics** – The MND concluded that the Proposed Project would have a less than significant effect on the environment. General hotel design and parking lot circulation will remain unchanged from the Proposed Project. The Updated Project proposes to reduce the east building from three wings to two wings, which would have very little impact on aesthetics. Standard mitigation measures AE-1 through AE-4 will be implemented. No special mitigation measures are proposed.

II. **Agricultural and Forest Resources** – The MND concluded that the Proposed Project would have a less than significant impact on Agricultural and Forest Resources. The Updated Project would not expand the development footprint, and no additional impacts are anticipated with the Updated Project. No standard or special mitigation measures are proposed.

III. **Air Quality** – The MND concluded that the Proposed Project would have a less than significant impact on Air Quality with the implementation of mitigation measures. Construction activities and emissions resulting from the Updated Project will remain unchanged from the Proposed Project. Operational emissions would be similar, because the Updated Project proposes the replacement of spa facilities with 11 new guest rooms and the reduction in overall square footage. Standard mitigation measures AQ-1 through AQ-3 will be implemented. No special mitigation measures are proposed.

IV. **Biological Resources** – The MND concluded that the Proposed Project would have a less than significant impact on Biological Resources with the implementation of mitigation measures. The Updated Project would not expand the proposed development area, and vegetation clearing and construction activities will remain consistent with the Proposed Project. No standard mitigation measures are proposed. Special mitigation measures BR-1 through BR-4 will be implemented.

V. **Cultural Resources** – The MND concluded that the Proposed Project would have a less than significant impact on Cultural Resources with the implementation of mitigation measures. The Updated Project would not expand the proposed development footprint, and no additional impacts are anticipated. Standard mitigation measure CR-1 will be implemented. Special mitigation measures CR-2 through CR-4 will be implemented.

VI. **Geology and Soils** – The MND concluded that the Proposed Project would have a less than significant impact on Geology and Soils with the implementation of mitigation measures. The Updated Project does not expand the development area or propose additional grading activities, and no additional impacts are anticipated. Standard
mitigation measures Geo-1 and Geo-2 will be implemented. Special mitigation measure Geo-3 will be implemented.

VII. **Greenhouse Gas Emissions** – The MND concluded that the Proposed Project would have a less than significant impact on Greenhouse Gas Emissions. The Updated Project would replace the spa facility with 11 new guest rooms and would reduce the overall building square footage. No additional impacts are anticipated. No standard or special mitigation measures are proposed.

VIII. **Hazards and Hazardous Materials** – The Commons lies within an Airport Compatibility Overlay, with approximately one-third of the site in Zone C, which requires a use permit and Airport Land Use Commission (ALUC) determination of consistency, and two-thirds in Zone D, which permits hotel uses. The Proposed Project was considered by ALUC on September 17, 2015 and was found to be consistent with the Airport Land Use Compatibility Plan (ALUCP). The Updated Project eliminates the easterly wing, thereby reducing the hotel occupants within Zone C. The ALUCP allows several methods for calculating density. The density method presented in the MND is based on the City’s parking ordinance and makes an assumption that employees and managers would be traveling alone and guests would be traveling at an average rate of 2.5 passengers per vehicle. The table below was taken from the MND and has been updated to include the additional guest rooms. The addition of 11 guest rooms will increase the concentration of people from 44.6 people per acre to 47.6 people per acre, which is within the ALUCP recommendation of 50 people per acre. It should be noted that the Updated Project also eliminates the spa and its employees. However, at this time an adjusted employee count is not available, and no reduction was taken; therefore, the employee count and the concentration of people reflected in the table below are higher than will be experienced by the hotel.

<table>
<thead>
<tr>
<th>Parking Use</th>
<th>Parking Spaces Required by Code</th>
<th>Passengers per Vehicle</th>
<th>Number of Persons Based on Parking</th>
<th>Concentration of People (persons/9.3 acres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hotel rooms</td>
<td>145 spaces</td>
<td>2.5</td>
<td>363</td>
<td>39</td>
</tr>
<tr>
<td>Managers</td>
<td>13 spaces</td>
<td>1</td>
<td>13</td>
<td>1.4</td>
</tr>
<tr>
<td>Employees</td>
<td>67 spaces</td>
<td>1</td>
<td>67</td>
<td>7.2</td>
</tr>
<tr>
<td>Total</td>
<td>225 spaces</td>
<td>–</td>
<td>443</td>
<td>47.6</td>
</tr>
</tbody>
</table>

Although the concentration of people could increase across The Commons due to the replacement of spa facilities with 11 guest rooms based on the parking ordinance method for calculating density, the Updated Project would result in less hotel square footage and fewer guest rooms located in Zone C, and the updated density calculation remains consistent with the maximum density recommendation for Zone C. The Updated Plan is consistent with the Hazards and Hazardous Materials analysis presented in the MND.

IX. **Hydrology and Water Quality** – The MND concluded that the Proposed Project would have a less than significant impact on Hydrology and Water Quality with the implementation of mitigation measures. The Updated Project would not expand the proposed development footprint; impermeable surfaces will not be increased; and the proposed Storm Water Control Plan remains adequate. No additional impacts are anticipated. Standard mitigation measures H-WQ-1 through H-WQ-8 will be implemented. Special mitigation measures H-WQ-9 and H-WQ-10 will be implemented.
X. **Land Use and Planning** – The MND concluded that the Proposed Project would have a less than significant impact on Land Use and Planning. The Updated Project remains consistent with the zoning code and the General Plan, and no additional impacts are anticipated. Standard mitigation measures LU-1 through LU-3 will be implemented. No special mitigation measures are proposed.

XI. **Mineral Resources** – The MND concluded that the Proposed Project would have no impact on Mineral Resources. No mineral resources are identified with the development area, and no additional impacts are anticipated. No standard or special mitigation measures are proposed.

XII. **Noise** – The MND concluded that the Proposed Project would have a less than significant impact on Noise with the implementation of mitigation measures. The Updated Project would not generate or expose people to noise in excess of City standards, and no additional impacts are anticipated. Standard mitigation measure N-1 will be implemented. Special mitigation measure N-2 will be implemented.

XIII. **Population and Housing** – The MND concluded that the Proposed Project would have a less than significant impact on Population and Housing. The Updated Project would have roughly the same number of staff as proposed. The target corporate guest and patron population would remain consistent with the Proposed Project. No additional impacts are anticipated. No standard or special mitigation measures are proposed.

XIV. **Public Services** – The MND concluded that the Proposed Project would have a less than significant impact on Public Services. The Updated Project would create a greater demand on public services than were identified by the Proposed Project. No additional impacts are anticipated. Standard mitigation measures PS-1 through PS-4 will be implemented. No special mitigation measures are proposed.

XV. **Recreation** – The MND concluded that the Proposed Project would have a less than significant impact on Recreation. The Updated Project contemplates the replacement of the spa facility with 11 new guest rooms. However, other on-site amenities and recreational opportunities will remain as proposed. No additional impacts are anticipated. No standard or special mitigation measures are proposed.

XVI. **Traffic** – The MND concluded that the Proposed Project would have a less than significant impact with the implementation of mitigation measures. In response to adding 11 new hotel rooms and removing approximately 13,000 square feet of spa facilities, the Updated Project will result in two additional trips (one in, one out) during the AM Peak Hour, which is a negligible increase and would not further impact any study area intersections. The PM Peak Hour traffic will be reduced by four trips (three in, one out), because spa traffic patterns typically have more afternoon activity compared to hotel rooms, as indicated in the attached memorandum prepared by Fehr and Peers dated October 1, 2015. The slight decrease in trips does not change the analysis presented in the MND. No additional impacts are anticipated. COA-T1 will be implemented. Standard mitigation measures T-1 through T-5 will be implemented. Special mitigation measures T-6 through T-8 will be implemented.

XVII. **Utilities and Service Systems** – The MND concluded that the Proposed Project would have a less than significant impact on Utilities and Service Systems with the implementation of mitigation measures. Project impacts on utilities and service systems were analyzed in the MND. The Updated Project replaces a 13,000-square-foot spa
facility with 11 guest rooms, and has an overall reduction of square footage. Impacts to the utilities and service systems would remain unchanged. Mitigation proposed by the MND is adequate. The Infiltration and Inflow (I&I) reduction fee is based on square footage and number of guest rooms. This fee will be updated accordingly. No additional impacts are anticipated. Standard mitigation measures U-1 through U-11 will be implemented. Special mitigation measure U-12 will be implemented.

The Updated Project contemplates an overall reduction of approximately 18,000 square feet and reduces the building footprint by eliminating the far easterly wing and reorienting the remaining wing. The Environmental Checklist in the MND provides a comprehensive analysis of the Project’s potential impacts, and impacts after the implementation of mitigations measures. Overall, the Updated Project is a slightly smaller project with fewer potential impacts than analyzed in the MND.
MEMORANDUM

Date: October 1, 2015
To: Lorien Clark, City of Napa Public Works
From: Andy Kosinski, PE, Fehr & Peers
Subject: Traffic Impacts from Revised Meritage Project

Fehr & Peers analyzed the traffic impacts of the Napa Meritage Resort Expansion ("Proposed Project") in an impact study submitted in July 2015. Since the submission of the study, the project description has been revised. The Revised Project would include an additional 11 rooms and would eliminate the spa, as shown in Table 1 below:

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Proposed Project</th>
<th>Revised Project</th>
<th>Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hotel</td>
<td>134 rooms</td>
<td>145 rooms</td>
<td>+11 rooms</td>
</tr>
<tr>
<td>&quot;The Village&quot; (tasting room, market, exhibition kitchen)</td>
<td>21 ksf</td>
<td>21 ksf</td>
<td>No change</td>
</tr>
<tr>
<td>Ballroom</td>
<td>10 ksf</td>
<td>10 ksf</td>
<td>No change</td>
</tr>
<tr>
<td>Fitness/spa/VIP space</td>
<td>13 ksf</td>
<td>-</td>
<td>-13 ksf</td>
</tr>
</tbody>
</table>

Source: Napa Meritage Transportation Impact Study, Fehr & Peers, July 2015 (Table 6); CAA Planning, September 2015.

The Revised Project would result in the following changes in automobile trip generation:

- AM peak hour: 1 additional trip in and 1 additional trip out (3 percent increase)
- PM peak hour: 4 fewer trips in and 1 fewer trip out (4 percent decrease)

While the increase in hotel room trip activity due to the Revised Project would be roughly the same for AM and PM, the decrease in spa activity would be much more marked in PM as spas are much busier in the PM than AM. This explains why the Revised Project would result in slightly higher trip generation in the AM period but slightly lower in the PM period.
The increase in trips in the AM period and the decrease in trips in the PM period would both be negligible and imperceptible, and would have no effect on the prior findings from the traffic impact analysis.

If you have any questions, please feel free to contact Andy Kosinski at (415) 684-7461.
6. Findings Supporting Adoption of the IS/MND

The Updated Project contemplates relatively small changes to the Proposed Project. CEQA Guidelines requires that an MND be recirculated under §11073.5(b) if 1) substantial revisions such as a new, avoidable significant effect are identified and mitigation measures or project revisions must be added in order to reduce the effect to insignificance, or 2) the lead agency determines that the proposed mitigation measures or project revisions will not reduce potential effects to less than significance and new measures or revisions must be required. However, under CEQA Guidelines §15073.5(c)(2) recirculation is not required if new project measures are added in response to written or verbal comments on the project’s effects identified in the proposed negative declaration which are not new avoidable significant impacts.

As described above, environmental impacts resulting from the Updated Project will be slightly less than or unchanged from what was analyzed in the MND. The Updated Project would not result in any significant impacts, require additional mitigation measures, or constitute a basis for recirculation. Project revisions have been identified and are incorporated herein into this Final Mitigated Negative Declaration document. There are no substantial revisions to the MND as a result of the Updated Project, and effects of the Updated Project are not considered new avoidable significant effects.