

Appendix A

Mitigation and Monitoring Plan

APPENDIX A –MITIGATION, MONITORING AND REPORTING PLAN

Mitigation Measure	Verify Compliance/ Monitoring Responsibility	Timing of Initial Action	Monitoring Frequency and Duration	Action Items
<p>Project Measure 1: Basic Air Quality Measures</p> <p>The Town shall implement the Bay Area Air Quality Management District's Basic Construction Measures, which consist of the following:</p> <ul style="list-style-type: none"> • All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered up to two times per day as necessary to reduce dust. • All haul trucks transporting soil, sand, or other loose material off-site shall be covered. • All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. • All vehicle speeds on unpaved roads shall be limited to 15 mph. • All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. • Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points. • All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. • Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall 	Town of Yountville	During construction	Ongoing during construction	Implement BMPs

APPENDIX A –MITIGATION, MONITORING AND REPORTING PLAN

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also be visible to ensure compliance with applicable regulations.				
<p>Project Measure 2: Traffic Control Plan</p> <p>The Town shall require the contractor to develop a traffic control plan to minimize the impacts of construction traffic on Project area roadways and at key intersections used during construction. The traffic control plan shall include the following provisions and may include other measures if a further need is identified.</p> <ul style="list-style-type: none"> • Location(s) of designated Project construction staging areas. • Post warning signage at points where construction traffic will enter or leave Solano Avenue, Land Lane, and Silverado Trail • Use flag control during work hours when equipment or materials are delivered to the work area. • Detour routes to be used in order to maintain access during various phases of the Project's construction. • Restrict all construction traffic to normal daytime business hours, unless the Town identifies a need for off-hours routing to avoid impacts on peak-hour commute traffic. • Consult with the Napa County Fire Department and provide notification of the timing, location, and duration of construction in the vicinity of the Yountville fire station. • In order to minimize any potential overlap with other construction and roadway improvement project(s), the contractor shall work with the Town and Napa County to identify the routes and intersections that should be avoided, as well as appropriate alternate travel routes or times. The plan shall address routes to minimize construction traffic on State Highway 29 during peak hours. 	Town of Yountville	Prior to Construction	Ongoing during construction	Develop and Implement Traffic Control Plan

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<p><i>Mitigation Measure AES-1: Development of Trenching Techniques to Minimize Tree Loss along Washington Street</i></p> <p>The Town shall retain a certified arborist to evaluate Project construction plans and develop special trenching techniques to minimize the potential for tree impacts and tree loss along Washington Street. Construction activities within the dripline of trees adjacent to adjacent to trenches shall be avoided to the extent feasible during construction. Pruning of trees shall be completed by either a certified arborist or by the contractor under supervision of either an International Society of Arboriculture qualified arborist, American Society of Consulting Arborists consulting arborist, or a qualified horticulturalist. If trees are damaged or lost, trees shall be replaced in accordance with Chapter 12.16 of the Town's Municipal Code (Tree Ordinance) in a manner that retains the functionality of visual screening along Washington Street.</p>	Town of Yountville	Prior to construction	Ongoing during construction	Develop and implement trenching techniques to minimize tree damage
<p><i>Mitigation Measure BIO-1: Avoid Impacts to California Red-legged Frog</i></p> <p>The Town shall implement the following measures to avoid impacts to California red-legged frogs (CRLF) during construction within 50 feet of the agricultural irrigation ponds:</p> <ol style="list-style-type: none"> Ground disturbing construction activities shall be limited to the dry season period from April 1 through November 1 to avoid potential red-legged frog dispersal events. A qualified biologist shall conduct a pre-construction survey immediately preceding any construction activity within 50 feet of the irrigation ponds. The biologist shall remain on-site during ground disturbing construction within 50 feet of a pond. If a CRLF is encountered during construction, all construction activities in the immediate area shall cease until the animal moves away of its own volition. Construction cannot begin until the CRLF has left the 	Town of Yountville	Prior to construction	Ongoing during construction	Conduct pre-construction surveys; implement minimization measures as needed.

APPENDIX A –MITIGATION, MONITORING AND REPORTING PLAN

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<p>construction area. If CRLF do not leave the site to allow for construction, the Town shall contact USFWS for direction on how to proceed.</p> <p>d. Prior to the start of construction, a USFWS-approved biologist shall train all construction personnel regarding habitat sensitivity, identification of special status species, and required practices before the start of construction.</p> <p>e. Because dusk and dawn are often the times when CRLF are most actively foraging and dispersing, all construction activities shall cease one-half hour before sunset and shall not begin prior to one-half hour before sunrise. All vehicle parking shall be restricted to previously determined staging areas or existing roads.</p> <p>f. The fueling and maintenance of vehicles and other equipment shall occur at least 20 meters (65 feet) from any riparian habitat or water body.</p>				
<p>Mitigation Measure BIO-2: Conduct Preconstruction Nesting Surveys for Nesting Passerines and Raptors</p> <p>If construction is scheduled to start between January 31 and October 1, a qualified biologist shall conduct preconstruction nesting surveys within 48 hours of construction for nesting passerines (small songbirds) and raptors. Trees within a 200-foot radius shall be included in the surveys. If active nests are located in the work area, the biologist, in consultation with CDFG, shall establish an appropriately sized buffer around the nest in which no work will be allowed until the young have successfully fledged. A minimum of a 50-foot buffer zone shall be placed around passerine nests and 250-foot buffers shall be placed around raptor nests. If a qualified biologist determines that less of a buffer zone is acceptable, the size of the buffer zone may be reduced upon approval by CDFG.</p>	Town of Yountville	Prior to construction	Ongoing during construction	Conduct pre-construction surveys; implement minimization measures as needed.
<p>Mitigation Measure BIO-3: Avoid or Restore Jurisdictional</p>	Town of Yountville	During Project	Ongoing	Avoid where feasible

APPENDIX A –MITIGATION, MONITORING AND REPORTING PLAN

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<p>Wetlands and Waters Temporarily Affected by Construction</p> <p>The Town shall implement avoidance and minimization measures, including best management practices (BMPs), to protect jurisdictional wetlands and waters during construction. Materials and fluids generated by construction activities shall be placed at least 25 feet away from wetland areas or drainages until they can be disposed of at a permitted site. All wetlands and waters areas located adjacent to the construction zone that could be affected by construction activities shall be temporarily fenced off and designated as environmentally sensitive areas to prevent accidental intrusion by workers and equipment.</p> <p>The Project shall be designed to avoid impacts to SW-1, SW-3, and FWM-2 to the extent feasible. The pipeline shall be designed for installation along the vineyard or roadway edge and outside the vineyard irrigation ditch/seasonal wetland.</p> <p>The following measures shall be implemented where construction impacts to jurisdictional waters and wetlands cannot feasibly be avoided. A wetland and waters restoration plan shall be prepared prior to construction. The restoration shall include, but not be limited to, the following measures:</p> <ul style="list-style-type: none"> • Install pipelines when wetlands and streams are dry. • Restore original contours and drainage patterns, both into and out of the wetland. • Spread a cover of straw, rice straw if available, over disturbed soils and work into soil. This practice shall not be implemented in wetland soils. • Apply an organically based tackifier on disturbed areas to reduce air and water erosion of soils. 		Design	during construction and post-construction	and restore where impacts occur

APPENDIX A –MITIGATION, MONITORING AND REPORTING PLAN

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<ul style="list-style-type: none"> Plants shall be installed, maintained and replaced such that 70 percent of the design plant density is present on the five-year anniversary of plant installation. 				
Mitigation Measure CR-1: Avoid Known Resources To avoid potential impacts to ASC-41-11-02, pipeline trenching shall be rerouted to avoid the resource to leave a 30 foot buffer between the resource and any ground disturbance or equipment use.	Town of Yountville	During Project Design	Ongoing during Construction	Reroute pipeline trenching, create buffer
Mitigation Measure CR-2: Prepare a Cultural Resources Monitoring Plan and Implement a Subsurface Archaeological Inventory Prior to construction, a Cultural Resources Monitoring Plan and a subsurface archaeological inventory shall be completed to identify specific portions of the Area of Potential Effect (APE) that are likely to be sensitive for containing previously undiscovered buried archaeological deposits. A qualified archaeologist shall prepare the monitoring plan and complete the subsurface archaeological survey. The study shall utilize a variety of archival sources including ethnographic literature, previous archaeological studies with subsurface components within the project vicinity, and geological history and soil survey data for the surrounding area. If sensitive areas are present within the APE, a work plan shall be prepared that defines methods for determining the presence or absence of archaeological deposits within those sensitive areas. The work plan shall consist of an augering program that shall focus on areas identified as potentially culturally sensitive within both the horizontal and vertical APE. Areas identified as culturally sensitive will be those that a) contain a surface archaeological component, such as ASC-41-11-02; b) are identified as a likely location for prehistoric habitation based on ethnographic descriptions of the area and resources present; or c) are identified as areas	Town of Yountville	Prior to construction	Ongoing during Construction	Complete Cultural Resources Monitoring Plan and subsurface archaeological inventory

APPENDIX A –MITIGATION, MONITORING AND REPORTING PLAN

Mitigation Measure	Verify Compliance/ Monitoring Responsibility	Timing of Initial Action	Monitoring Frequency and Duration	Action Items
containing stable landforms with a likelihood of buried deposits due to underlying geologic and soil formation processes. Frequency and spacing of auger holes shall depend on the type of sensitivity identified.				
<p><i>Mitigation CR-3 Avoid Significant Resources or Implement Data Recovery Program</i></p> <p>If buried archaeological resources are found during the subsurface archaeological inventory, the archaeologist shall evaluate the resource(s) to determine its significance. For any resource that is determined to be significant, the archaeologist shall assist Reclamation staff in assessing the Project's effect on the property. If the effect would be adverse (if the project would alter, directly or indirectly, any of the characteristics of a historic property that qualify it for listing in the National Register) then the Town shall redesign the Project to avoid any adverse effect on the significant resource where feasible. If the adverse effect cannot be avoided, an archaeological data recovery program shall be undertaken. The archaeologist shall prepare a draft data recovery plan that identifies how the proposed data recovery program would preserve the significant information the archaeological resource is expected to contain. The Plan shall identify the scientific/historic research questions applicable to the resource, the data classes the resource is expected to possess, and how the data classes would address the applicable research questions. Data recovery, in general, shall be limited to the portions of the historic property that could be adversely affected by the Project. Destructive data recovery methods shall not be applied to portions of the archaeological resources if nondestructive methods are practical.</p> <p>All the above-described procedures shall be completed in consultation with the State Historic Preservation Officer (SHPO) and interested parties, including the scope of the resource identification efforts, the evaluation of significance of identified archaeological resources, the assessment of effects,</p>	Town of Yountville	Prior to construction	Ongoing during Construction	Evaluate, redesign and avoid significant resources if necessary.

APPENDIX A –MITIGATION, MONITORING AND REPORTING PLAN

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<p>and the development of the data recovery program.</p> <p>To satisfy the requirements of CEQA, any identified resource that does not meet National Register eligibility criteria, shall be evaluated to determine if it constitutes either a historical resource or unique archaeological resource pursuant to CEQA Guidelines Section 15064.5. For any identified historical or unique archaeological resource, the archaeologist shall assess whether or not the Project would cause a substantial adverse change in the significance of the resource. If the Project would cause such an adverse change, the Project shall be redesigned to avoid the resource if possible, or a program of data recovery shall be implemented in accordance with standard archaeological methods.</p>				
<p>Mitigation Measure CR-4: Treatment of Archaeological Resources Discovered During Construction</p> <p>If archaeological materials are encountered during construction activities, the piece of equipment that encounters the materials must be stopped, and the find inspected by a qualified archaeologist to evaluate the materials and recommend appropriate treatment. Prehistoric archaeological materials might include obsidian and chert flaked-stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil ("midden") containing heat-affected rocks, artifacts, or shellfish remains; and stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs); and battered stone tools, such as hammerstones and pitted stones. Historic period materials might include stone, concrete, or adobe footings and walls; filled wells or privies; and deposits of metal, glass, and/or ceramic refuse.</p> <p>In the case of an unanticipated archaeological discovery, if it is determined that the find is unique under the National Historic Preservation Act (NHPA) and/or potentially eligible for listing in the National Register, and the site cannot be avoided, the Town shall develop a research design and excavation plan,</p>	Town of Yountville	If encountered	Ongoing during Construction	Halt work, and develop and implement research and excavation plan, if necessary

APPENDIX A –MITIGATION, MONITORING AND REPORTING PLAN

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<p>prepared by an archaeologist, outlining recovery of the resource, analysis, and reporting of the find. Treatment and resolution may include modifying the Project to allow the materials to be left in place, or undertaking data recovery of the materials in accordance with standard archaeological methods; protection and preservation of resources is preferable if feasible. The research design and excavation plan shall be submitted to Reclamation staff who would notify the SHPO and the Native American representatives. Reclamation and the SWRCB shall approve the plan prior to construction being resumed.</p> <p>In the event that the Town must work in the State right-of-way (i.e. State Highway 29), the Town shall submit a Standard Encroachment Permit Application to Caltrans during the design of Phase 3 of the Project. If an unanticipated archaeological discovery during ground-disturbing activities occurs within the State right-of-way, the Caltrans Office of Cultural Resource Studies, District 4, shall be contacted. In the event of an inadvertent discovery Reclamation may have additional Section 106 obligations pursuant to the Post Review Discovery portion of the regulations at §800.13. Although very unlikely, if human remains are identified during implementation of this action, the project shall be halted immediately and the Reclamation Mid-Pacific Regional Archaeologist contacted immediately to discuss how to proceed.</p>				
<p>Mitigation Measure CR-5: Protection and Preservation of Paleontological Materials</p> <p>If paleontological resources (e.g., vertebrate bones, teeth, or abundant and well-preserved invertebrates or plants) are encountered during construction, the Town shall halt ground-disturbing work in the vicinity of the find. Work near the find shall not be resumed until a qualified paleontologist has evaluated the materials and offer recommendations for further action, including salvage of any significant paleontological resources.</p>	Town of Yountville	If encountered	Ongoing during Construction	Halt work, notify and evaluate materials, if necessary

APPENDIX A –MITIGATION, MONITORING AND REPORTING PLAN

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<p>Mitigation Measure CR-6: Procedures for Encountering Human Remains</p> <p>If human remains are discovered, potentially damaging activities shall be halted and no further excavation of the remains or nearby area can occur until the Napa County Coroner has made necessary findings as to the origin of the remains, in accordance with the Health and Safety Code 7050.5. The Town shall immediately notify the County Coroner and a professional archaeologist to determine the nature of the remains. At the same time, an archaeologist shall be contacted to evaluate the situation. As the property has been repeatedly tilled and graded, the possibility exists that human remains may be fragmentary and mixed with surrounding soils. If human remains are encountered, all ground disturbance within a 50 feet diameter area shall be halted until the archaeologist and the coroner have reviewed the remains. If the Coroner determines that the remains are of Native American origin, the Town shall notify the Native American Heritage Commission within 24 hours of identification, as well as the Reclamation representative. The Commission then notifies the Most Likely Descendant, who has 48 hours to make recommendations to the landowner for the disposition of the remains. Remains shall be treated in accordance with Public Resources Code §5097.9.</p>	Town of Yountville	If encountered	Ongoing during Construction	Halt work and notify County Coroner and/or NAHC and USBR if necessary.
<p>Mitigation Measure GEO-1: Geotechnical Study</p> <p>A California registered Geotechnical Engineer shall conduct a design-level geotechnical study for the Project. Borings shall be advanced in select areas of the pipeline route to evaluate areas susceptible to liquefaction and expansiveness and recommendations to repair, stabilize, or avoid such soils shall be provided. Measures may include, but would not be limited to, removal of soils prone to seismically-induced liquefaction or shrinking and swelling, soil stabilization such as lime treatment, use of restrained joint pipes, and other measures. The recommendations made in the geotechnical study shall be</p>	Town of Yountville	During Project design	Ongoing during construction	Conduct geotechnical study and incorporate and implement recommendations

APPENDIX A –MITIGATION, MONITORING AND REPORTING PLAN

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incorporated into the final plans and specifications and implemented during construction.				
<p>Mitigation Measure HYD– 1: Storm Water Pollution Prevention Plan</p> <p>The Town shall obtain coverage under SWRCB Order No. 2009-0009-DWQ, Waste Discharge Requirements for Discharges of Storm Water Runoff Associated with Construction and Land Disturbance Activities. The City shall submit permit registration documents (notice of intent, risk assessment, site maps, SWPPP, annual fee, and certifications) to the State Water Resources Control Board. The SWPPP shall address pollutant sources, non-storm water discharges resulting from construction dewatering, best management practices, and other requirements specified in the Order. The BMPs shall include any measures included in the erosion and sediment control plans developed for the Project to minimize disturbance after grading or construction. The SWPPP shall also include dust control practices to prevent wind erosion, sediment tracking and dust generation by construction equipment. The Town shall ensure that a Qualified SWPPP Practitioner oversees implementation of the SWPPP, including visual inspections, sampling and analysis, and ensuring overall compliance.</p>	Town of Yountville	Prior to construction	Ongoing during construction	Develop and implement SWPPP.
<p>Mitigation Measure HYD– 2: Construction Dewatering</p> <p>If construction dewatering is required, the Town shall evaluate reasonable options for dewatering management. The following management options shall be considered:</p> <ul style="list-style-type: none"> • Reuse the water on-site for dust control, compaction, or irrigation. • Retain the water on-site in a grassy or porous area to allow infiltration/evaporation. • Discharge (by permit) to a sanitary sewer or surface water (this option may require a temporary method to filter 	Town of Yountville	Prior to construction	Ongoing during construction	Evaluate options for dewatering management and select dewatering method, if discharging to local surface water or storm drain, obtain coverage under General Permit.

APPENDIX A –MITIGATION, MONITORING AND REPORTING PLAN

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<p>sediment-laden water prior to discharge).</p> <p>If discharging to the sanitary sewer, the Town shall issue a one-time discharge permit or other type of approval requiring, as necessary, measures for characterizing the discharge and ensuring filtering methods and monitoring to verify that the discharge is compliant with the Town's local wastewater discharge requirements.</p> <p>If discharging to a local surface water or storm drain, the discharge shall be managed as a non-storm water discharge and control measures shall be included in the SWPPP prepared under Order No. 2009-0009-DWQ. The Town shall characterize the groundwater prior to discharge and implement control measures, such as settling and/or filtration to ensure that excessive sediment is not discharged, and manage discharge rates to prevent erosion downstream.</p>				
<p>Mitigation Measure HYD-3: Frac-Out and Undercrossing Contingency Plan</p> <p>If drilling mud is needed during construction, the Town shall develop and follow procedures to prevent the mix used during drilling from being discharged into Chase Creek and Hinman Creek when installing pipelines using trenchless construction methods. The plan shall address how the contractor would manage pressures and the volume of lubricant used to prevent frac-out.</p> <p>The plan shall also address procedures to follow in the event a frac-out occurs. Drilling activities shall be visually monitored for any sign of lubricant frac-out and should frac-out occur, the contractor shall complete the following:</p> <ul style="list-style-type: none"> • Stop pumping lubrication. • Locate the point and cause of the frac-out. • Contain the spill to the maximum extent possible. • Clean up the spill to the maximum extent possible. • Wait at least two hours before pumping lubrication near 	Town of Yountville	Prior to construction	Ongoing during construction	Develop and implement Frac-Out and Undercrossing Contingency Plan

APPENDIX A –MITIGATION, MONITORING AND REPORTING PLAN

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<p>the frac-out point to allow the ground to seal.</p> <ul style="list-style-type: none"> Reduce pumping pressure and volume in the area of the frac-out. <p>Notify all designated authorities that a frac-out occurred, including but not limited to the California Department of Fish and Game.</p>				
<p>Mitigation Measure NOI-1: Noise Reduction Measures</p> <p>During Project construction, the Town and its contractor(s) shall implement the following measures such that noise from construction does not exceed 70 dBA at noise-sensitive uses during daytime hours.</p> <ul style="list-style-type: none"> Construction work shall occur between 8 a.m. and 6 p.m. daily for all areas of the Project, and work shall not occur within 400 feet of Saint Joan of Arc Catholic Church during church services. If noise levels exceed 70 dBA at the Saint Joan of Arc Church during installation of the pipeline under Highway 29, then the contractor shall erect a temporary 12-foot high sound barrier around the sending/receiving pit to reduce the noise levels at the church to adjacent to the Saint Joan of Arc Church and adjacent to the Golf Course. The barrier shall remain in place for the duration of pipeline installation. Use quietest available equipment and electrically-powered equipment, rather than internal combustion engines where feasible. Equipment and on-site trucks used for Project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds, wherever feasible). All construction equipment shall be inspected at 	Town of Yountville	Prior to construction	Ongoing during construction	Hold pre-construction meeting, develop and implement noise reduction measures.

APPENDIX A –MITIGATION, MONITORING AND REPORTING PLAN

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<p>periodic intervals to ensure proper maintenance and resulting lower noise levels.</p> <ul style="list-style-type: none"> • Impact tools (e.g., jack hammers, pavement breakers) used for Project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed-air exhaust from pneumatically powered tools. An exhaust muffler on the compressed-air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used where feasible, which could achieve a reduction of 5 dBA. • A preconstruction meeting shall be held between the job inspectors and the contractor/on-site project manager to confirm that noise mitigation and practices are completed prior to commencement of construction (including construction hours, neighborhood notification, etc.). • An on-site complaint and enforcement manager shall be posted to respond to and track any noise complaints. The manager shall be responsible for responding to any complaints regarding construction noise and for coordinating with the adjacent land uses. The manager shall determine the cause of any complaints and coordinate with the construction team to implement effective measures (considered technically and economically feasible) warranted to correct the problem. The telephone number of the on-site complaint and enforcement manager shall be posted at the construction site and provided to neighbors in a notification letter. The manager shall be trained to use a sound level meter and should be available during all construction hours to respond to complaints. 				

Appendix B

RoadMod Assumptions & Input

Road Construction Emissions Model, Version 6.3.2

Emission Estimates for -> Yountville Recycled Water Expansion Project				Total	Exhaust	Fugitive Dust	Total	Exhaust	Fugitive Dust	
Project Phases (English Units)	ROG (lbs/day)	CO (lbs/day)	NOx (lbs/day)	PM10 (lbs/day)	PM10 (lbs/day)	PM10 (lbs/day)	PM2.5 (lbs/day)	PM2.5 (lbs/day)	PM2.5 (lbs/day)	CO2 (lbs/day)
Grubbing/Land Clearing	7.6	28.0	40.8	3.0	2.2	0.7	2.2	2.0	0.1	4,678.9
Grading/Excavation	8.1	33.0	43.6	3.3	2.6	0.7	2.5	2.3	0.1	5,330.1
Drainage/Utilities/Sub-Grade	6.9	26.7	35.9	2.9	2.2	0.7	2.2	2.0	0.1	4,450.2
Paving	5.7	21.1	23.0	1.9	1.9	-	1.8	1.8	-	2,622.2
Maximum (pounds/day)	8.1	33.0	43.6	3.3	2.6	0.7	2.5	2.3	0.1	5,330.1
Total (tons/construction project)	1.9	7.6	10.2	0.8	0.6	0.2	0.6	0.6	0.0	1,238.6

Notes:	Project Start Year ->	2013
	Project Length (months) ->	24
	Total Project Area (acres) ->	7
	Maximum Area Disturbed/Day (acres) ->	0
	Total Soil Imported/Exported (yd ³ /day)->	12

PM10 and PM2.5 estimates assume 50% control of fugitive dust from watering and associated dust control measures if a minimum number of water trucks are specified.

Total PM10 emissions shown in column F are the sum of exhaust and fugitive dust emissions shown in columns H and I. Total PM2.5 emissions shown in Column J are the sum of exhaust and fugitive dust emissions shown in columns K and L.

Emission Estimates for -> Yountville Recycled Water Expansion Project				Total	Exhaust	Fugitive Dust	Total	Exhaust	Fugitive Dust	
Project Phases (Metric Units)	ROG (kgs/day)	CO (kgs/day)	NOx (kgs/day)	PM10 (kgs/day)	PM10 (kgs/day)	PM10 (kgs/day)	PM2.5 (kgs/day)	PM2.5 (kgs/day)	PM2.5 (kgs/day)	CO2 (kgs/day)
Grubbing/Land Clearing	3.4	12.7	18.5	1.3	1.0	0.3	1.0	0.9	0.1	2,126.8
Grading/Excavation	3.7	15.0	19.8	1.5	1.2	0.3	1.1	1.1	0.1	2,422.8
Drainage/Utilities/Sub-Grade	3.2	12.1	16.3	1.3	1.0	0.3	1.0	0.9	0.1	2,022.8
Paving	2.6	9.6	10.4	0.9	0.9	-	0.8	0.8	-	1,191.9
Maximum (kilograms/day)	3.7	15.0	19.8	1.5	1.2	0.3	1.1	1.1	0.1	2,422.8
Total (megagrams/construction project)	1.8	6.9	9.2	0.7	0.6	0.1	0.5	0.5	0.0	1,123.5

Notes:	Project Start Year ->	2013
	Project Length (months) ->	24
	Total Project Area (hectares) ->	3
	Maximum Area Disturbed/Day (hectares) ->	0
	Total Soil Imported/Exported (meters ³ /day)->	9

PM10 and PM2.5 estimates assume 50% control of fugitive dust from watering and associated dust control measures if a minimum number of water trucks are specified.

Total PM10 emissions shown in column F are the sum of exhaust and fugitive dust emissions shown in columns H and I. Total PM2.5 emissions shown in Column J are the sum of exhaust and fugitive dust emissions shown in columns K and L.

RoadMod Assumptions & Inputs

Construction Start Year: 2013 (source: project description)

Project Type: 2

Project Construction Time: 8 months for each phase = 24 months total (5 days per week, 4 weeks per month, 24 months = 480 days)

Predominant Soil/Site Type: Sand Gravel. The geology map shows the underlying geology in the Project area as consisting of Holocene stream terrace deposits (Qhty), Holocene alluvial fan deposits (Qhf), Holocene alluvium (Qha), and the stream channel deposits of the Napa River.

Project Length: 28,590 LF = 5.41 miles

Total Project Area = 28,590 LF x 10 ft widest construction width (sending/receiving pit) = 6.56 acres

Water Trucks used = Yes

Worker Trips = Estimated Project average of 8 employees for the construction crew (an additional four employees would be needed during trenchless construction, but this would be a very small percentage of the time; 12 employees for entire 480 day duration would not accurately represent the Project).

Construction Periods

User override of construction periods, based on information from Project engineers.

Soil Estimates

Inputs were derived from Table 1 in the project description. The default truck capacity was override. Truck haul capacity is assumed to be 8 CY.

- Soil Imported: 0 CY
- Soil Exported: 5,570 CY total

If the Project were to last 480 days, the average soil exported would be 11.6 CY/day (5,570 CY/480 days = 11.6 CY/day).

Soil Hauling Emissions

Landfill trip assumptions utilize RoadMod defaults and assumptions that on any given day three trips would occur to the nearest landfill, Clover Flat Landfill. The estimate overrides the default assumption and uses 40 miles as the roundtrip driving distance from the farthest (eastern-most) point of the Project area (eastern end of the Phase 2 pipeline) to the end of Clover Flat Road.

Production Rate

- Silverado Trail
 - 235 LF/day, pipeline installation rate (source: project description)
 - 8,100 LF of pipeline to install
 - 235 LF/day * 5 ft construction width = 1,175 sq ft. or 0.03 acre disturbed per day
- Rest of pipeline (Phase 1, Phase 2 and Phase 3 minus Silverado Trail)
 - 315 LF/day, pipeline installation rate (source: project description)

- 20,490 LF of pipeline to install
- $315 \text{ LF/day} * 10 \text{ ft construction width} = 3,150 \text{ sq ft}$ or 0.072 acre disturbed per day

Appendix C-1
Special-Status Wildlife Species List

TABLE 1
Special-Status Wildlife Species List – Yountville Recycled Water Study Region

Species	Status		Habitat Association	Occurrences
	Federal	State		
Invertebrates				
<i>Syncaris pacifica</i> California freshwater shrimp	FE	FE	Endemic to Marin, Napa and Sonoma Counties, found in low elevation, low gradient streams where riparian cover is moderate to heavy.	Suitable habitat present in Napa River. There is one CNDDDB record (occurrence 5) is a population found in 1990 in Huichica Creek (a tributary to Napa River) approximately 10 miles south of the study area. Project activities would not occur within 550 feet of the river. No impact would occur.
Fish				
<i>Oncorhynchus tshawytscha</i> Central Valley spring-run chinook salmon	FT		Requires beds of loose, silt-free, well-oxygenated coarse gravel for spawning. After hatching, juveniles spend at least one summer in the freshwater rearing areas, so the stream must have either perennial flow or cool intermittent pools with subsurface flow, shade, food, and shelter during the dry season.	Central Valley spring-run chinook salmon are known to spawn in the Napa River between Oakville Cross Road and Zinfandel Lane Bridge (approximately 3 miles north of the study area and have been caught elsewhere during yearly monitoring of Napa River salmonids (NCRCD 2010). . No impact would occur.
<i>Oncorhynchus mykiss irideus</i> Steelhead – Central California Coast DPS	FT	--	From Russian River south to Soquel Creek and to, but not including the Pajaro River. Also San Francisco and San Pablo Bays. Requires beds of loose, silt-free, well-oxygenated coarse gravel for spawning. After hatching, juveniles spend at least one summer in the freshwater rearing areas, so the stream must have either perennial flow or cool intermittent pools with subsurface flow, shade, food, and shelter during the dry season.	Suitable habitat present in Napa River. There is one CNDDDB record (occurrence 7) some juveniles found in 2003 in Huichica Creek (a tributary to Napa River) approximately 10 miles south of the study area. . No impact would occur.
<i>Hypomesus transpacificus</i> Delta smelt	FT	--	Sacramento-San Joaquin Delta. Seasonally in Suisun Bay, Carquinez Strait and San Pablo Bay. Seldom found at salinities > 10 PPT. Most often at salinities < 2 PPT.	No suitable habitat present.

TABLE 1
Special-Status Wildlife Species List – Yountville Recycled Water Study Region

Species	Status		Habitat Association	Occurrences
	Federal	State		
Amphibians				
<i>Rana boylei</i> Foothill yellow-legged frog	--	SC	Partly-shaded, shallow streams and riffles with a rocky substrate in a variety of habitats.	Suitable habitat present in Napa River. The nearest CNDDDB record (occurrence 119) is for frogs observed in 1956 in Dry Creek, approximately 0.5 miles south of the study area. .No impact would occur.
<i>Rana draytonii</i> California red-legged frog	FT	--	Occurs in a variety of ponds, sloughs, low-gradient streams, and low-salinity lagoons. Adults may forage in, and migrate through, terrestrial grasslands, riparian woodlands, and forests, but require weedy, slow moving or standing water that persists through most of the dry season for successful reproduction. Introduced bullfrogs and predatory fish are implicated in the decline of red-legged frogs throughout their range.	Suitable habitat present in irrigation ponds. The nearest CNDDDB record (occurrence 739) for adult frogs observed in 2003 Oak Moss Creek approximately 8.7 miles east of the study area. Although project construction activities would not affect the ponds, individuals may be present in the area, minimization measures would be needed to protect individuals during construction.
Reptiles				
<i>Emys marmorata</i> Western pond turtle	FUR	SC	Ponds, marshes rivers, streams, and irrigation ditches that have emergent or riparian vegetation and sunny basking sites. Upland nesting habitat consists of friable soil exposed to full sun.	Suitable habitat present in irrigation ponds. The nearest CNDDDB record (occurrence 458) is for turtles observed in Skellenger Creek and Conn Creek approximately 3.6 miles north of the study area. There are several records of pond turtles found in irrigation ponds within a 10 mile radius of the study area. Project construction would not affect the ponds; and therefore no impacts would occur.

TABLE 1
Special-Status Wildlife Species List – Yountville Recycled Water Study Region

Species	Status		Habitat Association	Occurrences
	Federal	State		
Birds				
<i>Elanus leucurus</i> White-tailed kite	--	FP	Rolling foothills and valley margins with scattered oaks and river bottomlands or marshes next to deciduous woodlands.	Suitable nesting habitat present. The nearest CNDDDB record (occurrence 15) for the white-tailed kite is for a nest observed in 1988 in Napa River Ecological Reserve approximately one mile north of the study area.
<i>Haliaeetus leucocephalus</i> Bald eagle	--	SE	Ocean shore, lake margins and rivers for both nesting and wintering. Most nests within 1 mile of water. Nests in large old-growth or dominant live tree with open branches, especially ponderosa pine.	No suitable habitat present.
<i>Sternula antillarum browni</i> California least tern	FE	SE	Nests along the coast from San Francisco Bay south to northern Baja California. Colonial breeder on bare or sparsely vegetated, flat substrates, sand beaches, alkali flats, landfills, or pave areas.	No suitable habitat present.
<i>Cypseloides niger</i> Black swift	--	SC	Coastal belt; breeds in small colonies on cliffs behind or adjacent to waterfalls in deep canyons and sea-bluffs above the surf.	No suitable habitat present.
<i>Progne subis</i> Purple martin	--	SC	Inhabits woodlands, low elevation coniferous forest of Douglas fir, ponderosa pine, and Monterey pine.	No suitable habitat present.
<i>Geothlypis trichas sinuosa</i> Saltmarsh common yellowthroat	--	SC	Inhabits fresh and salt water marshes of the San Francisco Bay Region. Requires thick, continuous cover down to water surface for foraging; tall grasses, tule patches, and willows for nesting.	Not likely to occur. The study area is nearly 20 miles north of salt marsh habitat.
<i>Melospiza melodia samuelis</i> San Pablo song sparrow	--	SC	Residents of salt marshes along the north side of San Francisco and San Pablo Bays. Inhabits tidal sloughs in the Salicornia marshes; nests in Grindelia bordering slough channels.	No suitable habitat present.

TABLE 1
Special-Status Wildlife Species List – Yountville Recycled Water Study Region

Species	Status		Habitat Association	Occurrences
	Federal	State		
<i>Agelaius tricolor</i> Tricolored blackbird	--	SC	Highly colonial species, most numerous in Central Valley and vicinity. Largely endemic to California. Requires open water, protected nesting substrate, and foraging area with insect prey within a few km of the colony.	Suitable habitat present in the vegetation surrounding the irrigation ponds. The nearest CNDDDB record for this species (occurrence 244) is for a nesting colonies observed in 1993 approximately 13 miles south of the study area in a wetland that formed in a borrow pit near the Hwy 29 bridge where it crosses over the Napa River south of Napa.
Mammals				
<i>Myotis yumanensis</i> Yuma myotis	--	--	Optimal habitats are open forests and woodlands with sources of water over which to feed. Distribution is closely tied to bodies of water. Maternity colonies in caves, mines, buildings, or crevices.	No suitable habitat present.
<i>Lasiurus blossevillii</i> Western red bat	--	SC	Roosts primarily in trees, 2 – 40 ft above ground, from sea level up through mixed conifer forests. Prefers habitat edges and mosaics with trees that are protected from above and open below with open areas for foraging.	No suitable habitat present.
<i>Corynorhinus townsendii</i> Townsend's big-eared bat	--	SC	Throughout California in a wide variety of habitats. Most common in mesic sites. Roosts in the open, hanging from walls and ceilings. Roosting sites limiting. Extremely sensitive to human disturbance.	No suitable habitat present.

TABLE 1
Special-Status Wildlife Species List – Yountville Recycled Water Study Region

Species	Status		Habitat Association	Occurrences
	Federal	State		
<i>Antrozous pallidus</i> Pallid bat	--	SC	Roosts in caves, mine tunnels, crevices in rocks, bridges, buildings, and hollowed trees.	Suitable habitat present in the Napa River riparian corridor. There are two CNDDDB records for pallid bat (occurrences 329 and 422) approximately 4.8 miles north of the study area. About a dozen adults were captured and released during a 1998 study near Lake Hennessey. Roosting sites were observed in the same general area in 2007. Mature trees within the study area could provide maternity roosting sites for the pallid bat. No trees would be removed during construction of the Project.
<i>Reithrodontomys raviventris</i> Salt marsh harvest mouse	FE	SE FP	Occur only in the saline emergent wetlands of San Francisco Bay and its tributaries.	No suitable habitat present.
<i>Taxidea taxus</i> American badger	--	SC	Dry open stages of most shrub, forest and herbaceous habitats with friable soils.	No suitable habitat present.

Status Legend

Federal:

FE = Listed as endangered under the Federal Endangered Species Act

FT = Listed as threatened under the Federal Endangered Species Act

FM = Protected under the Federal Marine Mammal Act

State:

SE = Listed as endangered under the California Endangered Species Act

ST = Listed as threatened under the California Endangered Species Act

SC = Species of special concern under the California Endangered Species Act

FP = Fully Protected under the California Endangered Species Act

Appendix C-2
Special-Status Plant Species

TABLE 1

Special status plant species with the potential to occur within the project area based on a search of the CNDDDB and the CNPS on-line inventory for the Yountville USGS quadrangle. 2012.

Scientific Name Common Name	Status USFWS/ CDFG/ CNPS list	Habitat Affinities and Blooming Period/Life Form	Potential for Occurrence
<i>Calycadenia micrantha</i> Small-flowered calycadenia	-/-/1B.2	Chaparral, meadows and seeps (volcanic), grassland on roadsides, rocky , talus, scree, and sometimes serpentinite soils in sparsely vegetated areas. Blooms June to September. Annual herb.	Low. There is limited habitat for this species within the project area. This species was not observed during the July 14, 2011 site visit.
<i>Ceanothus purpureus</i> Holly-leaved ceanothus	-/-/1B.2	Chaparral, cismontane woodland on volcanic, rocky soils. Blooms February to June. Perennial evergreen shrub.	None. No species of <i>Ceanothus</i> were noted during survey conducted on July 14, 2011.
<i>Downingia pusilla</i> Dwarf downingia	-/-/2.2	Grassland (mesic), vernal pools. March-May. Annual herb.	Low. Potential habitat for this species occurs as seasonal wetlands within the project area. Impacts to seasonal wetlands would be avoided.
<i>Erigeron greenei</i> Greene's narrow-leaved daisy	-/-/1B.2	Chaparral on serpentinite or volcanic soils. June-October. Perennial herb.	None. This species was not observed during the July 14, 2011 survey.
<i>Hesperolinon bicarpellatum</i> Two-carpellate western flax	-/-/1B.2	Chaparral on serpentine soils. Blooms May to July. Annual herb.	None. No habitat in project area-no serpentine soils. Not observed during July survey.
<i>Hesperolinon tehamense</i> Tehama County western flax	-/-/1B.3	Chaparral, cismontane woodland on serpentine soils. Blooms May to July. Annual herb.	None. No habitat in project area – no serpentine soils. Not observed during July survey.
<i>Leptosiphon jepsonii</i> Jepson's leptosiphon	-/-/1B.2	Chaparral, cismontane woodland, in open to partially shaded grassy slopes on volcanic soils or the periphery of serpentine substrates. March-May. Annual herb.	None. There is limited habitat for this species within the project area and no serpentine soils. The project would avoid these habitats.

Appendix D
Draft Wetlands Delineation

**PRELIMINARY DELINEATION OF WATERS OF THE
UNITED STATES, INCLUDING WETLANDS, FOR THE
TOWN OF YOUNTVILLE RECYCLED WATER PROJECT,
NAPA COUNTY, CALIFORNIA**

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SEPTEMBER 2011

DELINEATION OF WATERS OF THE UNITED STATES,
INCLUDING WETLANDS, FOR THE TOWN OF YOUNTVILLE
RECYCLED WATER PROJECT, NAPA COUNTY, CA

TABLE OF CONTENTS

	<u>Page</u>
Introduction and Background Information	1
Regulatory Background	2
Description of Site Characteristics	3
General Description	3
Topography	3
Hydrology	3
Soils	4
Vegetation	5
Precipitation and Growing Season	6
Jurisdictional Determination Information	7
Methods	8
Literature Review	8
Field Survey and Map Preparation	8
Results	10
References Cited	11
 <u>Tables:</u>	
Table 1: Summary of Soils Characteristics	4
Table 2: Summary of Potential Jurisdictional Wetlands	10
 <u>Figures (located at end of text)</u>	
Figure 1. Study Area with APNs	
Field Investigation Location Map	
Watershed map on USGS topo	
Maps 1 of and 2 of 2: Delineation of Waters of the United States, including Wetlands	
 <u>Appendices</u>	
Appendix A – Data Sheets	
Appendix B – Soils and WETS	
Appendix C – Assessor Parcel Numbers	

**DRAFT DELINEATION OF WATERS OF THE UNITED STATES,
INCLUDING WETLANDS, FOR THE TOWN OF YOUNTVILLE
RECYCLED WATER PROJECT, NAPA COUNTY, CA**

INTRODUCTION AND BACKGROUND INFORMATION

This report and attachments presents findings based on a delineation of potential U.S. Army Corps of Engineers (Corps) waters of the U.S., including wetlands, for the Town of Yountville Recycled Water Project. This work was conducted on behalf of the Town of Yountville, who is the project proponent or applicant. The delineation study area is located in Yountville, Napa County (Figure 1).

The delineation study area is located in the southwest-central part of Napa County, generally at the eastern side of Yountville in Napa Valley (Figure 1). The study area is located on the Yountville U.S. Geological Survey (USGS) 7.5-minute quadrangle (Figure 2). Parts of the project follow state Highway 29 and Silverado Trail. The approximate centroid of the study area is approximately at 38.401253° north latitude and 122.33935° west longitude.

All maps and appendices referred to in this report are provided at the end of the text. Data sheets are provided in Appendix A. Information on soils and precipitation for the local area is provided in Appendix B. The assessor parcel numbers (APNs) that comprise the study area are provided as Attachment C.

This delineation was conducted according to the 1987 Corps of Engineers *Wetlands Delineation Manual* (Environmental Laboratory 1987), the *Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region* (U.S. Army Corps of Engineers (2006), and U.S. Army Corps of Engineers, San Francisco District (2007) guidelines. The delineation should be considered preliminary until the U.S. Army Corps of Engineers, San Francisco District, issues a jurisdictional determination of the extent of jurisdictional waters, including wetlands, in the project area. A total of 1.8890 acres of wetlands, 0.1440 acres of other waters and 1.2632 acres of navigable waters were mapped for the delineation study area. The total potential jurisdictional area is 3.2962 acres.

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**DRAFT DELINEATION OF WATERS OF THE UNITED STATES,
INCLUDING WETLANDS, FOR THE TOWN OF YOUNTVILLE
RECYCLED WATER PROJECT, NAPA COUNTY, CA**

REGULATORY BACKGROUND

The U. S. Army Corps of Engineers (Corps) is responsible under Section 404 of the Clean Water Act to regulate the discharge of fill material into waters of the United States. Waters of the United States and their lateral limits are defined in 33 CFR Part 328.3(a) and include streams that are tributaries to navigable waters and their adjacent wetlands. The lateral limits of jurisdiction for a non-tidal stream are measured at the line of the Ordinary High Water Mark (OHWM) (33 CFR Part 328.3(e)) or the limit of adjacent wetlands (33 CFR Part 328.3(b)). Any permanent extension of the limits of an existing water of the United States, whether natural or man-made, results in similar extension of Corps jurisdiction (33 CFR Part 328.5).

Waters of the United States fall into two categories, wetlands and other waters. Wetlands include marshes, meadows, seep areas, flood plains, basins, and other areas experiencing extended seasonal soil saturation. Seasonally or intermittently inundated features such as seasonal pools, ephemeral streams, and tidal marshes are categorized as wetlands if they have hydric soils and support wetland plant communities. Other waters include water bodies and watercourses such as rivers, streams, lakes, springs, ponds, coastal waters, and estuaries. Seasonally inundated water bodies or watercourses that do not exhibit wetland characteristics are classified as other waters.

The Regional Water Quality Control Board (RWQCB) takes jurisdiction over the same areas as the Corps as “waters of the State” and in some cases will expand their jurisdiction beyond the Corps’ boundaries, although typically they will accept the Corps delineation. The main difference for this project is that the RWQCB will take jurisdiction over stream courses from top of bank to top of bank, which is a wider area than the OHWM.

The California Department of Fish and Game (DFG) is responsible for conserving, protecting, and managing California's fish, wildlife, and native plant resources. To meet this responsibility, the Fish and Game Code (Section 1602) requires an entity to notify DFG of any proposed activity that may substantially modify a river, stream, or lake. Notification is required by any person, business, state or local government agency, or public utility that proposes an activity that will: “substantially divert or obstruct the natural flow of any river, stream or lake; substantially change or use any material from the bed, channel, or bank of, any river, stream, or lake; or deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake.” The notification requirement applies to any work undertaken in or near a river, stream, or lake that flows at least intermittently through a bed or channel. If DFG determines that the activity may substantially adversely affect fish and wildlife resources, a Lake or Streambed Alteration Agreement will be prepared.

**DRAFT DELINEATION OF WATERS OF THE UNITED STATES,
INCLUDING WETLANDS, FOR THE TOWN OF YOUNTVILLE
RECYCLED WATER PROJECT, NAPA COUNTY, CA**

DESCRIPTION OF SITE CHARACTERISTICS

General Description

The delineation study area is located in the southwest-central part of Napa County, generally at the eastern side of Yountville in Napa Valley (Figure 1). The study area is located on the Yountville U.S. Geological Survey (USGS) 7.5-minute quadrangle (Figure 2). Parts of the project follow state Highway 29 and Silverado Trail.

The study area begins at the western end at the Yountville Wastewater Treatment Plant (WWTP) located at 7501 Solano Avenue. The WWTP is located west of State Highway 29 just south of the California Drive exit. The project extends easterly across State Highway 29, over the Napa River to Silverado Trail. The east end of the project terminates at the wastewater ponds located near the Clos du Val winery on Silverado Trail.

Topography

Most of the delineation study area exists in nearly level to gently sloping alluvial fan, flood plain, and basin landforms, with the remainder in moderately to steep terraces and hillslopes. Slopes range from level to approximately 30 percent. Elevations range from approximately 95 to 1,100 feet above mean sea level.

The study area overall slopes downward in a south-southeasterly direction, although this varies greatly locally. A levee exists along the western side of the Napa River throughout much of the study area.

Hydrology

The study area is in the San Pablo Bay hydrologic unit (HUC No. 180500002) (U.S. Geological Survey 2011). The Napa River flows in a generally southerly direction through the study area. The river is shown as a perennial, blue line stream on the USGS Yountville 7.5-minute quadrangle map. The river flows into the San Pablo Bay via Mare Island Strait roughly 20 miles downstream.

The part of the study area along Silverado Trail drains via ditches to an unnamed, intermittent channel that exists to the east of Silverado Trail. The western part of the study area drains via ditches either to blue line or non-blue line channels that drain to the Napa River. The blue line stream in the vicinity of the Berringer reservoir appears to have been realigned, based on comparison of the USGS quadrangle (published in 1951 and photorevised in 1968) and more recent aerial photographs.

**DRAFT DELINEATION OF WATERS OF THE UNITED STATES,
INCLUDING WETLANDS, FOR THE TOWN OF YOUNTVILLE
RECYCLED WATER PROJECT, NAPA COUNTY, CA**

Based on sizes of their watersheds and channel characteristics, it appears that all the aforementioned channels would be regarded as Relatively Permanent Waters by the U.S. Army Corps of Engineers, San Francisco District.

Soils

The USDA Soil Conservation Service soil survey map (Lambert and Kashiwagi 1978, Soil Survey Staff 2011) shows that the study area is underlain by a number of soil map units, which formed from alluvial and residual parent materials.

A soil map of the delineation study area and associated hydric soil information are provided in Appendix B. The landform and hydrologic characteristics of the soils are provided in Table 1.

None of the soils have a subsurface restrictive layer capable of causing a shallow perched water table sufficient to influence plant species composition. However, the Clear Lake soil, which is clay to the surface, has slow permeability. This may tend to favor the growth of hydrophytes in local depressional areas.

Table 1. Summary of Characteristics of the Soils in the Delineation Study Area

Soil Map Symbol	Soil Map Unit Name	Landform	Natural Drainage Class	Hydric Status of Primary Component and Inclusions of Map Unit*
104	Bale clay loam, 0 to 2 percent slopes	Alluvial fans and floodplains	Somewhat poor	Primary component: non-hydric Inclusion: hydric (Clear Lake in depressions)
105	Bale clay loam, 2 to 5 percent slopes	Terraces and floodplains	Somewhat poor	Primary component: non-hydric Inclusions: none indicated
109	Boomer gravelly loam, 30 to 50 percent slopes	Hills	Well	Primary component: non-hydric Inclusions: none indicated
116	Clear Lake clay, drained	Alluvial fans	Poor	Primary component: hydric Inclusions: none indicated
118	Cole silt loam, 0 to 2 percent slopes	Alluvial fans and floodplains	Somewhat poor	Primary component: non-hydric Inclusion: hydric (Clear Lake on alluvial fans)
156	Kidd loam, 30 to 75 percent slopes	Hills	Well	Primary component: hydric Inclusions: none indicated
164	Millsholm loam, 15 to 30 percent slopes	Hills	Well	Primary component: hydric Inclusions: none indicated

**DRAFT DELINEATION OF WATERS OF THE UNITED STATES,
INCLUDING WETLANDS, FOR THE TOWN OF YOUNTVILLE
RECYCLED WATER PROJECT, NAPA COUNTY, CA**

Soil Map Symbol	Soil Map Unit Name	Landform	Natural Drainage Class	Hydric Status of Primary Component and Inclusions of Map Unit*
169	Perkins gravelly loam, 5 to 9 percent slopes	Terraces	Well	Primary component: hydric Inclusions: none indicated
174	Riverwash	Channels and floodplains	Poor (inferred)	Primary component: hydric Inclusions: none indicated
179	Sobrante loam, 30 to 50 percent slopes	Hills	Well	Primary component: hydric Inclusions: none indicated
181	Yolo loam, 0 to 2 percent slopes	Alluvial fans	Well	Primary component: hydric Inclusions: none indicated

Source: Lambert and Kashiwagi 1978, Soil Survey Staff 2011

* "Primary Component" refers to the soil that makes up approximately 85% or more of the map unit. The remaining soils in the map unit are inclusions.

Vegetation

Vegetation communities within the study area include primarily vineyards with drainages or stream courses, seasonal wetlands and freshwater marsh as the main jurisdictional features. Natural communities, mostly within the roadside areas, include non-native grassland and oak woodland with mixed riparian woodland. The drainages within the study area generally lack any riparian tree canopy cover with the exception of the Napa River, Chase Creek and the drainage associated with the WWTP (D-4) (see delineation maps).

There are five drainages labeled as "other waters". These are D-1 to D-4, Chase Creek. The Napa River is a navigable water of the U.S. and the other drainages are tributary to the Napa River. As mentioned in the hydrology section, based on the size of the watersheds and channel characteristics, it appears that all of the channels would be regarded as Relatively Permanent Waters by the U.S. Army Corps of Engineers, San Francisco District.

The seasonal wetland and freshwater marsh areas are drainages that are vegetated. There are five seasonal wetland and two freshwater marsh areas mapped for the study area. The seasonal wetland areas are dominated by facultative (FAC) to facultative wetland (FACW) species such as annual ryegrass (*Lolium multiflorum*), Dallisgrass (*Paspalum dilatatum*), Mediterranean barley (*Hordeum marinum* ssp. *gussoneanum*), Bernuda grass (*Cynodon dactylon*), umbrella sedge (*Cyperus eragrostis*), bristly ox-tongue (*Picris echioides*), rabbitsfoot grass (*Polypogon monspeliensis*) and curly dock (*Rumex crispus*).

**DRAFT DELINEATION OF WATERS OF THE UNITED STATES,
INCLUDING WETLANDS, FOR THE TOWN OF YOUNTVILLE
RECYCLED WATER PROJECT, NAPA COUNTY, CA**

The freshwater marsh areas are areas where the water is more perennial. These areas are dominated by obligate (OBL) and FACW species such as cattails (*Typha* sp.), soft rush (*Juncus effusus*), water cress (*Rorippa nasturtium-aquaticum*), knotweed (*Polygonum* sp.), hyssop loosestrife (*Lythrum hyssopifolium*), and water plantain (*Alisma plantago-aquatica*).

The riparian tree and shrub community associated with the Napa River included coast live oak (*Quercus agrifolia*), valley oak (*Quercus lobata*), willows (*Salix* spp.), Oregon ash (*Fraxinus latifolia*), walnut (*Juglans hindsii*), poison oak (*Toxicodendron diversilobum*), snowberry (*Symphoricarpos* sp.), toyon (*Heteromeles arbutifolia*), coyote bush (*Baccharis pilularis*), and California blackberry (*Rubus ursinus*). Native herbaceous species included California brome (*Bromus carinatus*), blue wildrye (*Elymus glaucus*), mugwort (*Artemisia douglasiana*) and stinging nettle (*Urtica dioica*). Non-native herbaceous species included poison hemlock (*Conium maculatum*) and giant reed (*Arundo donax*). The non-native Himalayan blackberry (*Rubus discolor*) was also present.

Non-native grassland, which occurs in the understory of the riparian woodland and oak woodland areas and along the roadsides includes annual ryegrass, Harding grass (*Phalaris aquatica*), wild oats (*Avena barbata*), soft chess (*Bromus hordeaceus*), ripgut brome (*Bromus diandrus*), hare barley (*Hordeum murinum* ssp. *leporinum*), medusahead grass (*Taeniatherum caput-medusae*), dogtail grass (*Cynosurus echinatus*), English plantain (*Plantago lanceolata*), chicory (*Cichorium intybus*), mustard (*Brassica nigra*), wild radish (*Raphanus sativus*), Queen Anne's lace (*Daucus carota*), fennel (*Foeniculum vulgare*) and bindweed (*Convolvulus arvensis*).

Precipitation and Growing Season

The climate at the delineation study area is characterized by hot, dry summers and cool, moist winters. Based on weather data from the St. Helena National Weather Service WETS station (station CA7943), the mean annual precipitation is 35.20 inches and the growing season at 28° with a probability of 50 percent is 365 days. The WETS tables are provided in Appendix B. (U.S. Department of Agriculture, Natural Resources Conservation Service 2011)

Rainfall in Napa for the July 1, 2010 – June 30, 2011 precipitation year, was 26.72 inches, corresponding to 76 percent of the annual average. An unusual amount (2.26 inches) of late-season rain fell from mid-May through early June 2011 (Weather Underground 2011). Based on the WETS tables, the delineation field survey was conducted during the growing season.

**DRAFT DELINEATION OF WATERS OF THE UNITED STATES,
INCLUDING WETLANDS, FOR THE TOWN OF YOUNTVILLE
RECYCLED WATER PROJECT, NAPA COUNTY, CA**

Jurisdictional Determination Information

In accordance with Corps, San Francisco District (2007) delineation report guidelines, this section provides selected information intended to assist the Corps in completing the Approved Jurisdictional Determination Form, in particular, Section III, Parts A and B.

Relatively Permanent Water. As discussed above, the delineation study area bisects named and unnamed, perennial and intermittent streams. Based on their watershed sizes and channel characteristics, it is expected that the streams support more than an ephemeral flow as they flow through the study area. Accordingly, the streams probably would be considered to be a Relatively Permanent Water (RPW), as defined by the U.S. Army Corps of Engineers, San Francisco District and Environmental Protection Agency (2007) Jurisdictional Determination Handbook.

Traditional Navigable Water. The nearest Traditional Navigable Water (TNW) to the study area is the Napa River. The Napa River is designated as “navigable” between its mouth and a point sixty feet below the westerly line of Lawrence Street in the City of Napa.

**DRAFT DELINEATION OF WATERS OF THE UNITED STATES,
INCLUDING WETLANDS, FOR THE TOWN OF YOUNTVILLE
RECYCLED WATER PROJECT, NAPA COUNTY, CA**

METHODS

Literature Review

Prior to the delineation field survey, literature pertinent to identifying potential wetlands and other waters of the United States in the project area was reviewed, including the USGS 7.5 minute topographic quadrangle map for the area, the detailed topographic/aerial photograph base map prepared for the project area, the soil survey report, and the county hydric soils list.

Field Survey and Map Preparation

A formal delineation was conducted by Jane Valerius, botanist and wetland specialist and Joel Butterworth, soil scientist and wetland specialist on July 14, 2011. Areas in which the topography or vegetation suggested that wetlands could exist were sampled using the routine onsite determination method procedures described in the 1987 Corps of Engineers *Wetlands Delineation Manual* (Environmental Laboratory 1987). The *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region (Version 2.0)* U.S. Army Corps of Engineers (2008), U.S. Army Corps of Engineers, San Francisco District (2000) delineation guidelines and the U.S. Army Corps of Engineers San Francisco District November 2007 *Information Requested for Verification of Corps Jurisdiction* guidance was also used as part of the on-site wetlands analysis and report preparation. The wetland indicator status of plants was determined based on Reed (1988).

A soil pit was excavated at each of the ten (10) delineation sample plots (data points) (shown on the attached delineation maps 1 and 2) to a depth of 8 to 19 inches, depending on the depth to the water table and soil density. The data points were established in representative wetlands and adjoining non-wetlands. In most cases an adjoining nonwetland data point was established near the wetland data point to “bracket” the wetland data point, as a means to identify the wetland-nonwetland boundary. Additionally, supplemental observations (not recorded as data points) of vegetation, soil, and hydrologic characteristics were made at numerous other locations to evaluate candidate wetlands and to extrapolate wetland-nonwetland boundaries.

Streams within the project area designated as other waters of the United States have an ordinary high water mark (OHWM) that defines the extent of the Corps’ jurisdiction of that feature. An OHWM refers to “that line on the shore established by the fluctuations of water and indicated by physical characteristics such as clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding area” (33 CFR Section 328.3[e]). The width of the stream was visually estimated and the average width of the OHWM was recorded for areas designated as other waters.

**DRAFT DELINEATION OF WATERS OF THE UNITED STATES,
INCLUDING WETLANDS, FOR THE TOWN OF YOUNTVILLE
RECYCLED WATER PROJECT, NAPA COUNTY, CA**

Data point locations and the boundaries of the wetlands were mapped using a submeter-accurate GPS receiver (i.e., Trimble GeoXT). The GPS data were downloaded and differentially corrected in the office using the nearest available base-station data using Trimble Pathfinder Office software to generate a geographic information system (GIS) data layer using ESRI ArcView software. The acreage of the jurisdictional area polygons were then calculated using ArcView.

**DRAFT DELINEATION OF WATERS OF THE UNITED STATES,
INCLUDING WETLANDS, FOR THE TOWN OF YOUNTVILLE
RECYCLED WATER PROJECT, NAPA COUNTY, CA**

RESULTS

This section describes the results of the field survey. The preliminary jurisdictional features and data point locations are shown the delineation maps provided as an attachment to this report labeled as Map 1 of 2 and Map 2 of 2. A total of 1.8890 acres of wetlands, 0.1440 acres of other waters and 1.2632 acres of navigable waters were mapped for the delineation study area. The total potential jurisdictional area is 3.2962 acres.

Table 2. Summary of Potential Jurisdictional Wetlands

Habitat	Acres
Wetlands	
SW-1	0.0142
SW-2	0.0278
SW-3	0.5654
SW-4	0.6384
SW-5	0.0223
FWM-1	0.0351
FWM-2	0.5858
Total wetlands	1.8890
Other Waters	
D-1	0.0047
D-2	0.0043
D-3	0.0239
D-4	0.0230
Chase Creek	0.0881
Total other waters	0.1440
Navigable Waters	
Napa River	1.2632
TOTAL WETLANDS AND WATERS	3.2962

**DRAFT DELINEATION OF WATERS OF THE UNITED STATES,
INCLUDING WETLANDS, FOR THE TOWN OF YOUNTVILLE
RECYCLED WATER PROJECT, NAPA COUNTY, CA**

REFERENCES CITED

Lambert, G. and J. Kashiwagi. 1978. Soil Survey of Napa County, California. U.S. Department of Agriculture, Soil Conservation Service in cooperation with the University of California Agricultural Experiment Station. Washington, DC: U.S. Government Printing Office.

Soil Survey Staff. 2011. Natural Resources Conservation Service, United States Department of Agriculture. Web Soil Survey, Napa County, California. Available online at <http://websoilsurvey.nrcs.usda.gov/> Accessed June 20, 2011.

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U.S. Army Corps of Engineers and Environmental Protection Agency. 2007. Jurisdictional determination handbook. May.

U.S. Department of Agriculture, Natural Resources Conservation Service. 2011. WETS Table documentation for the St. Helena station, CA7943, California. Available: <http://www.wcc.nrcs.usda.gov/ftpref/support/climate/wetlands/ca/06055.txt>. Accessed: June 20, 2011.

U.S. Geological Survey. 2011. Science in Your Watershed. Hydrologic Unit Codes. Available: <http://water.usgs.gov/wsc/cat/18050002.html#.html>. Accessed: June 20, 2011.

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LEGENDS

Extents of Field Investigation

Field Data Points

Freshwater Marsh or Seasonal Wetland

Navigable Waters of the US

Other Waters of the US

ACREAGES

D-1 = 0.0047 Ac.
D-2 = 0.0043 Ac.
D-3 = 0.0239 Ac.
D-4 = 0.0223 aC.

SW-1 = 0.0142 Ac.
SW-2 = 0.0278 Ac.
SW-3 = 0.5654 Ac.
SW-4 = 0.6384 Ac.
SW-5 = 0.0223 Ac.

Chase Creek = 0.0881 Ac.
Napa River = 2.015 Ac.
FWM-1 = 0.0351 Ac.
FWM-2 = 0.0870 Ac.

0 200 400 ft

1 inch = 400 feet printed at 24x36

Sources: ESRI Basemap: Aerial; Napa County GIS: Parcels, City Limits, Roads; Winzler and Kelly GIS: Study Area, RW Pipes, Tiers.

WINZLER & KELLY

www.w-and-k.com

Cartography

AF JR

Date

3/28/2012

Project #

1202711001

Delineation of Waters of the U.S. Including Wetlands

Map 1 of 2

Recycled Water Project

Town of Yountville







LEGENDS <div><div>Extents of Field Investigation</div><div>Field Data Points</div></div> <div><div>Freshwater Marsh or Seasonal Wetland</div><div>Navigable Waters of the US</div><div>Other Waters of the US</div></div>		ACREAGES D-1 = 0.0047 Ac. D-2 = 0.0043 Ac. D-3 = 0.0239 Ac. D-4 = 0.0230 aC. SW-1 = 0.0142 Ac. SW-2 = 0.0278 Ac. SW-3 = 0.5654 Ac. SW-4 = 0.6384 Ac. SW-5 = 0.0223 Ac. Chase Creek = 0.0881 Ac. Napa River = 2.015 Ac. FWM-1 = 0.0351 Ac. FWM-2 = 0.0870 Ac.	<div>0 200 400 ft 1 inch = 400 feet printed at 24x36</div> <div></div> <div>Sources: ESRI Basemap: Aerial; Napa County GIS: Parcels, City Limits, Roads; Winzler and Kelly GIS: Study Area, RW Pipes, Tiers.</div>	<div> www.w-and-k.com</div> <div>© Winzler & Kelly</div>	<div>Delineation of Waters of the U.S. Including Wetlands Map 2 of 2</div> <div> Town of Yountville</div> <div>Recycled Water Project</div>
Cartography AF JR	Date 3/28/2012	Project # 1202711001			

Appendix E
FEMA Flood Hazard Maps

FEMA Flood Hazard Areas

Flood Hazard Areas

-  Zone V- (100 yr. Flood Zone)
-  Zone A- (100 yr. Flood Zone)
-  Zone X500- (500 yr. Flood Zone or other concerns)
-  Urbanized Area

Shaded to show topographical relief

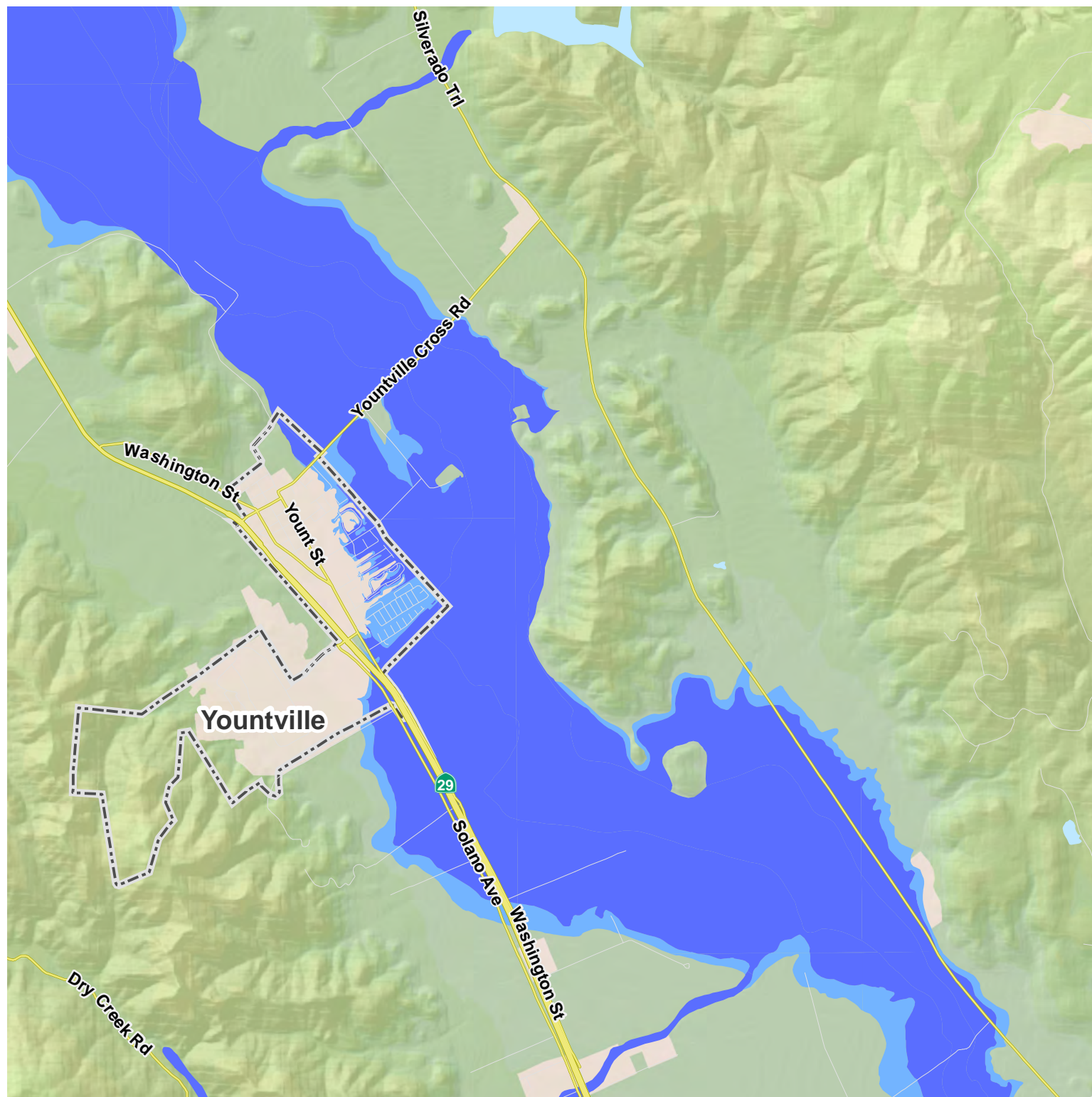
Detailed FEMA Explanation

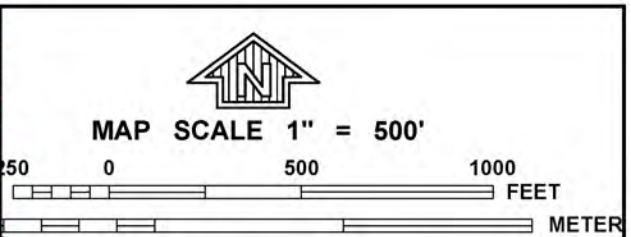
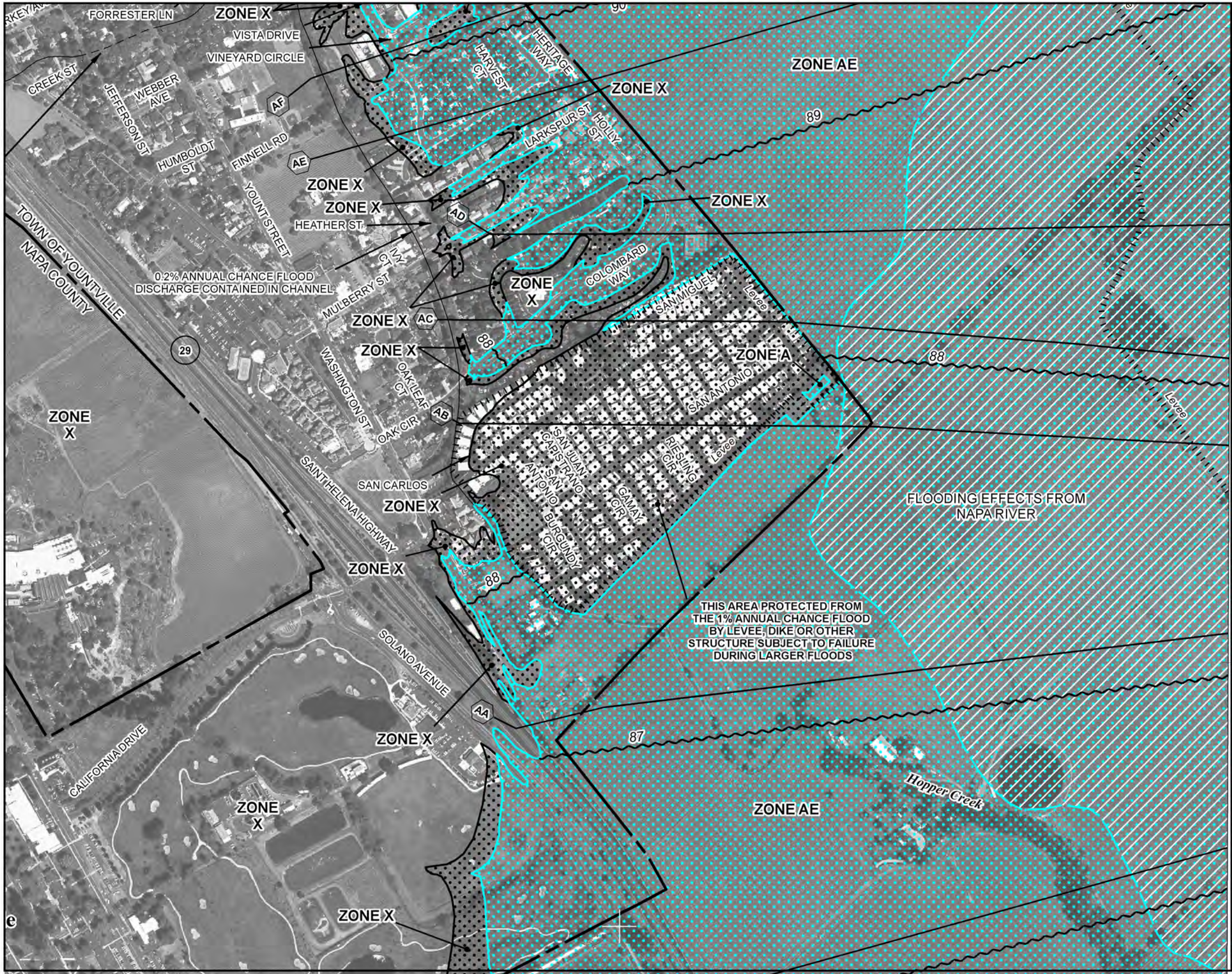
Flood Zone	Description
Zone V	This code identifies an area inundated by 1% annual chance flooding with velocity hazard (wave action).
Zone A	This code identifies an area inundated by 1% annual chance flooding.
Zone X500	This code identifies an area inundated by 0.2% annual chance flooding; an area inundated by 1% annual chance flooding with average depths of less than 1 foot or with drainage areas less than 1 square mile; or an area protected by levees from 1% annual chance flooding.



Scale: 1 inch = 0.67 miles

Sources:
Flood Zones - FEMA Q3 (2003) and DFIRM (2009)
Base Data - TeleAtlas (2008)
The product has been designed to support planning activities.
A more detailed version of this map is available at
<http://quake.abag.ca.gov>





NFIP

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0413E


FIRM
FLOOD INSURANCE RATE MAP
NAPA COUNTY,
CALIFORNIA
AND INCORPORATED AREAS

PANEL 413 OF 650
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

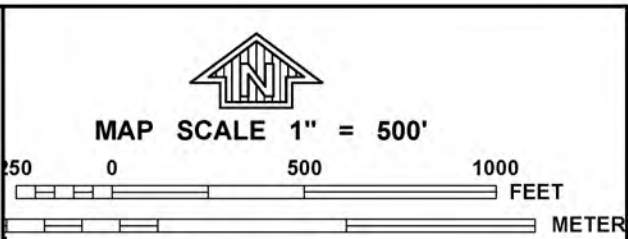
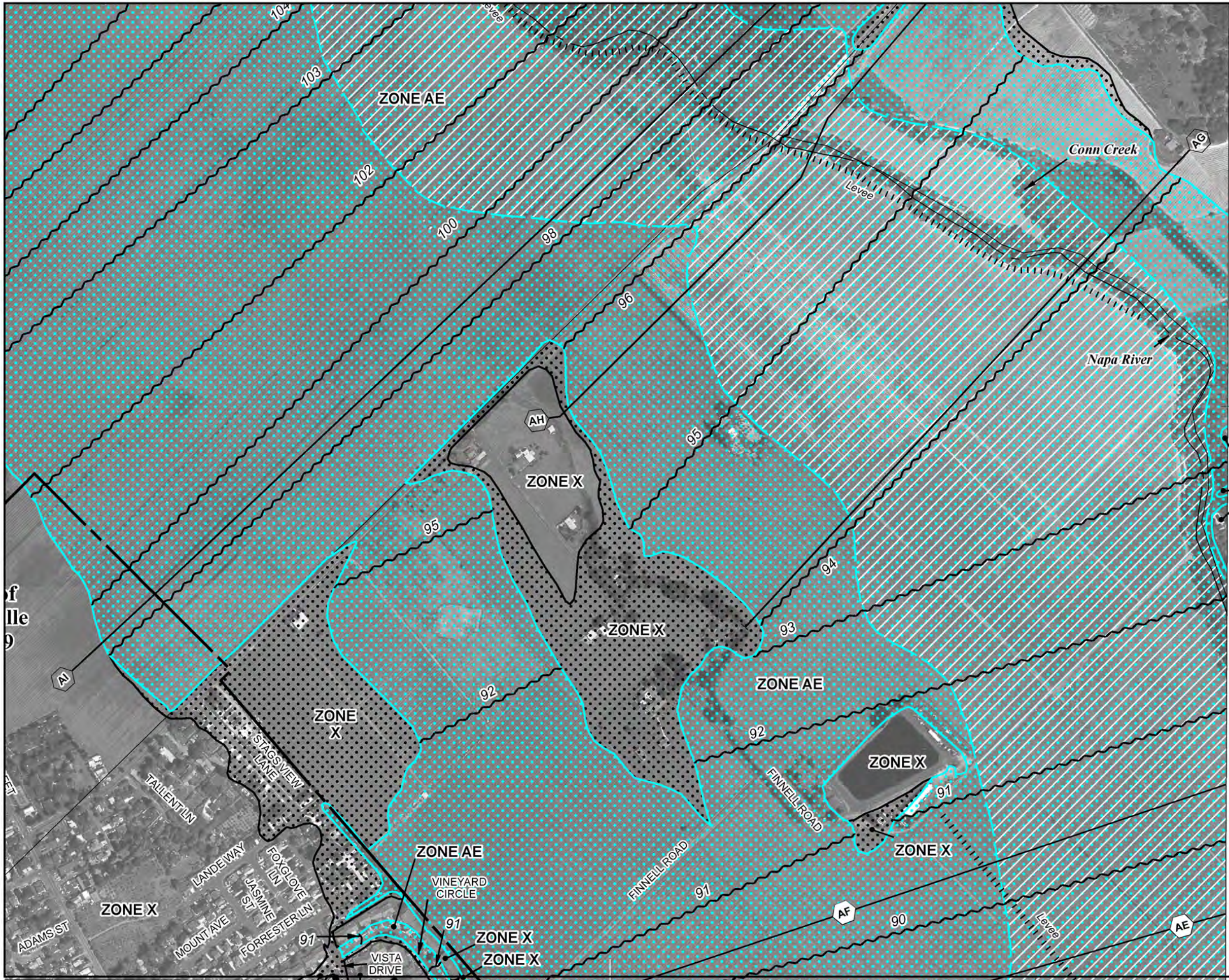
COMMUNITY	NUMBER	PANEL	SUFFIX
NAPA COUNTY	060205	0413	E
YOUNTVILLE, TOWN OF	060209	0413	E

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.



MAP NUMBER
06055C0413E
EFFECTIVE DATE
SEPTEMBER 26, 2008
Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov



NFIP

PANEL 0411E

FIRM

FLOOD INSURANCE RATE MAP

NAPA COUNTY,
CALIFORNIA
AND INCORPORATED AREAS

PANEL 411 OF 650
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
NAPA COUNTY	060205	0411	E
YOUNTVILLE, TOWN OF	060209	0411	E

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.



MAP NUMBER
06055C0411E


EFFECTIVE DATE
SEPTEMBER 26, 2008

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

J:\12027 - The Town of Yountville\12027-11-001 Recycled Water Expansion Project\08-GIS\Maps\Figures\CEQA APE\Archaeology.mxd



<div><div><div></div>Archaeological Area of Potential Effects</div><div><div></div>Parcel Boundary</div></div> <div><div>Construction Area APE</div><div>Pipeline Trenches: Potential Vertical Effects of 6 feet, Potential Horizontal Effects of 4 feet</div><div>Undercrossings: Potential Vertical Effects of maximum 20 feet, Potential Horizontal Effects 20 feet by 20 feet</div><div>Geotechnical Borings (not shown): Potential Vertical effects of 15 feet within APE boundary.</div></div>	<div><div>06001,200 ft</div><div>1 inch equals 1,200 feet printed at 11x17</div><div><div>N</div></div><div>Sources: ESRI Basemap: Aerial; Napa County GIS: Parcels, City Limits, Roads; Winzler and Kelly GIS: Study Area, RW Pipes, Tiers.</div></div>	<table border="1"><tr><td data-bbox="2160 1743 2299 1945">Cartography AF</td><td data-bbox="2299 1743 2470 1945">Date 5/10/2012</td><td data-bbox="2470 1743 2610 1945">Project # 1202711001</td></tr></table>	Cartography AF	Date 5/10/2012	Project # 1202711001	<div><div><div>Proposed Archaeological APE Map</div><div><div></div><div>Recycled Water Project</div><div>Town of Yountville</div></div></div></div>
Cartography AF	Date 5/10/2012	Project # 1202711001				

Appendix G
Comment Letters and Response to Comments



EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX
DIRECTOR

July 13, 2012

Graham Wadsworth
City of Yountville
6550 Yount Street
Yountville, CA 94599

JUL 18 2012

Subject: Yountville Recycled Water Project
SCH#: 2012062035

Dear Graham Wadsworth:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on July 11, 2012, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

#1

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2012062035
Project Title Yountville Recycled Water Project
Lead Agency Yountville, City of

Type MND Mitigated Negative Declaration

Description The Town proposes to meet its wastewater reuse permit requirements and offset Napa River water and groundwater use for agricultural irrigation by expanding its existing recycled water system to accommodate additional recycled water users. The project includes three phases and would include installation of 20,000 linear feet of 8-inch diameter pipeline, 1,190 linear feet of new 6-inch diameter pipeline, new valves and turnouts for new recycled water customers, and equipment upgrades at the Joint Treatment Plant and the Recycled Water Pump Station to distribute disinfected tertiary recycled water to existing vineyard irrigation ponds east of the Town of Yountville. Existing agricultural users would use recycled water for irrigation when recycled water is available.

Lead Agency Contact

Name Graham Wadsworth
Agency City of Yountville
Phone 707 948 2628 **Fax**
email
Address 6550 Yount Street
City Yountville **State** CA **Zip** 94599

Project Location

County Napa
City Yountville
Region
Lat / Long 38° 23' 38.63" N / 122° 21' 39.54" W
Cross Streets Washington Street and Land Lane
Parcel No. multiple
Township 6N **Range** 5W **Section** 1 **Base** MDB&M

Proximity to:

Highways Hwy 29
Airports No
Railways SPRR
Waterways Hinman Ck, Hopper Ck, Chase Ck, Napa River, Dry Ck
Schools Yountville ES
Land Use GP - Public Facilities, Z: Public Facilities

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Soil Erosion/Compaction/Grading; Traffic/Circulation; Vegetation; Water Quality; Wetland/Riparian; Landuse; Cumulative Effects

Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Game, Region 3; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Caltrans, District 4; CA Department of Public Health; State Water Resources Control Board, Division of Financial Assistance; State Water Resources Control Board, Division of Water Quality; Regional Water Quality Control Board, Region 2; Native American Heritage Commission; State Water Resources Control Board

Date Received 06/11/2012 **Start of Review** 06/12/2012 **End of Review** 07/11/2012

EDMUND G. BROWN, JR.
GOVERNORMATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

JUL 11 2012

Mr. Graham Wadsworth
6550 Yount Street
Yountville, CA 94599Helen
Clem

RECEIVED

JUL 11 2012

STATE CLEARING HOUSE

Dear Mr. Wadsworth:

ENVIRONMENTAL ASSESSMENT AND INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION (EA AND IS/MND) FOR THE TOWN OF YOUNTVILLE (TOWN); YOUNTVILLE RECYCLED WATER PROJECT (PROJECT); NAPA COUNTY; STATE CLEARINGHOUSE NO. 2012062035

We understand that the Town is pursuing Clean Water State Revolving Fund (CWSRF) financing for this Project. As a funding agency and a State agency with jurisdiction by law to preserve, enhance, and restore the quality of California's water resources, the State Water Resources Control Board (State Water Board) is providing the following information and comments for the EA and IS/MND prepared for the Project.

Please provide us with the following documents applicable to the proposed Project, pursuant to the California Environmental Quality Act (CEQA) process: (1) one copy of the draft and final EA and IS/MND, (2) the resolution adopting the EA and IS/MND and a Mitigation Monitoring and Reporting Program (MMRP), along with any CEQA findings, (3) all comments received during the review period and the Town's response to those comments, (4) the adopted MMRP, and (5) the Notice of Determination filed with the Napa County Clerk and the Governor's Office of Planning and Research, State Clearinghouse. In addition, we would appreciate notices of any hearings or meetings held regarding environmental review of any projects to be funded by the State Water Board.

The State Water Board, Division of Financial Assistance, is responsible for administering the CWSRF Program. The primary purpose for the CWSRF Program is to implement the Clean Water Act and various state laws by providing financial assistance for wastewater treatment facilities necessary to prevent water pollution, recycle water, correct nonpoint source and storm drainage pollution problems, provide for estuary enhancement, and thereby protect and promote health, safety and welfare of the inhabitants of the state. The CWSRF Program provides low-interest funding equal to one-half of the most recent State General Obligation Bond Rates with a 20-year term. Applications are accepted and processed continuously. Please refer to the State Water Board's CWSRF website at www.waterboards.ca.gov/water_issues/programs/grants_loans/srf/index.shtml.

The CWSRF Program is partially funded by the United States Environmental Protection Agency and requires additional "CEQA-Plus" environmental documentation and review. Four enclosures are included that further explain the CWSRF Program environmental review process and the additional federal requirements. The State Water Board is required to consult directly with agencies responsible for implementing federal environmental laws and regulations. Any environmental issues raised by federal agencies or their representatives will need to be resolved prior to State Water Board approval of a CWSRF financing commitment for the Project.

For further information on the CWSRF Program, please contact Mr. Ahmad Kashkoli, at (916) 341-5855.

It is important to note that prior to a CWSRF financing commitment, projects are subject to provisions of the Federal Endangered Species Act (ESA) and must obtain Section 7 clearance from the United States Department of the Interior, Fish and Wildlife Service (USFWS), and/or the United States Department of Commerce National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NMFS), for any potential effects to special status species. Please be advised that the State Water Board will consult with USFWS, and/or NMFS regarding all federal special status species that the Project has the potential to impact if the Project is to be funded under the CWSRF Program. The Town will need to identify whether the Project will involve any direct effects from construction activities, or indirect effects such as growth inducement, that may affect federally listed threatened, endangered, or candidate species that are known, or have a potential to occur on-site, in the surrounding areas, or in the service area, and to identify applicable conservation measures to reduce such effects.

In addition, CWSRF projects must comply with federal laws pertaining to cultural resources, specifically Section 106 of the National Historic Preservation Act. The State Water Board has responsibility for ensuring compliance with Section 106 and must consult directly with the California State Historic Preservation Officer (SHPO). SHPO consultation is initiated when sufficient information is provided by the CWSRF applicant. A consultant that meets the Secretary of the Interior's Professional Qualifications Standards (www.cr.nps.gov/local-law/arch_stnds_9.htm) must be retained to prepare a Section 106 compliance report.

Note that the Town will need to identify the Area of Potential Effects (APE), including construction and staging areas, and the depth of any excavation. The APE is three-dimensional and includes all areas that may be affected by the Project. The APE includes the surface area and extends below ground to the depth of any Project excavations. A records search request from the California Historical Resources Information System (CHRIS) should be made for an area larger than the APE. The appropriate area varies for different projects but should be drawn large enough to provide information on what types of sites may exist in the vicinity.

Other federal requirements pertinent to the Project under the CWSRF Program include the following:

- A. Compliance with the Federal Clean Air Act: (a) Provide air quality studies that may have been done for the Project; and (b) if the Project is in a nonattainment area or attainment area subject to a maintenance plan; (i) provide a summary of the estimated emissions (in tons per year) that are expected from both the construction and operation of the Project for each federal criteria pollutant in a nonattainment or maintenance area, and indicate if the nonattainment designation is moderate, serious, or severe (if applicable); (ii) if emissions are above the federal de minimis levels, but the Project is sized to meet only the needs of current population projections that are used in the approved State Implementation Plan for air quality, quantitatively indicate how the proposed capacity increase was calculated using population projections.
- B. Protection of Wetlands: Identify any portion of the proposed Project area that should be evaluated for wetlands or United States waters delineation by the United States Army Corps of Engineers (USACE), or requires a permit from the USACE, and identify the status of coordination with the USACE.

- C. Compliance with the Farmland Protection Policy Act: Identify whether the Project will result in the conversion of farmland. State the status of farmland (Prime, Unique, or Local Statewide Importance) in the Project area, and determine if this area is under a Williamson Act Contract.
- D. Compliance with the Migratory Bird Treaty Act: List any birds protected under this Act that may be impacted by the Project, and identify conservation measures to minimize impacts.
- E. Compliance with the Flood Plain Management Act: Identify whether or not the Project is in a Flood Management Zone, and include a copy of the Federal Emergency Management Agency flood zone maps for the area.

Following are specific comments on the Town's draft EA and IS/MND:

1. According to Mitigation Measure BIO-3, a "wetland and water restoration plan shall be prepared prior to construction." Please include a copy of the restoration plan with the final version of this document.
2. Native American individuals were contacted by letter and provided a corrected APE for the project on July 9, 2011, resulting in responses from two individuals between July 18, 2011 and November 22, 2011. Please provide copies of the map indicating the Project APE that was sent to Native Americans, and discuss changes to Project APE in the current design. A change in the APE will require another Native American Consultation to address new Project locations.
3. Please include copies of all correspondence with Native American individuals/organizations and the Native American Heritage Commission with the final version of this document, including a phone log documenting follow-up contact. Copies of record and literature searches and subsequent information received from the inquiries must be provided as well.
4. Please provide the Cultural Resource Monitoring Plan indicated in Mitigation Measure CR-2, and include an indication of cultural sensitivity following the subsurface archaeological inventory with the final version of this document.
5. Provide a draft data recovery plan indicated in Mitigation Measure CR-3 with the final version of this document.
6. Provide a draft of the discovery and treatment plan in the event of unanticipated archaeological discoveries indicated in Mitigation Measure CR-4 with the final version of this document.
7. Mitigation Measure CR-6 states that in the event human remains are found during the Project, "potentially damaging activities shall be halted and no further excavation of the remains or nearby area can occur until the Napa County Coroner has made necessary findings as to the origin of the remains..." Please define the size of the area surrounding the remains that shall not be disturbed until the Napa County Coroner has made the necessary findings.

8. Page 69 states "Figure SAF-1 of the Napa County General Plan shows two earthquake faults in the Project area..." In the Discussion/Environmental Consequences section on page 70 (section VI. a.i) it states "there are no known active or potentially active faults located in the Project area." Please clarify whether the faults located within the Project area are active. If the faults are active, please provide Project design specifications that will reduce impacts from fault activity to less than significant.
9. Mitigation Measure HYD-1 states that a Storm Water Pollution Prevention Plan (SWPPP) will be submitted as part of the permit process for the SWRCB Order No. 2009-0009-DWQ, the Waste Discharge Requirements for Discharges of Storm Water Runoff Associated with Construction and Land Disturbance Activities. Please include a copy of the SWPPP with the final version of this document.
10. Mitigation Measure HYD-3 states that "[i]f drilling mud is needed during construction, the Town shall develop and follow procedures to prevent the mix used during drilling from being discharged into Chase Creek..." A subsequent paragraph on page 89 states that a Frac-Out and Undercrossing Contingency Plan will be prepared and implemented to prevent potential impacts due to frac-out or undercrossing Chase Creek. Please provide the Frac-Out and Undercrossing Contingency Plan in the final version of this document.

Thank you for the opportunity to review the Town's EA and IS/MND. If you have any questions or concerns, please feel free to contact me at (916) 341-6983, or by email at sstewart@waterboards.ca.gov, or contact Ms. Michelle Helms at (916) 341-5686, or by email at mhelms@waterboards.ca.gov.

Sincerely,



Susan Stewart
Environmental Scientist

cc: State Clearinghouse
(Re: SCH# 2012062035)
P.O. Box 3044
Sacramento, CA 95812-3044

Enclosures (4)

1. SRF & CEQA-Plus
2. Quick Reference Guide to CEQA Requirements for State Revolving Fund Loans
3. Instructions and Guidance for "Environmental Compliance Information"
4. Basic Criteria for Cultural Resources Reports

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

EDMUND G. BROWN JR., Governor

DEPARTMENT OF TRANSPORTATION

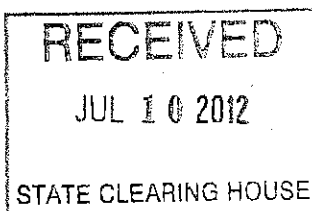
111 GRAND AVENUE
P. O. BOX 23660
OAKLAND, CA 94623-0660
PHONE (510) 286-6053
FAX (510) 286-5559
TTY 711



Flex your power!
Be energy efficient!

Handwritten signature

July 11, 2012



NAP029889
NAP-29
SCH# 2012062035

Mr. Graham Wadsworth
Planning Department
Town of Yountville
6550 Yount Street
Yountville, CA 94599

Dear Mr. Wadsworth:

Yountville Recycled Water Expansion Project – Mitigated Negative Declaration

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Yountville Recycled Water Expansion project. The following comments are based on the Mitigated Negative Declaration (MND). As lead agency, the Town of Yountville (Town) is responsible for all project mitigation, including any needed improvements to state highways. This information should also be presented in the Mitigation Monitoring and Reporting Plan of the environmental document. Since an encroachment permit is required for work in the state right of way (ROW), and Caltrans will not issue a permit until our concerns are adequately addressed, we strongly recommend that the Town work with Caltrans to ensure that our concerns are resolved during the environmental process, and in any case prior to submittal of an encroachment permit application. Further comments will be provided during the encroachment permit process; see the end of this letter for more information regarding encroachment permits.

Cultural Resources

Please send for our review, a copy of the Anthropological Studies Center (ASC) 2011/2012 reports (ASC 2011a, 2011b, 2011c, and 2012) completed in support of the Yountville Recycled Water Expansion project. Should ground-disturbing activities take place as part of this project within the state right of way (ROW) and there is an inadvertent archaeological or burial discovery, in compliance with California Environmental Quality Act (CEQA), PRC 5024.5, and Caltrans Standard Environmental Reference (SER) Chapter 2 (at <http://ser.dot.ca.gov>), all construction within 50 feet of the find shall cease. The Caltrans Office of Cultural Resource Studies, District 4, shall be immediately contacted at (510) 622-1673. A staff archaeologist will evaluate the finds within one business day after contact. These requirements, including applicable mitigation, must be fulfilled before an encroachment permit can be issued for project-related work in the state ROW; these requirements also apply to National Environmental Policy Act

Mr. Graham Wadsworth/Town of Yountville
July 11, 2012
Page 2

(NEPA) documents when there is a federal action on a project. Work subject to these requirements includes, but is not limited to: lane widening, channelization, auxiliary lanes, and/or modification of existing features such as slopes, drainage features, curbs, trenching, sidewalks and driveways within or adjacent to the state ROW.

Encroachment Permit

Please be advised that any work or traffic control 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: Office of Permits, California Department of Transportation, District 4, P.O. Box 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 below for more information. <http://www.dot.ca.gov/hq/traffops/developserv/permits/>

Transportation Permit

Project work that requires movement of oversized or excessive load vehicles on state roadways, such as State Route (SR) 29 requires a transportation permit that is issued by Caltrans. To apply, a completed transportation permit application with the determined specific route(s) for the shipper to follow from origin to destination must be submitted to the following address: Transportation Permits Office, 1823 - 14th Street, Sacramento, CA 95811-7119.

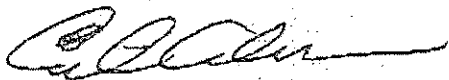
See the following website link for more information: <http://www/hq/traffops/permits/>

Traffic Control Plan

When completed, please send a copy of the Traffic Control Plan for our review.

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,



ERIK ALM, AICP
District Branch Chief
Local Development - Intergovernmental Review

c: State Clearinghouse

Response to Comment Letter #1, Governor's Office of Planning and Research, State Clearinghouse and Planning Unit, July 18, 2012

Response to Comment 1-1

This letter identifies the State agencies that received the Draft EA & IS/Proposed MND. It also confirms the close of the CEQA circulation period and transmits comments received from State agencies. No response is required. The response to comments on letters received from State agencies is provided for each letter below.

EDMUND G. BROWN JR.
GOVERNORMATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION**State Water Resources Control Board****JUL 11 2012**

Mr. Graham Wadsworth
6550 Yount Street
Yountville, CA 94599

JUL 13 2012

Dear Mr. Wadsworth:

ENVIRONMENTAL ASSESSMENT AND INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION (EA AND IS/MND) FOR THE TOWN OF YOUNTVILLE (TOWN); YOUNTVILLE RECYCLED WATER PROJECT (PROJECT); NAPA COUNTY; STATE CLEARINGHOUSE NO. 2012062035

2-1

We understand that the Town is pursuing Clean Water State Revolving Fund (CWSRF) financing for this Project. As a funding agency and a State agency with jurisdiction by law to preserve, enhance, and restore the quality of California's water resources, the State Water Resources Control Board (State Water Board) is providing the following information and comments for the EA and IS/MND prepared for the Project.

2-2

Please provide us with the following documents applicable to the proposed Project, pursuant to the California Environmental Quality Act (CEQA) process: (1) one copy of the draft and final EA and IS/MND, (2) the resolution adopting the EA and IS/MND and a Mitigation Monitoring and Reporting Program (MMRP), along with any CEQA findings, (3) all comments received during the review period and the Town's response to those comments, (4) the adopted MMRP, and (5) the Notice of Determination filed with the Napa County Clerk and the Governor's Office of Planning and Research, State Clearinghouse. In addition, we would appreciate notices of any hearings or meetings held regarding environmental review of any projects to be funded by the State Water Board.

2-3

The State Water Board, Division of Financial Assistance, is responsible for administering the CWSRF Program. The primary purpose for the CWSRF Program is to implement the Clean Water Act and various state laws by providing financial assistance for wastewater treatment facilities necessary to prevent water pollution, recycle water, correct nonpoint source and storm drainage pollution problems, provide for estuary enhancement, and thereby protect and promote health, safety and welfare of the inhabitants of the state. The CWSRF Program provides low-interest funding equal to one-half of the most recent State General Obligation Bond Rates with a 20-year term. Applications are accepted and processed continuously. Please refer to the State Water Board's CWSRF website at www.waterboards.ca.gov/water_issues/programs/grants_loans/srf/index.shtml.

2-4

The CWSRF Program is partially funded by the United States Environmental Protection Agency and requires additional "CEQA-Plus" environmental documentation and review. Four enclosures are included that further explain the CWSRF Program environmental review process and the additional federal requirements. The State Water Board is required to consult directly with agencies responsible for implementing federal environmental laws and regulations. Any environmental issues raised by federal agencies or their representatives will need to be resolved prior to State Water Board approval of a CWSRF financing commitment for the Project.

2-4 For further information on the CWSRF Program, please contact Mr. Ahmad Kashkoli,
cont'd at (916) 341-5855.

2-5 It is important to note that prior to a CWSRF financing commitment, projects are subject to provisions of the Federal Endangered Species Act (ESA) and must obtain Section 7 clearance from the United States Department of the Interior, Fish and Wildlife Service (USFWS), and/or the United States Department of Commerce National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NMFS), for any potential effects to special status species. Please be advised that the State Water Board will consult with USFWS, and/or NMFS regarding all federal special status species that the Project has the potential to impact if the Project is to be funded under the CWSRF Program. The Town will need to identify whether the Project will involve any direct effects from construction activities, or indirect effects such as growth inducement, that may affect federally listed threatened, endangered, or candidate species that are known, or have a potential to occur on-site, in the surrounding areas, or in the service area, and to identify applicable conservation measures to reduce such effects.

2-6 In addition, CWSRF projects must comply with federal laws pertaining to cultural resources, specifically Section 106 of the National Historic Preservation Act. The State Water Board has responsibility for ensuring compliance with Section 106 and must consult directly with the California State Historic Preservation Officer (SHPO). SHPO consultation is initiated when sufficient information is provided by the CWSRF applicant. A consultant that meets the Secretary of the Interior's Professional Qualifications Standards (www.cr.nps.gov/local-law/arch_stnds_9.htm) must be retained to prepare a Section 106 compliance report.

2-7 Note that the Town will need to identify the Area of Potential Effects (APE), including construction and staging areas, and the depth of any excavation. The APE is three-dimensional and includes all areas that may be affected by the Project. The APE includes the surface area and extends below ground to the depth of any Project excavations. A records search request from the California Historical Resources Information System (CHRIS) should be made for an area larger than the APE. The appropriate area varies for different projects but should be drawn large enough to provide information on what types of sites may exist in the vicinity.

Other federal requirements pertinent to the Project under the CWSRF Program include the following:

2-8 A. Compliance with the Federal Clean Air Act: (a) Provide air quality studies that may have been done for the Project; and (b) if the Project is in a nonattainment area or attainment area subject to a maintenance plan; (i) provide a summary of the estimated emissions (in tons per year) that are expected from both the construction and operation of the Project for each federal criteria pollutant in a nonattainment or maintenance area, and indicate if the nonattainment designation is moderate, serious, or severe (if applicable); (ii) if emissions are above the federal de minimis levels, but the Project is sized to meet only the needs of current population projections that are used in the approved State Implementation Plan for air quality, quantitatively indicate how the proposed capacity increase was calculated using population projections.

2-9 B. Protection of Wetlands: Identify any portion of the proposed Project area that should be evaluated for wetlands or United States waters delineation by the United States Army Corps of Engineers (USACE), or requires a permit from the USACE, and identify the status of coordination with the USACE.

- | | |
|------|--|
| 2-10 | C. Compliance with the Farmland Protection Policy Act: Identify whether the Project will result in the conversion of farmland. State the status of farmland (Prime, Unique, or Local Statewide Importance) in the Project area, and determine if this area is under a Williamson Act Contract. |
| 2-11 | D. Compliance with the Migratory Bird Treaty Act: List any birds protected under this Act that may be impacted by the Project, and identify conservation measures to minimize impacts. |
| 2-12 | E. Compliance with the Flood Plain Management Act: Identify whether or not the Project is in a Flood Management Zone, and include a copy of the Federal Emergency Management Agency flood zone maps for the area. |

Following are specific comments on the Town's draft EA and IS/MND:

- | | |
|------|---|
| 2-13 | 1. According to Mitigation Measure BIO-3, a "wetland and water restoration plan shall be prepared prior to construction." Please include a copy of the restoration plan with the final version of this document. |
| 2-14 | 2. Native American individuals were contacted by letter and provided a corrected APE for the project on July 9, 2011, resulting in responses from two individuals between July 18, 2011 and November 22, 2011. Please provide copies of the map indicating the Project APE that was sent to Native Americans, and discuss changes to Project APE in the current design. A change in the APE will require another Native American Consultation to address new Project locations. |
| 2-15 | 3. Please include copies of all correspondence with Native American individuals/organizations and the Native American Heritage Commission with the final version of this document, including a phone log documenting follow-up contact. Copies of record and literature searches and subsequent information received from the inquiries must be provided as well. |
| 2-16 | 4. Please provide the Cultural Resource Monitoring Plan indicated in Mitigation Measure CR-2, and include an indication of cultural sensitivity following the subsurface archaeological inventory with the final version of this document. |
| 2-17 | 5. Provide a draft data recovery plan indicated in Mitigation Measure CR-3 with the final version of this document. |
| 2-18 | 6. Provide a draft of the discovery and treatment plan in the event of unanticipated archaeological discoveries indicated in Mitigation Measure CR-4 with the final version of this document. |
| 2-19 | 7. Mitigation Measure CR-6 states that in the event human remains are found during the Project, "potentially damaging activities shall be halted and no further excavation of the remains or nearby area can occur until the Napa County Coroner has made necessary findings as to the origin of the remains..." Please define the size of the area surrounding the remains that shall not be disturbed until the Napa County Coroner has made the necessary findings. |

2-20

8. Page 69 states "Figure SAF-1 of the Napa County General Plan shows two earthquake faults in the Project area..." In the Discussion/Environmental Consequences section on page 70 (section VI. a.i) it states "there are no known active or potentially active faults located in the Project area." Please clarify whether the faults located within the Project area are active. If the faults are active, please provide Project design specifications that will reduce impacts from fault activity to less than significant.

2-21

9. Mitigation Measure HYD-1 states that a Storm Water Pollution Prevention Plan (SWPPP) will be submitted as part of the permit process for the SWRCB Order No. 2009-0009-DWQ, the Waste Discharge Requirements for Discharges of Storm Water Runoff Associated with Construction and Land Disturbance Activities. Please include a copy of the SWPPP with the final version of this document.

2-22

10. Mitigation Measure HYD-3 states that "[i]f drilling mud is needed during construction, the Town shall develop and follow procedures to prevent the mix used during drilling from being discharged into Chase Creek..." A subsequent paragraph on page 89 states that a Frac-Out and Undercrossing Contingency Plan will be prepared and implemented to prevent potential impacts due to frac-out or undercrossing Chase Creek. Please provide the Frac-Out and Undercrossing Contingency Plan in the final version of this document.

2-23

Thank you for the opportunity to review the Town's EA and IS/MND. If you have any questions or concerns, please feel free to contact me at (916) 341-6983, or by email at sstewart@waterboards.ca.gov, or contact Ms. Michelle Helms at (916) 341-5686, or by email at mhelms@waterboards.ca.gov.

Sincerely,



Susan Stewart
Environmental Scientist

cc: State Clearinghouse
(Re: SCH# 2012062035)
P.O. Box 3044
Sacramento, CA 95812-3044

Enclosures (4)

1. SRF & CEQA-Plus
2. Quick Reference Guide to CEQA Requirements for State Revolving Fund Loans
3. Instructions and Guidance for "Environmental Compliance Information"
4. Basic Criteria for Cultural Resources Reports

Response to Comment Letter #2, State Water Resources Control Board, July 11, 2012

The State Water Resources Control Board (SWRCB) provided several attachments to their comment letter. The attachments include a copy of the SRF and CEQA-Plus requirements, a quick reference guide to CEQA-Plus requirements for state revolving fund loans, a copy of the clean water act state revolving fund program instructions, and a copy of the basic criteria for cultural resources reports. The reference material provided by the SWRCB is included at the end of this Appendix.

Response to Comment 2-1

This comment summarizes the purpose of the SWRCB comment letter.

Response to Comment 2-2

This comment requests copies of the following documents: 1) one copy of the Draft and Final EA & IS/MND; 2) resolution adopting the EA & IS/MND and Mitigation Monitoring and Reporting Program (MMRP), along with any CEQA findings; 3) comments received during the EA & IS/MND public review period and the Town's response to comments; 4) adopted MMRP, and; 5) Notice of Determination (NOD) filed with the Napa County Clerk and the State Clearinghouse. The SWRCB also requested notice for any hearings or meetings held related to the environmental review of any projects to be funded by the SWRCB.

The Town acknowledges this request and has sent electronic copies of the above-listed items to Susan Stewart at the SWRCB as part of the Clean Water State Revolving Funding request package. The Final EA & IS/MND was certified at the August 7, 2012 Town Council meeting.

Response to Comment 2-3

This comment describes the Clean Water State Revolving Fund (CWSRF) Program. The Town thanks the SWRCB for this information.

Response to Comment 2-4

This comment informs the Town of the additional "CEQA-Plus" environmental documentation and review required for projects funded by the CWSRF Program, and enclosed four attachments that explain the CWSRF Program environmental review process and requirements.

The SWRCB is required to consult directly with agencies responsible for implementing federal environmental laws and regulations, and any issues need to be resolved before approval of CWSRF financing commitment. The Town completed a joint EA & IS/Proposed MND, with Reclamation serving as the lead agency for NEPA. The agency completed the required public notice of the EA on June 15, 2012 and posted the EA on Reclamation's website to satisfy NEPA requirements. The joint document addresses all the elements of the CEQA-Plus environmental documentation.

Response to Comment 2-5

This comment informs the Town that prior to obtaining a CWSRF financing commitment the Project must obtain Section 7 clearance, under the Federal Endangered Species Act (FESA), from USFWS and/or NMFS for any potential effects to special-status species.

Evaluation of Project impacts to federally-listed species is presented on pages 52-54 of the Draft EA & IS/Proposed MND. The document includes evaluation of potential impacts to the following federally listed special-status wildlife species: California freshwater shrimp (*Syncaris pacifica*), Chinook salmon

(*Oncorhynchus tshawytscha*), steelhead (*Oncorhynchus mykiss irideus*), California red-legged frog (*Rana draytonii*), and White-tailed kite (*Elanus leucurus*).

As described on pages 52-54 of the Draft EA & IS/Proposed MND, there would be no impacts to California freshwater shrimp, Chinook salmon or steelhead. Although considered unlikely to occur, potential Project impacts to California red-legged frog would be reduced to less-than significant with the implementation of Mitigation Measure BIO-1: Avoid Impacts to California Red-legged Frog. Project impacts to nesting birds, including the federally-listed White-tailed kite, would be reduced to less than significant with the implementation of Mitigation Measure BIO-2: Conduct Preconstruction Nesting Surveys for Nesting Passerines and Raptors. For more detailed discussion on direct Project-related impacts, please refer to pages 52-54 of the Draft EA & IS/MND.

The document includes an evaluation of potential growth inducement and other indirect impacts associated with the project in Section 5, Other Required Analyses, page 123 of the Draft EA & IS/MND.

Response to Comment 2-6

This comment informs the Town that CWSRF projects must comply with Section 106 of the National Historic Preservation Act; the SWRCB is responsible for this compliance and must consult directly with the California State Historic Preservation Officer (SHPO). This consultation is initiated when sufficient information is provided by the CWSRF applicant, and the preparation of the Section 106 compliance report must be by a consultant that meets the Secretary of the Interior's Professional Qualifications Standards.

The Town has provided the cultural resource reports prepared by ASC to SWRCB for Section 106.

Response to Comment 2-7

This comment informs the Town that the APE will need to be identified, including construction and staging areas, and depth of any excavation, and explains the components of the APE. The Comment also states that a records search request from the California Historical Resources Information System (CHRIS) should be made for an area larger than the APE, depending on what type of sites may exist in the vicinity.

The description of the APE and records search can be found on page 58 of Chapter 3, Section 5, Cultural Resources of the Draft EA & IS/MND. The APE includes all portions of the proposed Project affected by construction and staging. The width of the APE is 50 feet (25 feet on each side of the centerline of the pipe) along the pipeline alignments. The vertical depth of the APE is a maximum of six feet for pipelines and 20 feet for the jack-and-bore pits at Highway 29. A records and literature search was conducted within a 1-mile radius of the APE. For more detailed discussion, please refer to pages 57-67 of the Draft EA & IS/Proposed MND.

Response to Comment 2-8

This comment informs the Town of other federal requirements pertinent to the Project under the CWSRF Program, including the Federal Clean Air Act. The SWRCB requests air quality studies completed for the Project, and that the evaluation include a summary of the estimated emissions that are expected from the construction and operation of the Project for each federal criteria pollutant.

The Project air quality analysis can be found in Chapter 3, Section 3, pages 34-43. The construction-related emissions for the Project were estimated using RoadMod Version 6.3-2. The model results, assumptions and inputs are provided as Appendix B in the Draft EA & IS/Proposed MND. As discussed on pages 40-41 of the Draft EA & IS/Proposed MND, Project operation would not result in new criteria air pollutant emissions. For national standards, the Air Basin is currently designated as a marginal

nonattainment area for 8-hour ozone and nonattainment for fine particulate matter (PM_{2.5}) (see pages 35 and 36 of the Draft EA & IS/Proposed MND). As discussed on page 42, Project construction emissions are below than the federal de minimis levels, and no operational emissions would occur; therefore impacts would be less than significant.

Response to Comment 2-9

This comment requests that the Town identify any portion of the proposed Project area that should be evaluated for wetlands or United States waters delineation by the U.S. Army Corps of Engineers (Army Corps), or requires a permit from the Army Corps. The SWRCB also requests that the Town identify the status of coordination with the Army Corps.

Evaluation of Project impacts to wetlands and waters is found in Chapter 3, Section 4 Biological Resources, Impact IV.c (page 55-56). Discussion of Executive Order 11990 (Protection of Wetlands) is provided in Section 6, Consultation and Coordination, page 128. A wetlands assessment was performed to identify areas that could be considered potential jurisdictional wetlands and waters of the U.S. as defined by the Army Corps.

A preliminary jurisdictional determination for the Project area was completed by the Army Corps Regulatory Division, North Branch on April 12, 2012. As described in Section 1, Requirements and Approvals (pages 6-7 of the Draft EA & IS/MND), the Town will pursue a Section 404 permit from the Army Corps prior to construction.

Response to Comment 2-10

This comment informs the Town that compliance with the Farmland Protection Policy Act is required, and asks the Town to identify if the Project will result in the conversion of farmland. The SWRCB also requests the status of farmland in the Project area, and determination if the area is under Williamson Act contract.

Evaluation of Project impacts to farmland and agricultural resources can be found in Chapter 3, Section 2 Agricultural and Forest Resources, pages 30-33 of the Draft EA & IS/MND. Discussion of the Farmland Protection Act is also provided in Section 6, Consultation and Coordination, pages 127-128 of the Draft EA & IS/MND. As discussed in the Draft EA & IS/Proposed MND, the Project would not result in the conversion of farmland or conflict with an existing Williamson Act contract. For more detailed discussion, please refer to pages 30-33 of the Draft EA & IS/Proposed MND.

Response to Comment 2-11

This comment informs the Town that compliance with the Migratory Bird Treaty Act is required, and requests the Town to list any birds protected under this Act that may be impacted by the Project, as well as any conservation measures to minimize impacts.

Project impacts to migratory birds are discussed in Chapter 3, Section 4 Biological Resources. The project would have less than significant impact on migratory birds following implementation of Mitigation Measure BIO-2: Conduct Preconstruction Nesting Surveys for Nesting Passerines and Raptors. For more detailed discussion, please refer to pages 52-54 of the Draft EA & IS/Proposed MND.

Response to Comment 2-12

This comment informs the Town that compliance with the Flood Plain Management Act is required, and requests the Town to identify if the Project is within a Flood Management Zone, and to include a copy of the Federal Emergency Management Agency (FEMA) flood zone maps for the area.

Evaluation of Project impacts related to floodplains is provided in Chapter 3, Section 9 Hydrology and Water Quality, pages 91-92 of the Draft EA & IS/MND. Discussion of Executive Order 11988 (Floodplain Management) is provided in Section 6, Consultation and Coordination, page 128 of the Draft EA & IS/MND. Although the pipelines would be located in the 100-year flood zone, the Project would not impede or redirect flood flows because the pipelines would be buried, and no impact to flood flows would occur. FEMA flood maps for the Project area are provided in Appendix E of the Draft EA & IS/Proposed MND.

Response to Comment 2-13

This comment requests that the Town include a copy of the Wetland and Waters Restoration Plan, required by Mitigation Measure BIO-3, with the final version of the EA & IS/MND.

The Wetland and Waters Restoration Plan will be developed prior to construction, in conjunction with the Army Corps 404 permit and Regional Water Quality Control Board (RWQCB) 401 Water Quality Certification applications required for the Project. The restoration plan will not be included in the Final EA & IS/MND, since it will be completed during project design and in conjunction with permitting efforts which will occur following project approval. When completed, the restoration plan will be submitted electronically to Susan Stewart at the SWRCB.

Response to Comment 2-14

This comment states that Native Americans were contacted by letter and provided with a corrected Area of Potential Effects (APE) for the Project on July 9, 2011, resulting in two responses. The SWRCB requests copies of the Project APE maps that were sent to Native Americans, and a discussion of changes to the Project APE in the current design. A change in the APE will require another Native American Consultation to address new Project locations.

Chapter 3, Section 5 Cultural Resources, page 60, describes the Native American contact methods and results for the Project. A response to the July 9, 2011 letter from Nick Tipon from the Federated Indians of Graton Rancheria was received on July 18, 2011. It stated that the APE lies outside of their recognized traditional territory and had no other comments. On August 22, 2011, Vincent Salsedo, a representative of the Mishewal-Wappo Tribe of Alexander Valley contacted the Anthropological Study Center (ASC) at Sonoma State University and expressed an interest in the Project. Mr. Salsedo accompanied the archaeologists for the survey that took place on November 22, 2011. On February 28, 2012, Mr. Salsedo and Cookie Hirn, Cultural Resources Officer with the SWRCB, were present for a tour of the APE with Don Moore, Utility Operations Supervisor of the Town of Yountville Public Works Department and the final phase of survey of the APE. Mr. Salsedo was provided with the written findings of the survey.

Reclamation has completed a separate Native American notification process (see Section 106 discussion on page 6 of this Final EA & IS/MND). The Town has sent the SWRCB electronic copies of the APE maps sent to Native Americans on July 9, 2011, as well as a letter describing the changes that have been made to the Project APE since then.

Response to Comment 2-15

This comment requests that copies of all correspondence with Native American individuals/organizations, including the Native American Heritage Commission be included with the final version of the EA & IS/MND, including a phone log documenting follow-up contact. Copies of record and literature searches, and subsequent information received from inquires must also be provided.

Record and literature searches conducted for the Project are described in the Cultural Resources Study (July 2011) and addendums (September 2011 and December 2011), as well as the Final Report and Subsurface Sensitivity Study (May 2012), all prepared by ASC. Appendix B of the July 2011 report provides records of Native American correspondence, including the Native American Heritage Commission, that were sent in July 2011. Chapter 3, Section 5 Cultural Resources, page 60, describes the Native American contact methods and results.

The cultural resources reports and any phone log documentation have been provided electronically to Susan Stewart at the SWRCB and as part of the CWSRF request package. However, they will not be included with the Final EA & IS/MND due to the sensitivity of information contained in these reports.

Response to Comment 2-16

This comment refers to Mitigation Measure CR-2: Prepare a Cultural Resources Monitoring Plan and Implement a Subsurface Archaeological Inventory. The SWRCB requests that a copy of the Cultural Resources Monitoring Plan be provided with the Final EA & IS/MND. SWRCB also requests that the Final EA & IS/MND include an indication of cultural sensitivity following the subsurface archaeological inventory.

A Cultural Resource Inventory and Buried Site Sensitivity Model report was prepared by ASC for Reclamation in November 2012 for compliance with Section 106 and mitigation measure CR-2. The report was sent to SWRCB on November 9, 2012.

As a result of developing the Cultural Resource Inventory and Buried Site Sensitivity Model report (ASC 2012) the cultural resources impact discussion V.a&b presented on page 64 of the Draft EA & IS/Proposed MND is revised as follows to include the additional information on subsurface sensitivity.

In addition to the archaeological resource located adjacent to the APE, the archaeological investigation conducted within ½-mile of the APE indicates that areas may be sensitive for buried prehistoric archaeological resources that may be considered significant resources. Initial preliminary findings on the cultural sensitivity of the site indicate that Segment 1 of the APE (a large portion of the APE that includes all of Phase 1 and Phase 2 areas and a portion of Phase 3) is considered moderate to highly sensitive for subsurface archaeological deposits along much of its length (pers. comm. Michael Newland Anthropological Study Center, Sonoma State University June 2012). In general, the sensitivity of the APE increases as it approaches the Napa River and the historic channel that runs to its west. Phase 3 Silverado Trail area is considered low to moderately sensitive for buried archaeological deposits along its northern length. Directly north and south of the branch at Stags Leap Winery, the APE is considered moderate to highly sensitive. The very southern extent is considered to have low sensitivity as the APE here is of an age considered too old to contain buried deposits and lies within an area of historic vernal pools. Additionally, most of Phase 3 will be installed within the road bed of the Silverado Trail. If the vertical APE is contained within the modern roadbed above native soil, then only the portion of Phase 3 near Stags Leap would be sensitive for buried deposits. These initial findings will be confirmed through field evaluations to be described in the cultural resources monitoring program. Project construction would involve excavation activities that could inadvertently uncover and affect existing cultural resources and/or archaeological materials, which could be a significant impact. Federal regulations (36 CFR Part 800.13(b) include provisions for the discovery of historic properties during the implementation of an undertaking and state that the agency official shall make reasonable efforts of avoid, minimize, or mitigation adverse effects to such properties.

Response to Comment 2-17

This comment refers to Mitigation Measure CR-3: Avoid Significant Resources or Implement Data Recovery Program. The SWRCB requests that a copy of the Data Recovery Program be provided with the Final EA & IS/MND.

The Cultural Resource Inventory and Buried Site Sensitivity Model report prepared by ASC in November 2012 fulfills the requirements of Mitigation Measure CR-3 by evaluating buried site sensitivity and providing a post-review discovery plan. The report was sent to SWRCB on November 9, 2012.

Response to Comment 2-18

This comment refers to Mitigation Measure CR-4: Treatment of Archaeological Resources Discovered During Construction. The SWRCB requests that the discovery and treatment plan called for in Mitigation Measure CR-4 be provided with the final version of the EA & IS/MND.

As described in Mitigation Measure CR-4, a discovery and treatment plan would be developed in the event of an unanticipated archaeological discovery that is firstly, determined to be unique under NHPA and/or potentially eligible for listing in the National Register, and secondly, cannot be avoided. In the event that a discovery and treatment plan is required, the Town will contact Susan Stewart at the SWRCB and provide an electronic copy of the draft discovery and treatment plan. In addition, in response to Comment 2-18, Mitigation Measure CR-4 is revised as follows to include SWRCB approval of the treatment plan prior to construction. Note that Mitigation Measure CR-4 also includes revisions generated by Comment 3-3 and federal lead agency changes.

Mitigation Measure CR-4: Treatment of Archaeological Resources Discovered During Construction

If archaeological materials are encountered during construction activities, the piece of equipment that encounters the materials must be stopped, and the find inspected by a qualified archaeologist to evaluate the materials and recommend appropriate treatment. Prehistoric archaeological materials might include obsidian and chert flaked-stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil ("midden") containing heat-affected rocks, artifacts, or shellfish remains; and stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs); and battered stone tools, such as hammerstones and pitted stones. Historic period materials might include stone, concrete, or adobe footings and walls; filled wells or privies; and deposits of metal, glass, and/or ceramic refuse.

In the case of an unanticipated archaeological discovery, if it is determined that the find is unique under NHPA and/or potentially eligible for listing in the National Register, and the site cannot be avoided, the Town shall develop a research design and excavation plan, prepared by an archaeologist, outlining recovery of the resource, analysis, and reporting of the find. Treatment and resolution may include modifying the Project to allow the materials to be left in place, or undertaking data recovery of the materials in accordance with standard archaeological methods; protection and preservation of resources is preferable if feasible. The research design and excavation plan shall be submitted to Reclamation who would notify the SHPO and the Native American representatives. Reclamation and the SWRCB shall approve the plan prior to construction being resumed.

In the event that the Town must work in the State right-of-way (i.e. State Highway 29), the Town shall submit a Standard Encroachment Permit Application to Caltrans during the design of Phase 3 of the Project. If an unanticipated archaeological discovery during ground-disturbing activities

occurs within the State right-of-way, the Caltrans Office of Cultural Resource Studies, District 4, shall be contacted.

In the event of an inadvertent discovery Reclamation may have additional Section 106 obligations pursuant to the Post Review Discovery portion of the regulations at §800.13. Although very unlikely, if human remains are identified during implementation of this action, the project shall be halted immediately and the Reclamation Mid-Pacific Regional Archaeologist contacted immediately to discuss how to proceed.

Response to Comment 2-19

This comment refers to Mitigation Measure CR-6: Procedures for Encountering Human Remains. The SWRCB requests that the Town define the size of the area surrounding the remains that shall not be disturbed until the Napa County Coroner has made the necessary findings.

Mitigation Measure CR-6 did not specify the size of the work stoppage area, and therefore the measure is revised as follows in response to Comment 2-19.

Mitigation Measure CR-6: Procedures for Encountering Human Remains

If human remains are discovered, potentially damaging activities shall be halted and no further excavation of the remains or nearby area can occur until the Napa County Coroner has made necessary findings as to the origin of the remains, in accordance with the Health and Safety Code 7050.5. The Town shall immediately notify the County Coroner and a professional archaeologist to determine the nature of the remains.

Section 7050.5 of the California Health and Safety Code states that it is a misdemeanor to knowingly disturb a human burial. If human burials are encountered, work shall halt in the vicinity and the County Coroner should be notified immediately. At the same time, an archaeologist shall be contacted to evaluate the situation. As the property has been repeatedly tilled and graded, the possibility exists that human remains may be fragmentary and mixed with surrounding soils. If human remains are encountered, all ground disturbance within a 50 feet. diameter area shall be halted until the archaeologist and the coroner have reviewed the remains. If the Coroner determines that the remains are of Native American origin, the Town shall notify the Native American Heritage Commission within 24 hours of identification, as well as the Reclamation representative. The Commission then notifies the Most Likely Descendant, who has 48 hours to make recommendations to the landowner for the disposition of the remains. Remains shall be treated in accordance with Public Resources Code §5097.9.

These revisions clarify the size of the area not to be disturbed in the event that human remains are encountered.

Response to Comment 2-20

This comment discusses earthquake faults in the Project area and asks for clarification if the faults located within the Project area are active. If the faults are active, the SWRCB requests that the Town provide Project design specifications that will reduce impacts from fault activity to less than significant.

Evaluation of geology and soils impacts are provided in Chapter 3, Section 6 Geology and Soils, pages 68-72. The two faults within the Project area (as shown on the Napa County General Plan Figure SAF-1) are not active. Impact VI.a.i) is revised as follows to clarify findings in response to Comment 2-20.

VI. a.i) Fault Rupture – Less than Significant

Faults within the vicinity of Napa County are identified in the Napa County General Plan EIR, Table 4-10.3, which lists general information about the faults and fault activity. None of the faults identified as active or potentially active are located within the Project area (Napa County 2007). ~~There are no known active or potentially active faults located in the Project area.~~ The risk of surface rupture at the site is considered low, and the potential for impacts related to surface fault rupture is less than significant.

Response to Comment 2-21

This comment discusses Mitigation Measure HYD-1, and requests that the Project's Stormwater Pollution Prevention Plan (SWPPP) be included with the Final EA & IS/MND.

The SWPPP will be prepared by the Town's Contractor prior to the start of construction as part of Mitigation Measure HYD-1 described on page 88 of the Draft EA & IS/Proposed MND. The SWPPP will address pollutant sources, non-storm water discharges, best management practices, and other requirements specified in the Construction General Permit as described on pages 87-88 of the Draft EA & IS/MND. The SWPPP will be implemented by qualified personnel. When the SWPPP is completed, it will be sent electronically to Susan Stewart at the SWRCB.

Response to Comment 2-22

This comment discusses Mitigation Measure HYD-3 and requests that the Frac-Out and Undercrossing Contingency Plan be included with the Final EA & IS/MND.

The Frac-Out and Undercrossing Contingency Plan will be prepared by the Town's Contractor prior to the start of construction. Mitigation Measure HYD-3, presented on page 89 of the Draft EA & IS/Proposed MND, includes a list of items that the Frac-out and Undercrossing Plan must address to prevent potential frac-out if drilling muds are used during installation of the pipeline under Chase Creek and Hinman Creek to manage the pressure and volume of lubricant volumes. The plan will also address the procedures to follow in the event that frac-out occurs including the notification and cleanup process. The Town's Contractor will develop the Frac-out and Undercrossing Plan based on the type of equipment and construction methods before the start of construction. Once this plan has been completed, it will be sent electronically to the Susan Stewart at the SWRCB.

Response to Comment 2-23

This comment provides SWRCB contact information. The Town thanks the SWRCB for this information.

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

EDMUND G. BROWN JR., Governor

DEPARTMENT OF TRANSPORTATION

111 GRAND AVENUE
P. O. BOX 23660
OAKLAND, CA 94623-0660
PHONE (510) 286-6053
FAX (510) 286-5559
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July 11, 2012

NAP029889
NAP-29
SCH# 2012062035

Mr. Graham Wadsworth
Planning Department
Town of Yountville
6550 Yount Street
Yountville, CA 94599

Dear Mr. Wadsworth:

Yountville Recycled Water Expansion Project – Mitigated Negative Declaration

3-1

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Yountville Recycled Water Expansion project. The following comments are based on the Mitigated Negative Declaration (MND). As lead agency, the Town of Yountville (Town) is responsible for all project mitigation, including any needed improvements to state highways. This information should also be presented in the Mitigation Monitoring and Reporting Plan of the environmental document. Since an encroachment permit is required for work in the state right of way (ROW), and Caltrans will not issue a permit until our concerns are adequately addressed, we strongly recommend that the Town work with Caltrans to ensure that our concerns are resolved during the environmental process, and in any case prior to submittal of an encroachment permit application. Further comments will be provided during the encroachment permit process; see the end of this letter for more information regarding encroachment permits.

Cultural Resources

3-2

Please send for our review, a copy of the Anthropological Studies Center (ASC) 2011/2012 reports (ASC 2011a, 2011b, 2011c, and 2012) completed in support of the Yountville Recycled Water Expansion project. Should ground-disturbing activities take place as part of this project within the state right of way (ROW) and there is an inadvertent archaeological or burial discovery, in compliance with California Environmental Quality Act (CEQA), PRC 5024.5, and Caltrans Standard Environmental Reference (SER) Chapter 2 (at <http://ser.dot.ca.gov>), all construction within 50 feet of the find shall cease. The Caltrans Office of Cultural Resource

3-3

Studies, District 4, shall be immediately contacted at (510) 622-1673. A staff archaeologist will evaluate the finds within one business day after contact. These requirements, including applicable mitigation, must be fulfilled before an encroachment permit can be issued for project-related work in the state ROW; these requirements also apply to National Environmental Policy Act

Mr. Graham Wadsworth/Town of Yountville
July 11, 2012
Page 2

3-3,
cont'd

(NEPA) documents when there is a federal action on a project. Work subject to these requirements includes, but is not limited to: lane widening, channelization, auxiliary lanes, and/or modification of existing features such as slopes, drainage features, curbs, trenching, sidewalks and driveways within or adjacent to the state ROW.

Encroachment Permit

3-4

Please be advised that any work or traffic control 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: Office of Permits, California Department of Transportation, District 4, P.O. Box 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 below for more information: <http://www.dot.ca.gov/hq/traffops/developscrv/permits/>

Transportation Permit

3-5

Project work that requires movement of oversized or excessive load vehicles on state roadways, such as State Route (SR) 29 requires a transportation permit that is issued by Caltrans. To apply, a completed transportation permit application with the determined specific route(s) for the shipper to follow from origin to destination must be submitted to the following address: Transportation Permits Office, 1823 – 14th Street, Sacramento, CA 95811-7119.

See the following website link for more information: <http://www/hq/traffops/permits/>

3-6

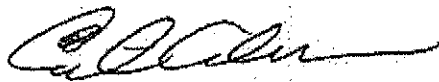
Traffic Control Plan

When completed, please send a copy of the Traffic Control Plan for our review.

3-7

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,



ERIK ALM, AICP
District Branch Chief
Local Development – Intergovernmental Review

c: State Clearinghouse

Response to Comment Letter #3 – California Department of Transportation (CalTrans), July 11, 2012

Response to Comment 3-1

This comment informs the Town that an encroachment permit is required for work in the State right-of-way (ROW). Caltrans recommends that the Town work with Caltrans to resolve concerns during the environmental process before submittal of an encroachment permit.

The Town understands that a Caltrans encroachment permit is required for work in or under State Highway 29 for the installation of a recycled water line under the Highway 29 during Phase 3 of the Project. The Town intends to address the issues raised by Caltrans as discussed below.

Response to Comment 3-2

This comment requests a copy of the ASC 2011/2012 reports prepared for the Project. The Town will send electronic copies of these reports to Caltrans, to the attention of Sandra Finegan.

Response to Comment 3-3

This comment informs the Town that if an inadvertent archeological or burial discovery during ground-disturbing activities occurs within the State ROW, the Caltrans Office of Cultural Resource Studies, District 4, shall be contacted and the finds shall be evaluated. These requirements, and applicable mitigation, must be fulfilled before an encroachment permit can be issued for work within the State ROW.

Sending and receiving pits for the Phase 3 pipeline undercrossing of State Highway 29, described in the Project description on page 21 of the Draft EA & IS/Proposed MND, would be located outside of the State ROW. However, a portion of the pipeline would be installed beneath the State Highway 29 Caltrans ROW. If Phase 3 is constructed and Project construction requires encroachment into the State Highway 29 ROW, the Town will submit a Standard Encroachment Permit Application to Caltrans during the design of Phase 3 of the Project. Mitigation Measure CR-4, presented on page 65 of the Draft EA & IS/Proposed MND, has been revised as follows to address the need for a Caltrans encroachment permit if construction encroaches into the State ROW. Note that the revised Mitigation Measure CR-4 also includes revisions generated by Comment 2-18 and federal lead agency changes.

Mitigation Measure CR-4: Treatment of Archaeological Resources Discovered During Construction

If archaeological materials are encountered during construction activities, the piece of equipment that encounters the materials must be stopped, and the find inspected by a qualified archaeologist to evaluate the materials and recommend appropriate treatment. Prehistoric archaeological materials might include obsidian and chert flaked-stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil ("midden") containing heat-affected rocks, artifacts, or shellfish remains; and stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs); and battered stone tools, such as hammerstones and pitted stones. Historic period materials might include stone, concrete, or adobe footings and walls; filled wells or privies; and deposits of metal, glass, and/or ceramic refuse.

In the case of an unanticipated archaeological discovery, if it is determined that the find is unique under NHPA and/or potentially eligible for listing in the National Register, and the site cannot be avoided, the Town shall develop a research design and excavation plan, prepared by an archaeologist, outlining recovery of the resource, analysis, and reporting of the find. Treatment and resolution may include modifying the Project to allow the materials to be left in place, or undertaking data recovery of the materials in accordance with standard archaeological methods;

protection and preservation of resources is preferable if feasible. The research design and excavation plan shall be submitted to Reclamation who would notify the SHPO and the Native American representatives. Reclamation and the SWRCB shall approve the plan prior to construction being resumed.

In the event that the Town must work in the State right-of-way (i.e. State Highway 29), the Town shall submit a Standard Encroachment Permit Application to Caltrans during the design of Phase 3 of the Project. If an unanticipated archaeological discovery during ground-disturbing activities occurs within the State right-of-way, the Caltrans Office of Cultural Resource Studies, District 4, shall be contacted.

In the event of an inadvertent discovery Reclamation may have additional Section 106 obligations pursuant to the Post Review Discovery portion of the regulations at §800.13. Although very unlikely, if human remains are identified during implementation of this action, the project shall be halted immediately and the Reclamation Mid-Pacific Regional Archaeologist contacted immediately to discuss how to proceed.

With this revision, Mitigation Measure CR-4 ensures that the Town will apply for a Caltrans encroachment permit if construction work is required within the State ROW. Also the Town will contact the Caltrans in the event of an unanticipated archaeological discovery within the State ROW.

The Caltrans encroachment permit was not included in the list of Requirements and Approvals presented on pages 6-7 of the Draft EA & IS/Proposed MND, and therefore this section is revised as follows in response to Comment 3-3. Please note that the Requirements and Approvals section as presented below also includes revisions generated by Comment 3-5.

REQUIREMENTS AND APPROVALS

The Town and Reclamation are the lead agencies for the purposes of environmental documentation and compliance with CEQA and NEPA. As the Project proponent, the Town would also need to obtain the appropriate permits and approvals. The following permits, approvals, and actions may be required for the Project.

Town of Yountville: Adoption of the IS/MND and approval of the Project.

U.S. Bureau of Reclamation: Completion of National Historic Preservation Act (NHPA) Section 106 consultation with the Office of Historic Preservation (SHPO); completion of Endangered Species Act Section 7 informal consultation with United States Fish and Wildlife Service and/or National Marine Fisheries Service; issuance of a Finding of No Significant Impact

Napa County: Grading permit; Encroachment Permit; Floodplain Permit.

San Francisco Bay RWQCB: Amendment to the Town's existing water reuse NPDES permit and compliance with any of the following potentially required permits:

- NPDES General Permit for Stormwater Discharges Associated with Construction Activity
- Section 401 Water Quality Certification

California Department of Fish and Game: Streambed Alteration Agreement

Army Corps of Engineers: Section 404 permit.

Response to Comment 3-4

This comment advises the Town that any work or traffic control encroaching onto the State ROW requires a Caltrans encroachment permit. The comment details the application procedure.

Project Measure 2: Traffic Control Plan, described on page 25 of the Draft EA & IS/Proposed MND, describes the Project's traffic control measures. Because trenchless construction methods would be used for the pipeline crossing of Highway 29 as part of Phase 3 of the Project, it is unlikely that Project traffic control measures would be encroach into the State ROW. However, if traffic control measures are required within the State ROW, the Town will submit an application for a Caltrans encroachment permit and provide Caltrans with the required information as described in the comment.

Response to Comment 3-5

This comment advises the Town that the movement of oversized or excessive load vehicles on State roadways, including Highway 29, requires a transportation permit issued by Caltrans. The comment also details the application procedures for this permit.

The Project will likely require the use of oversized or excessive load vehicles on Highway 29. The Caltrans transportation permit was not included in the list of Requirements and Approvals presented on pages 6-7 of the Draft EA & IS/Proposed MND, and therefore this section is revised as follows in response to Comment 3-5. Please note that the Requirements and Approvals section as presented below also includes revisions generated by Comment 3-3.

REQUIREMENTS AND APPROVALS

The Town and Reclamation are the lead agencies for the purposes of environmental documentation and compliance with CEQA and NEPA. As the Project proponent, the Town would also need to obtain the appropriate permits and approvals. The following permits, approvals, and actions may be required for the Project.

Town of Yountville: Adoption of the IS/MND and approval of the Project.

U.S. Bureau of Reclamation: Completion of National Historic Preservation Act (NHPA) Section 106 consultation with the Office of Historic Preservation (SHPO); completion of Endangered Species Act Section 7 informal consultation with United States Fish and Wildlife Service and/or National Marine Fisheries Service; issuance of a Finding of No Significant Impact

Napa County: Grading permit; Encroachment Permit; Floodplain Permit.

San Francisco Bay RWQCB: Amendment to the Town's existing water reuse NPDES permit and compliance with any of the following potentially required permits:

- NPDES General Permit for Stormwater Discharges Associated with Construction Activity
- Section 401 Water Quality Certification

California Department of Fish and Game: Streambed Alteration Agreement

Army Corps of Engineers: Section 404 permit.

California Department of Transportation: Transportation Permit; Encroachment Permit

Response to Comment 3-6

This comment requests a copy of the Traffic Control Plan for Caltrans' review.

As stated in Response to Comment 3-5, the Project is unlikely to require traffic control measures within the State ROW. The Traffic Control Plan will be prepared as part of the construction contract and is not available at this time. Once the Traffic Control Plan is completed, it will be sent electronically to Caltrans, to the attention of Sandra Finegan.

Response to Comment 3-7

This comment provides Caltrans contact information. The Town thanks Caltrans for this information.

EDMUND G. BROWN JR.
GOVERNORMATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

San Francisco Bay Regional Water Quality Control Board

Sent via electronic mail: No hard copy to follow.

June 22, 2012
CIWQS File No. 274528

Town of Yountville
6550 Yount Street
Yountville, CA 94599
Attn: Mr. Graham Wadsworth
e-mail: gwadsworth@yville.com

**Subject: Water Board Comments on Yountville Recycled Water Expansion
Project Draft Environmental Assessment and Initial Study/Proposed
Mitigated Negative Declaration, June 2012**

Dear Mr. Wadsworth:

2-1 The San Francisco Bay Regional Water Quality Control Board (Water Board) appreciates the opportunity to comment on the Yountville Recycled Water Expansion Project Draft Environmental Assessment and Initial Study/Proposed Mitigated Negative Declaration (MND). The Yountville Recycled Water Expansion (Project) would expand the Town's recycled water infrastructure and provide additional pipeline alignments required to serve recycled water to new agricultural irrigation customers, increase water delivery rates, and reach additional storage pond locations. The Project would also result in reduced effluent discharge to the Napa River.

Comment 1:

In the MND, it is stated that: "Implementation of Mitigation Measure BIO-3 would reduce impacts to jurisdictional wetlands and waters through avoidance where feasible. Where impacts cannot be avoided, Mitigation Measure BIO-3 describes the measures used to restore the function of the wetland and reduce the impacts to less-than significant levels." (p. 56)

2-2 As such, implementation of the Project, as currently proposed in the MND, will result in temporal impacts to wetlands or other waters of the State. State and Water Board Policy require that impacts to wetlands and other waters of the State be avoided and minimized to the extent practicable. The San Francisco Bay Basin Water Quality Control Plan (Basin Plan) specifies that the federal Clean Water Act (CWA) Section 404(b)(1) Guidelines should be utilized in determining the circumstances under which filling wetlands and other waters of the State may be permitted. The 404(b)(1) Guidelines specify that for non-water dependent projects, such as this Project, no discharge of dredged or fill material shall be permitted if there is a practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem. If

JOHN MULLER, CHAIR | BRUCE H. WOLFE, EXECUTIVE OFFICER

1515 Clay St., Suite 1400, Oakland, CA 94612 | www.waterboards.ca.gov/sanfranciscobay

2-2,
cont'd

avoidance of wetlands and other waters is deemed unfeasible as part of the 404(b)(1) Guidelines analysis, temporal impacts will need to be mitigated in addition to restoration of the impacted wetlands and other waters.

Comment 2:

2-3

If fill of wetlands and other waters of the State cannot be avoided as part of the Project, the Discharger will also need to prepare and submit for Water Board review a detailed Mitigation and Monitoring Plan (MMP) as part of the CWA Section 401 application. Application information can be found at the State Water Resources Control Board's web site at: www.waterboards.ca.gov/water_issues/programs/cwa401/index.shtml

Comment 3:

2-4

Construction activity associated with Linear Underground Utility Projects (LUPs) including, but not limited to, those activities necessary for the installation of underground facilities (e.g., conduits, pipelines, and associated ancillary facilities) and include, but are not limited to, trenching, excavation, boring and drilling, access road and substructure installation, pipeline installations, welding, concrete and/or pavement repair or replacement, and stockpile/borrow locations. disturbing one acre or more of land, are required to obtain coverage under and comply with the State National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Construction Activities (General Permit). The General Permit, corresponding Fact Sheets, and application materials can be accessed at the State Water Resources Control Board's web site at: www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml

The General Permit contains requirements for LUP Risk Type 1, 2, and 3 (Attachment A of the General Permit). Risk levels are established by determining two factors: first, calculating the site's sediment risk; and second, receiving water risk during periods of soil exposure (i.e. grading and site stabilization).

Comment 4:

2-5

In the MND, it is stated that: "Spread a cover of straw, rice straw if available, over disturbed soils and work into soil." (p. 56) The MND should clearly state that this practice will not be implemented in wetland soils.

2-6

If you have any questions please contact Fred Hetzel at 510-622-2357 or by e-mail at fhetzel@waterboards.ca.gov.

Sincerely,



Fred Hetzel
Watershed Management Division

Response to Comment Letter #4, San Francisco Regional Water Quality Control Board (RWQCB), June 22, 2012

Response to Comment 4-1

This comment presents a project summary. Because this comment does not address the adequacy of the Draft EA & IS/Proposed MND, no response is required.

Response to Comment 4-2

This comment discusses Mitigation Measure BIO-3, Project impacts to jurisdictional wetlands and waters, and requirements under the San Francisco Bay Basin Water Quality Control Plan (Basin Plan) and the Clean Water Act (CWA) Section 404(b)(1) Guidelines. In this comment, the RWQCB advises the Town that under 404(b)(1) Guidelines, no discharge of dredged or fill material shall be permitted if there is a practicable alternative to the proposed discharge which would have a less than adverse impact on the aquatic ecosystem. The comment also states that temporal impacts to waters and wetlands will need to be mitigated in addition to restoration of the impacted wetlands and other waters.

The Town intends to avoid impacts to wetlands and waters where feasible. As described in the Project description on page 21, trenchless construction would be used for the Phase 3 crossing of Chase Creek. As described on page 17, the crossing of all other jurisdictional waters (Hinman Creek, Hopper Creek, and Beard Ditch) would be performed using open trench construction methods.

However, to further reduce impacts to jurisdictional waters, and in response to Comment 4-2, the Project description is revised to indicate that Hinman Creek would be constructed via trenchless construction. Pipeline installation across Hopper Creek and Beard Ditch would be completed during the dry season using open trench construction methods. This change to the Project description requires several revisions to the Draft EA & IS/Proposed MND as follows.

The Project Construction Activities, Pipelines and Valves paragraph on page 17 is revised as follows in response to Comment 4-2.

PROJECT CONSTRUCTION ACTIVITIES

Pipelines and Valves

The majority of the pipelines would be installed using open trench construction, with the exception of Phase 3 undercrossings of Solano Avenue/ Highway 29, ~~and Chase Creek, and Hinman Creek,~~ which would be installed using trenchless construction methods.

In addition, the Trenchless Construction Methods paragraph on page 21 of the Draft EA & IS/Proposed MND is revised as follows in response to Comment 4-2.

Trenchless Construction Methods

Trenchless methods would be used to install the pipeline under Solano Avenue/Highway 29. As shown on Figure 6, approximately 380 linear feet of 8-inch pipeline would be installed under Solano Avenue/Highway 29 during Phase 3 and 120 linear feet of 8-inch pipeline would be installed under Chase Creek. Trenchless construction methods would also be used to install pipeline under Hinman Creek during Phase 3. Horizontal directional drilling (HDD) and jack and bore installation are the two trenchless construction techniques that may be employed to install underground pipelines. These processes are described below.

Revisions to the Project description to construct the pipeline crossing of Hinman Creek using trenchless construction also requires revisions to Chapter 3, Section 4, Biological Resources, Impact IV.b on pages 54-55 of the Draft EA & IS/Proposed MND. Impact IV.b is revised as follows in response to Comment 4-2.

IV. b) Impacts to Riparian or Sensitive Natural Community – No Impact

Improvements at the Joint Treatment Plant would occur within the boundary of the existing plant, which does not include riparian vegetation, and therefore would not impact riparian vegetation. None of the vineyard irrigation ponds are located in valley foothill riparian habitat; therefore no impacts would occur in these areas.

An 8-inch recycled water pipeline would be installed under Chase Creek along Silverado Trail as part of Phase 3. Installation of the pipeline would be accomplished using trenchless construction methods and would not impact riparian vegetation present along the channel upstream or downstream of Silverado Trail. Construction activities would not require tree removal; therefore, there would be no impact to riparian vegetation.

A 6-inch recycled water pipeline would be installed across Hopper Creek along Land Lane as part of Phase 2 as illustrated on Figure 5. ~~A 6-inch recycled water pipeline across Hinman Creek within the existing JTP access roadway would be installed as part of Phase 3 as shown on Figure 6 at the north east corner of the JTP.~~ The pipeline would be installed at Hopper Creek and ~~Hinman Creek~~ during the summer months and in an area that does not support riparian vegetation. Therefore, no impact to riparian vegetation would occur in these locations.

In addition, Impact IV. c), shown on page 55 of the Draft EA & IS/Proposed MND, is revised as follows in response to Comment 4-2.

IV. c) Impacts to Wetlands and Waters – Less than Significant with Mitigation

Potential wetlands and waters in the study area are shown on Map 1 of 2 and 2 of 2 in Appendix D, Wetland and Waters Delineation Report. The wetlands delineation identifies four seasonal wetlands, one freshwater marsh, four drainages (including Hinman Creek and Hopper Creek), Chase Creek, and Napa River in the study area, totaling as much as 1.21 acres of wetlands and as much as 0.66 acres of other waters.

No wetlands or waters were mapped at the Joint Treatment Plant; therefore construction activities at the plant would not impact wetlands or waters. The irrigation ponds were identified as non-jurisdictional wetlands during the wetland delineation. Construction in the ponds would not be necessary to deliver recycled water to the ponds; therefore, no impacts to wetlands or waters would occur at any of the irrigation ponds.

An 8-inch recycled water pipeline would be installed under Chase Creek along Silverado Trail, and under Hinman Creek at the Joint Treatment Plant, as part of Phase 3. Installation of the pipeline under Chase Creek and Hinman Creek would be accomplished using trenchless construction methods; thereby avoiding impacts to jurisdictional waters and wetlands in these locations.

Revisions to the Project description to construct the pipeline crossing of Hinman Creek using trenchless construction also requires revisions to Chapter 3, Section 9 Hydrology and Water Quality, Impact IX.a&f on pages 87-88 of the Draft EA & IS/Proposed MND. Therefore, Impact IX.a&f is revised as follows in response to Comment 4-2.

IX. a & f) Violate Water Quality Standards or Degrade Water Quality – Less than Significant with Mitigation

A pipeline would be installed under the Chase Creek and Hinman Creek as part of Phase 3 construction. The pipeline would be constructed using trenchless construction methods (either horizontal directional drilling or jack and bore). Installation of the pipeline undercrossing using trenchless methods would not alter the course of Chase Creek or Hinman Creek, nor would it affect water quality in the channel. However, the use of trenchless construction methods, especially horizontal directional drilling, requires the use of a drilling slurry containing bentonite (a fine clay material used as a lubricant), and drilling near the ground surface or close to the bed of Chase Creek or Hinman Creek could introduce the potential for frac-out (where the bentonite surfaces in the stream bed). Although the bentonite is non-toxic, it can increase turbidity and suspended sediments in the surface water. The potential for impact from frac-out of drilling fluids into Chase Creek or Hinman Creek is considered significant.

During Phase 2 of the Project, a new 8-inch diameter recycled water pipeline would be installed beneath Hopper Creek and Beard Ditch on Land Lane by open trenching across the creek channel during the dry season. ~~A pipeline would be installed across Hinman Creek as part of Phase 3.~~ Construction in these locations would be completed when there is no water in the channel. Open trenching would temporarily impact the banks of Hopper Creek ~~and Hinman Creek~~ and could result in erosion or siltation if not properly controlled and restored following construction. The potential water quality impact from construction across Hopper Creek ~~and Hinman Creek~~ is considered significant.

In addition, revisions to Mitigation Measure HYD-3: Frac-Out and Undercrossing Contingency Plan, presented on page 89 of the Draft EA & IS/Proposed MND, are required. Therefore, Mitigation Measure HYD-3 is revised as follows in response to Comment 4-2.

Mitigation Measure HYD-3: Frac-Out and Undercrossing Contingency Plan

If drilling mud is needed during construction, the Town shall develop and follow procedures to prevent the mix used during drilling from being discharged into Chase Creek and Hinman Creek when installing pipelines using trenchless construction methods. The plan shall address how the contractor would manage pressures and the volume of lubricant used to prevent frac-out.

The following paragraph discussing the effects of implementing Mitigation Measures HYD-3 and BIO-3, found on pages 89-90 of the Draft EA & IS/Proposed MND are also is revised as follows in response to Comment 4-2.

Implementation of Mitigation Measure HYD-3 would reduce the impact from potential frac-out of drilling fluids into Chase Creek and Hinman Creek to a less-than-significant level by requiring preparation and implementation of a Frac-Out and Undercrossing Contingency Plan. The Plan would identify the measures necessary to reduce the potential for frac-out and would provide procedures to follow in the event frac-out occurs to minimize impacts.

Implementation of Mitigation Measure BIO-3 (in Section IV, Biological Resources) would require the restoration of ~~Hinman and~~ Hooper Creeks following installation of the pipeline. Restoration activities would protect water quality by requiring stabilization and restoration of channel banks following construction.

Impact discussion IX.c on pages 90-91 of the Draft EA & IS/Proposed MND also requires revisions. Therefore, the following paragraph is revised as follows in response to Comment 4-2.

IX. c) Alter Drainage Patterns Resulting in Erosion or Siltation – Less than Significant

Installation of the pipeline beneath Chase Creek and Hinman Creek would utilize trenchless methods (either horizontal directional drilling or jack and bore). Installation of the pipeline undercrossings using trenchless methods would not alter the course of waterways; therefore, the impact from crossings of Chase Creek and Hinman Creek is considered less than significant.

Revisions to impact discussion IX.d on page 91 of the Draft EA & IS/Proposed MND are also required. Therefore, the following paragraph is revised as follows in response to Comment 4-2.

IX. d) Substantially Increase Runoff Resulting in Flooding – Less than Significant

Installation of the pipelines beneath Chase Creek and Hinman Creek as part of Phase 3 would utilize trenchless methods, which would not alter the course of this waterway. During construction, dewatering of the work area could be required if groundwater accumulates in an open trench or a jack and bore pit area. Construction beneath Chase Creek and Hinman Creek, including discharge of groundwater dewatering, would not result in flooding on- or off-site as discharge from trench dewatering would be limited and quantities would be small. The impact is considered less than significant.

Revisions to the Project description to construct the pipeline crossing of Hinman Creek using trenchless construction also requires revisions to the noise impact discussion. This includes impact discussion Xii.a&d on page 100 of the Draft EA & IS/Proposed MND. Therefore, the following paragraph is revised as follows in response to Comment 4-2.

Under the Town of Yountville Municipal Code, potentially sensitive receptors along the Project pipeline alignments would include the commercial establishments along Solano Avenue, including Vinter's Golf Club, ~~and~~ the Saint Joan of Arc Catholic Church at Washington Street and Land Lane, and the Veterans Home of California. The church buildings are located approximately 40 feet from the Phase 2 pipeline route and the sending/receiving pit for the Solano Avenue/Highway 29 trenchless undercrossing (Phase 3), and 50 feet from the Phase 1 Washington Street pipeline route. The Phase 3 pipeline extending from the JTP is adjacent to the golf course fairway and driving range. The driving range is also immediately adjacent to the sending/receiving pit for the Solano Avenue/Highway 29 trenchless undercrossing. The Phase 3 undercrossing of Hinman Creek would be located approximately 1,450 feet from the Veterans Home of California facilities and residences.

By incorporating these revisions related to the trenchless undercrossing of Hinman Creek, the Project further reduces impacts to jurisdictional water and wetlands through avoidance where feasible.

Comment 4-2 also calls for the mitigation of temporary impacts to jurisdictional waters and wetlands beyond restoration. As discussed in Impact IV.c, and as included in Mitigation Measure BIO-3 (see pages 55-56 of the Draft EA & IS/Proposed MND), the Project shall be designed to avoid impacts, where feasible, to jurisdictional waters and wetlands. If impacts cannot feasibly be avoided, Mitigation Measure BIO-3 requires the Town to undertake actions to develop and implement a wetlands and waters restoration plan, including mitigation to offset temporal impacts. The restoration may include increased area of wetland and waters enhancement to mitigate for temporary impacts. With the implementation of Mitigation Measure BIO-3, the Town will restore the temporary construction-related impacts to wetland and waters where construction impacts cannot be avoided.

Response to Comment 4-3

This comment states that if wetlands and waters of the State cannot be avoided, a detailed Mitigation and Monitoring Plan will need to be submitted as part of the CWA Section 401 application. The comment also provides information on how to obtain application materials.

The Town acknowledges this requirement and the Town will submit a mitigation and monitoring plan as part of the CWA Section 401 application package, as described on pages 7 and 126 of the Draft EA & IS/Proposed MND.

Response to Comment 4-4

This comment advises the Town that construction activity for linear underground utility projects (LUPs) that disturb one or more acre of and are subject to the requirements under the State National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Construction Activities (General Permit). The comment also provides information on how to obtain application materials, and information on risk levels for LUPs.

The Town acknowledges this requirement and the Town will submit an application for a General Permit, as described on pages 7, 126 and 129 of the Draft EA & IS/Proposed MND.

Response to Comment 4-5

This comment requests the revision of language in Mitigation Measure BIO-3, specifically the bullet item on page 56: “spread a cover of straw, rice straw if available, over disturbed soils and work into soil.” The RWQCB requests that the Draft EA & IS/Proposed MND clearly state this practice will not be implemented in wetland soils.

Mitigation Measure BIO-3 is revised as follows in response to Comment 4-5.

Mitigation Measure BIO-3: Avoid or Restore Jurisdictional Wetlands and Waters Temporarily Affected by Construction

The Town shall implement avoidance and minimization measures, including best management practices (BMPs), to protect jurisdictional wetlands and waters during construction. Materials and fluids generated by construction activities shall be placed at least 25 feet away from wetland areas or drainages until they can be disposed of at a permitted site. All wetlands and waters areas located adjacent to the construction zone that could be affected by construction activities shall be temporarily fenced off and designated as environmentally sensitive areas to prevent accidental intrusion by workers and equipment.

The Project shall be designed to avoid impacts to SW-1, SW-3, and FWM-2 to the extent feasible. The pipeline shall be designed for installation along the vineyard or roadway edge and outside the vineyard irrigation ditch/seasonal wetland.

The following measures shall be implemented where construction impacts to jurisdictional waters and wetlands cannot feasibly be avoided. A wetland and waters restoration plan shall be prepared prior to construction. The restoration shall include, but not be limited to, the following measures:

- Install pipelines when wetlands and streams are dry.
- Restore original contours and drainage patterns, both into and out of the wetland.

- Spread a cover of straw, rice straw if available, over disturbed soils and work into soil. This practice shall not be implemented in wetland soils.
- Apply an organically based tackifier on disturbed areas to reduce air and water erosion of soils.
- Plants shall be installed, maintained and replaced such that 70 percent of the design plant density is present on the five-year anniversary of plant installation.

With this revision, Mitigation Measure BIO-3 clearly states that straw cover shall not occur in wetlands soils, and the Town commits to implementing the mitigation measure as revised.

Response to Comment 4-6

This comment provides RWQCB contact information. The Town thanks the RWQCB for this information.

Appendix H
Endangered Species Compliance



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Sacramento Fish and Wildlife Office
2800 Cottage Way, Room W-2605
Sacramento, California 95825-1846



In Reply Refer To:
08ESMF-2012-I-0614

JAN 28 2013

Memorandum

To: Anastasia T. Leigh, Regional Environmental Officer, U.S. Bureau of Reclamation, Sacramento, California

From: *for* Eric Tattersall, Deputy Assistant Field Supervisor, Sacramento Fish and Wildlife Office, Sacramento, California *Ryan Clark*

Subject: Informal Consultation Under Section 7(a)(2) of the Endangered Species Act for the Yountville Recycled Water Expansion Project Phase 1, Napa County, California

This memorandum is in response to the U.S. Bureau of Reclamation (Bureau) July 26, 2012, memorandum requesting consultation with the U.S. Fish and Wildlife Service (Service) on the proposed Yountville Recycled Water Expansion Project Phase 1 (proposed Project) in the Town of Yountville, Napa County, California (Reclamation file MP-150, ENV-7.00). Your request for consultation was received in our office on July 27, 2012. At issue are the effects of the proposed Project on the federally threatened California red-legged frog (*Rana draytonii*). This Project is not within any designated critical habitat for the frog; therefore critical habitat will be unaffected by the Federal action. This document is issued under the authority of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) (Act).

Project Background and Description

As per the Clean Water Act, municipalities that discharge pollutants into waters of the United State must obtain a permit under the National Pollutant Discharge Elimination System (NPDES) program. The proposed Project allows the Town of Yountville to meet NPDES requirements by decreasing the pollutant discharge load through expanded recycled water system capabilities. Currently, wastewater is treated at the Yountville Joint Treatment Plant to provide recycled water mainly for irrigation purposes. The proposed Project is the first of three distinct and independent phases designed to extend the distribution of recycled water to potential users and offset river water and groundwater requirements.

In addition, the Town of Yountville has identified 3 tiers of recycled water users: Tier 1 is comprised of the existing users of recycled water; Tier 2 includes identified potential users that will begin receiving recycled water upon completion of the proposed Project; and Tier 3 users are yet to be identified, but will begin receiving recycled water upon completion of Phases 2 and

3 of the Yountville Recycled Water Expansion Project. Tier 2 users to be serviced by the proposed Project include the Beringer, Herrick Ranch, and Silverado West vineyards, as well as the Town's Veteran's Memorial Park.

Existing 6-inch diameter polyvinyl chloride (pvc) mainline carries water from the Recycled Water Pump Station at the Yountville Joint Treatment Plant to various vineyards eastward along Silverado Trail (Figure 1). The proposed Project involves the installment of approximately 6,100 feet of 8-inch diameter, and 1,190 feet of 6-inch pvc pipeline that will tie Tier 2 users to the existing 6-inch diameter mainline. The alignment of the pipeline to the Tier 2 vineyards is located along unpaved, vineyard service roads, while the Veteran's Memorial Park will be connected via an alignment along the shoulder of Washington Street. The recycled water will take the place of river water and groundwater that is currently collected in existing storage ponds.

Pipelines will be installed using an open-trench construction design. The open-trench method involves vegetation clearing, grading, and excavation, along with shoring of the trench before the new bedding sand and pipeline is set in place. The trench is then backfilled with native materials and engineered aggregate, and the ground surface is restored. The trench is approximately 4- to 5- feet in depth and at least 3-feet in width. Dewatering of the trench may be required in some places.

The proposed Project also involves the upgrading of pumps, motors, and other system pressurization equipment at the existing Yountville Recycled Water Pump Station. Construction of the proposed Project is anticipated to take eight months to complete, from April to November, 2013.

According to the initiation material (i.e., initiation memo, Biological Services Report, Environmental Assessment excerpts) provided to the Service by the Bureau, unknown frog species have been spotted within the storage ponds at the Beringer and Silverado West storage ponds in 2011. However, the proposed Project will not alter the physical layout or the hydrological regime of these ponds, other than to provide a new pipeline to them. The nearest reported occurrence record for the California red-legged frog in the California Natural Diversity Data Base is a record from 2003 at Oak Moss Creek, about 8.7 miles to the east of the proposed Project action area.

The Town of Yountville has proposed the following measures to avoid and minimize impacts to the California red-legged frog while working within 50 feet of the vineyard storage ponds:

- Ground-disturbing construction activities shall be limited to the period between April 1 and November 1.
- A qualified biologist shall conduct a pre-construction survey immediately before construction begins at any time within 50 feet of the storage ponds. The biologist will remain on-site during construction within 50 feet of a storage pond.
- If a California red-legged frog is encountered during construction, all construction activities will cease until the animal moves away of its own volition. Construction will

not recommence until it has left the construction area. The Service shall be contacted for direction on how to proceed if a California red-legged frog presence halts construction.

- Prior to construction, a Service-approved biologist will train all construction personnel regarding the habitats, identification, and required practices for dealing with special-status species.
- All construction activities will occur between the hours occurring one half-hour after sunrise until one half-hour before sunset. Vehicle usage shall be restricted to existing roadways and staging areas.
- Vehicle fueling and maintenance, as well as any other construction equipment, will occur at least 65 feet from any riparian habitat or water body.

Concurrence Determination

The proposed Project area is not located within the designated critical habitat for the California red-legged frog. The Yountville Joint Treatment Plant and Recycled Water Pump Station facilities do not provide habitat for the California red-legged frog. Therefore, improvements to equipment at these facilities as a result of the proposed Project would have no effect on the California red-legged frog. Similarly, the proposed Project pipeline configurations are along frequently used roadways and access ways that are unlikely to provide suitable habitat for the California red-legged frog. Conversely, the vineyard storage ponds within the action area may provide suitable habitat for the California red-legged frog.

The Service concurs with your determination that the proposed Yountville Recycled Water Expansion Project Phase 1, may affect, but is not likely to adversely affect the California red-legged frog. Our concurrence is based on the fact that within the project area, only the vineyard storage ponds provide reasonable habitat for the California red-legged frog. Because these ponds provide limited cover and foraging opportunities, along with the fact that the closest known occurrence is 8.7 miles from the project area, it is unlikely that they would be used by a California red-legged frog. Furthermore, the physical properties of each pond will not be altered by the proposed Project. However, because unspecified frogs have been seen within two of the storage ponds, the proposed avoidance and minimization measures must be followed.

Unless new information reveals effects of the proposed action that may affect listed species in a manner or to an extent not considered; or the project is modified in a manner that causes an effect to the listed species that was not considered; or a new species or critical habitat is designated that may be affected by the proposed action, no further action pursuant to the Act, is necessary.

If you have any questions regarding this response on the proposed Yountville Recycled Water Expansion Project Phase 1 Project, please contact Harry Kahler, Biologist, or Ryan Olah, Coast Bay/Forest Foothills Division Chief, at the letterhead address, telephone (916) 414-6600, or electronic mail at Harry_Kahler@fws.gov or Ryan_Olah@fws.gov.

cc:

Doug Kleinsmith, Bureau of Reclamation, Sacramento, CA

Appendix I

Cultural Resources Compliance Memo



KLEINSMITH, DOUGLAS <dkleinsmith@usbr.gov>

Fwd: Yountville Recycled Water Expansion Project (Project), conclusion of the Section 106 process

Williams, Scott <sawilliams@usbr.gov>
To: DOUGLAS KLEINSMITH <dkleinsmith@usbr.gov>

Wed, Jan 23, 2013 at 10:55 AM

—— Forwarded message ——

From: **Williams, Scott** <sawilliams@usbr.gov>
Date: Wed, Jan 23, 2013 at 10:31 AM
Subject: Yountville Recycled Water Expansion Project (Project), conclusion of the Section 106 process
To: Carrie Lukacic <Carrie.Lukacic@ghd.com>, DAVID WHITE <dwhite@usbr.gov>, gwadsworth@yville.com, BOR MPR Cultural Resources Section <ibr2mprdculturalresources@usbr.gov>

National Historic Preservation Act (NHPA) Section 106 Consultation for the Yountville Recycled Water Expansion Project, Yountville, Napa County, California (12-CCAO-044)

Carrie and David,

The proposed undertaking to provide grant funding for the Yountville Recycled Water Expansion Project near Yountville was determined to be the type of undertaking that had the potential to cause effects to historic properties pursuant to 36 CFR §800.3. As a result, Reclamation continued the Section 106 process as outlined in the regulations at 36 CFR Part 800.). The expenditure of Federal funds constitutes an undertaking pursuant to Section 301(7) of the NHPA (16 U.S.C. 470) as amended which requires compliance with Section 106 of the NHPA. The town of Yountville is proposing the excavation of 5.67 miles of trench (4 feet wide by a maximum of 6 feet deep) and the excavation of two 20-foot-deep pits (facilitating drilling under Highway 29 and the Napa Railroad) for the purpose of installing two segments of a 36-inch waste water pipe. Segment 1 is located on the west side of the Napa River beginning at the Yountville Wastewater Treatment Plant and extending 2.09 miles to Beringer Pond. Segment 2 includes two branches; one begins on the east side of the Napa River at a private driveway at Silverado Vineyards and extends south for approximately 3.12 miles (16,473 feet) and empties into an irrigation pond. At approximately the 2.27 mile (12,000 foot) mark of the first branch, the second branch connects with the main line along Silverado Trail and extends northeast for 0.38 mile (2,050 feet) along a private driveway at Stagg's Leap Vineyard.

In an effort to identify historic properties, the Anthropological Study Center (ASC), on behalf of the city or Yountville, reviewed a comprehensive records search completed at the Northwest Information Center,

California Historical Resources Information System (Erickson 2012:15). No previously known cultural resources were identified in the APE. In addition, the ASC completed ground surface and subsurface investigations on behalf of the town of Yountville. One multi-component site was identified in the APE with prehistoric and earthen levee components (ASC-41-11-02). Historic research and archaeological test excavation was completed within the APE and is reported within the enclosed document. It was determined that neither the redeposited prehistoric component nor the historic-era levee components of ASC-41-11-02 are eligible for inclusion in the National Register of Historic Places (NRHP). Reclamation concurs with this determination.

Also, on behalf of the town of Yountville and at the request of Reclamation, Far Western Anthropological Research Group completed a buried site sensitivity model and subsurface testing investigation to further identify the potential for subsurface deposit. This investigation included a review of relevant background information, development of a buried site sensitivity model, and field testing and analysis. The detailed model, methods, and findings of the investigation are described within the enclosure. The investigation concluded "it is unlikely that a large, substantial, and/or intact buried prehistoric archaeological site is located within the Phase 1 new pipeline alignment [current undertaking]." No further archaeological identification efforts were recommended. Reclamation has determined that a reasonable and good faith effort for identification of historic properties within the APE has been met and concurs with the recommendation.

In a letter dated June 16, 2011, the Native American Heritage Commission failed to identify any resources within their sacred lands file; however, they did provide a Native American Contact List. Reclamation submitted letters to one federally recognized tribe (three individuals) to invite their assistance in identifying the presence of, or concerns regarding, sites of religious and cultural significance pursuant to 36 CFR § 800.3(f) (2) and 36 CFR § 800.4(a)(4). In addition, Reclamation submitted letters to two non-federally recognized Native Americans to inquire if they have any knowledge of, or concerns with, historic properties in the area, and to identify issues relating to the undertaking's potential effects on those historic properties pursuant to 36 CFR § 800.4(a)(3). The only response received to date was from the Federated Indians of Graton Rancheria (October 23, 2012) stating the project area is not within their traditional territory.

Reclamation initiated consultation with the California State Historic Preservation Officer (SHPO) on October 17, 2013 seeking concurrence with the determinations that the multi-component site ASC 41-11-02 is not eligible for the NRHP under criteria A, B, C, or D. Additionally, Reclamation requested concurrence with the finding that the undertaking results will result in No Historic Properties Affected pursuant to 36 CFR § 800.4(d)(1).

The CA SHPO responded on December 11, 2012 (BUR_2012_1113_001). The SHPO advised Reclamation to expand the APE to include the Napa Railroad as they believed it could be affected by the project, but also stated that they would agree to No Adverse Affect finding with the information already provided. SHPO advised that the Napa Railroad is included in the APE and that it should be assumed eligible for the purposes of this undertaking and that they could concur with a finding of no adverse effect.

The SHPO concurred with our determination of eligibility for site ACS-41-11-02, agreeing that the site is not eligible for listing on the National Register of Historic Places. SHPO also advised implementing archaeological monitoring "due to the frequency of prehistoric sites in the general project area."

Reclamation responded on December 20, 2012. Reclamation stated that an appropriate level of effort was implemented to identify historic properties for this undertaking and our finding of effect was adequately supported with documentation submitted to them on November 9, 2012. It was also stated that Reclamation has consistently defined the APE in a similar manner based on the scale and nature of the undertaking and has determined that the proposed undertaking. Reclamation determined that the boring, 10-15 feet under the Napa Railroad, to install a buried pipeline has no potential to affect the site and the APE should not be expanded to include it. In regards to monitoring, we explained that Reclamation does not regularly employ archaeological monitors as a means of identifying historic properties, but rather prefers to assess the potential for buried sites in advance when possible and then determine whether archaeological monitoring may be appropriate. Reclamation maintains that the previously submitted buried site sensitivity model and subsurface testing investigation constitute a reasonable and good faith effort to address the potential for buried archaeological sites. Should a post-review discovery be made, Reclamation will follow the process detailed at 36 CFR § 800.13(b). We requested SHPO to re-consider their comments in light of our responses and concur with our finding of No Historic Properties Affected.

Pursuant to the regulations at 36 CFR §800.5(c), if California State Historic Preservation Officer (SHPO) has 30 days from receipt to review an agency finding. The SHPO received the consultation package on December 21, 2012 and has yet to respond to Reclamation's request for review and comment. If after 30 days the SHPO has not responded, the regulations state that "...the agency official shall then carry out the undertaking in accordance with paragraph (d)(1) of this section [§800.5(c)(1)]. Because the SHPO has failed to comment on Reclamation's finding within the period of time provided to them pursuant to the Section 106 regulations, Reclamation may conclude the Section 106 process with no additional consideration. Reclamation will maintain of finding of No Historic Properties Affected and does not require monitoring during construction.

This email memo is intended to convey the conclusion of the Section 106 process for this undertaking.

Although the project may go forward with no additional review from Section 106, Reclamation shall continue to seek concurrence on our finding from the SHPO. If, at some point, the SHPO reenters the consultation process and has comments or concerns regarding this action, Reclamation will seek to resolve these concerns while the project is being implemented. In addition, in the event of an inadvertent discovery Reclamation may have additional Section 106 obligations pursuant to the Post Review Discovery portion of the regulations at §800.13. Although very unlikely, if human remains are identified during implementation of this action, the project shall be halted immediately and the Reclamation Mid-Pacific Regional Archaeologist contacted immediately to discuss how to proceed.

Please retain a copy of this memo with the administrative record for this project. This memo fulfills our

3/14/13 DEPARTMENT OF THE INTERIOR Mail - Fwd: Yountville Recycled Water Expansion Project (Project), conclusion of the Section 106 process obligations and commitments to Section 106 as discussed in the Finding of No Historic Properties Affected for this action.

Sincerely,

Scott A. Williams, M.A. Archaeologist
Bureau of Reclamation, Mid-Pacific Region
2800 Cottage Way, MP-153
Sacramento, CA 95825
916-978-5042

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Scott A. Williams, M.A. Archaeologist
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12-CCAO-44 Yountville Response to SHPO 12-20-12.pdf
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