625 Burnell Street, Napa CA 94559

Napa County Transportation and Planning Agency (NCTPA)

Board of Directors

REVISED
AGENDA

Wednesday, January 21, 2015
1:30 PM

NCTPA/NVTA Conference Room
625 Burnell Street
Napa CA 94559

General Information

All materials relating to an agenda item for an open session of a regular meeting of the NCTPA Board of Directors are posted on our website at www.nctpa.net/agendas-minutes/12 at least 72 hours prior to the meeting and will be available for public inspection, on and after at the time of such distribution, in the office of the Secretary of the NCTPA Board of Directors, 625 Burnell Street, Napa, California 94559, Monday through Friday, between the hours of 8:00 a.m. and 5:00 p.m., except for NCTPA holidays. Materials distributed to the present members of the Board at the meeting will be available for public inspection at the public meeting if prepared by the members of the NCTPA Board or staff and after the public meeting if prepared by some other person. Availability of materials related to agenda items for public inspection does not include materials which are exempt from public disclosure under Government Code sections 6253.5, 6254, 6254.3, 6254.7, 6254.15, 6254.16, or 6254.22.

Members of the public may speak to the Board on any item at the time the Board is considering the item. Please complete a Speaker's Slip, which is located on the table near the entryway, and then present the slip to the Board Secretary. Also, members of the public are invited to address the Board on any issue not on today's agenda under Public Comment. Speakers are limited to three minutes.

This Agenda shall be made available upon request in alternate formats to persons with a disability. Persons requesting a disability-related modification or accommodation should contact Karrie Sanderlin, NCTPA Board Secretary, at (707) 259-8631 during regular business hours, at least 48 hours prior to the time of the meeting.

This Agenda may also be viewed online by visiting the NCTPA website at www.nctpa.net, click on Minutes and Agendas – NCTPA Board or go to www.nctpa.net/agendas-minutes/12

Note: Where times are indicated for agenda items they are approximate and intended as estimates only, and may be shorter or longer, as needed.

ITEMS

1. Call to Order – Chair John F. Dunbar
2. Pledge of Allegiance
3. Roll Call

Members:

Joan Bennett	City of American Canyon
Leon Garcia, Mayor	City of American Canyon
Chris Canning, Mayor	City of Calistoga
James Barnes	City of Calistoga
Vacant	City of Napa
Jill Techel, Mayor	City of Napa
Keith Caldwell	County of Napa
Mark Luce	County of Napa
Alan Galbraith, Mayor	City of St. Helena
Peter White	City of St. Helena
Lewis Chilton	Town of Yountville
John F. Dunbar, Mayor	Town of Yountville
Beth Kahiga	Paratransit Coordinating Council

4. Public Comment
5. Adoption of the Agenda
6. Chairperson's, Board Members' and Metropolitan Transportation Commission (MTC) Commissioner's Update
7. Director's Update
8. Caltrans' Update

Note: Where times are indicated for agenda items they are approximate and intended as estimates only, and may be shorter or longer, as needed.

9.	**CONSENT ITEMS (9.1 – 9.4)**	**RECOMMENDATION**	**TIME**
9.1	Approval of Meeting Minutes of December 17, 2014 (Karrie Sanderlin) ***(Pages 9-15)***	APPROVE	1:40 PM
9.2	Active Transportation Advisory Committee (ATAC) Member Appointments (Diana Meehan) ***(Pages 16-21)*** Board action will approve the appointment of Donna Hinds to ATAC to represent the City of St. Helena.	APPROVE	

9.3	Resolution No. 15-01 Authorizing the Filing for, Acceptance of, and Execution of all Documents and Instruments Related to Proposition 1B, and Other State Law Administered by the California Office of Emergency Services (Cal OES) (Antonio Onorato) ***(Pages 22-30)*** Board action will Resolution No. 15-01 authorizing the submittal a FY 2014-15 California Office of Emergency Service (Cal OES) Investment Justification grant application in the amount of $9,803 for the purchase of Security Cameras on VINE Transit vehicles.	APPROVE
9.4	eLock Technologies LLC - E-Locker System Purchase (Diana Meehan) ***(Pages 31-57)*** Board action will (1) Consider adopting a Categorical Exemption Class 1: It has been determined that this type of project does not have a significant effect on the environment and is exempt from the California Environmental Quality Act. [See Class 1 ("Existing Facilities") which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15301; see also Napa County's Local Procedures for Implementing the California Environmental Quality Act, Appendix B.], and (2) authorize the Executive Director to enter into an agreement with eLock Technologies LLC, to purchase, install and maintain six (6) E-Locker units providing 22 secure bicycle parking spaces at a cost not to exceed $92,071.	APPROVE

		RECOMMENDATION	TIME CERTIAN
10.	**PUBLIC HEARING**		
10.1	Public Hearing and Approval of VINE Transit Fare Increase (Justin Paniagua) ***(Pages 56-69)*** Board action will (1) Hold a Public Hearing; and (2) approve the proposed VINE Transit fare adjustment.	APPROVE	1:40 PM

		RECOMMENDATION	TIME
11.	**REGULAR AGENDA ITEMS**		
11.1	FY 2013-14 Independent External Fiscal and Single Audit Reports for NCTPA (Antonio Onorato) ***(Pages 69-150)*** Board action will: (1) Accept and file the FY 2013-14 NCTPA Fiscal Audit and the NCTPA Single Audit Report - OMB Circular A-133; and (2) return an allocation surplus of $1,534,634 to the County's Local Transportation Trust Fund.	ACCEPT AND FILE	2:00 PM
11.2	Resolution No. 15-02 Approving and Certifying the California Environmental Quality Act (CEQA) Mitigated Negative Declaration and Adopting the Mitigation Monitoring and Reporting Program, and Adopting the National Environmental Policy Act (NEPA) Categorical Exclusion Determination for the Napa Valley Vine Trail Project–Oak Knoll District (Herb Fredricksen) ***(Pages 151-325)*** Board action will (1) approve Resolution No. 15-02 adopting the Napa Valley Vine Trail Project – Oak Knoll District Project CEQA document for the Mitigated Negative Declaration, the CEQA Mitigation Monitoring and Reporting Program, and the NEPA Categorical Exclusion and, (2) direct staff to file a Notice of Determination.	APPROVE	2:20 PM

11.3 Legislative Update and State Bill Matrix (Kate Miller) ***(Pages 326-337)*** APPROVE 2:45 PM

The Board will receive the monthly Federal and State Legislative Update and act on staff recommendations in the State Bill Matrix.

12. FUTURE AGENDA ITEMS

13. CLOSED SESSION **TIME**

13.1 **CONFERENCE WITH REAL PROPERY NEGOTIATOR** (Government Code Section 54956.8) 3:00 PM

Property: APN 36-330-012
Agency Negotiator: Kate Miller, Executive Director
Negotiating Parties: Steve Rogers, Town of Yountville
Under Negotiation: Price and terms of payment

13.2 **CONFERENCE WITH REAL PROPERY NEGOTIATOR** (Government Code Section 54956.8)

Property: APN's 046-720-000-300-0, 046-720-001-100-0, and 046-720-010-000-0
Agency Negotiator: Kate Miller, Executive Director
Negotiating Parties: Colliers International
Under Negotiation: Price and terms of payment

13.3 **CONFERENCE WITH LABOR NEGOTIATOR (Government Code Section 54957.6)**

Agency Designated Representative:
John F. Dunbar, Chairman

Employee: Executive Director

14.	**ADJOURNMENT**	**RECOMMENDATION**	4:00 PM
	14.1 Approval of Regular Meeting Date of February 18, 2015 1:30 p.m. and Adjournment	APPROVE	

I hereby certify that the agenda for the above stated meeting was posted at a location freely accessible to members of the public at the NCTPA offices, 625 Burnell Street, Napa, CA, by 5:00 p.m., Friday January 16, 2015.

_____

Karalyn E. Sanderlin, NCTPA Board Secretary

Glossary of Acronyms

AB 32	Global Warming Solutions Act
ABAG	Association of Bay Area Governments
ADA	American with Disabilities Act
BAAQMD	Bay Area Air Quality Management District
AVAA	Abandoned Vehicle Abatement Authority
BART	Bay Area Rapid Transit District
BATA	Bay Area Toll Authority
BRT	Bus Rapid Transit
Caltrans	California Department of Transportation
CEQA	California Environmental Quality Act
CIP	Capital Investment Program
CMA's	Congestion Management Agencies
CMAQ	Congestion Mitigation and Air Quality Improvement Program
CMP	Congestion Management Program
CTC	California Transportation Commission
EIR	Environmental Impact Report
EJ	Environmental Justice
FAS	Federal Aid Secondary
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
FY	Fiscal Year
GHG	Greenhouse Gas
HBP	Highway Bridge Program
HBRR	Highway Bridge Replacement and Rehabilitation Program
HIP	Housing Incentive Program
HOT	High Occupancy Toll
HOV	High Occupancy Vehicle
HR3	High Risk Rural Roads
HSIP	Highway Safety Improvement Program
HTF	Highway Trust Fund
IFB	Invitation for Bid
ITIP	State Interregional Transportation Improvement Program
JARC	Job Access and Reverse Commute
LIFT	Low-Income Flexible Transportation
LOS	Level of Service
MPO	Metropolitan Planning Organization
MTC	Metropolitan Transportation Commission
MTS	Metropolitan Transportation System
NCTPA	Napa County Transportation and Planning Agency
NEPA	National Environmental Policy Act
NOC	Notice of Completion
NOD	Notice of Determination
NOP	Notice of Preparation
NVTA	Napa Valley Transportation Authority
OBAG	One Bay Area Grant
PCI	Pavement Condition Index
PDA	Priority Development Areas
PMS	Pavement Management System
Prop. 42	Statewide Initiative that requires a portion of gasoline sales tax revenues be designated to transportation purposes
PSE	Plans, Specifications and Estimates
PSR	Project Study Report
PTA	Public Transportation Account
RACC	Regional Agency Coordinating Committee
RFP	Request for Proposal
RFQ	Request for Qualifications
RHNA	Regional Housing Needs Allocation
RM2	Regional Measure 2 (Bridge Toll)
RTEP	Regional Transit Expansion Program
RTIP	Regional Transportation Improvement Program
RTP	Regional Transportation Plan
SAFE	Service Authority for Freeways and Expressways
SAFETEA-LU	Safe, Accountable, Flexible, and Efficient Transportation Equity Act-A Legacy for Users
SCS	Sustainable Community Strategy
SHOPP	State Highway Operation and Protection Program
SR	State Route
SRTS	Safe Routes to School
SOV	Single-Occupant Vehicle
STA	State Transit Assistance
STIP	State Transportation Improvement Program

Glossary of Acronyms

STP	Surface Transportation Program
TCM	Transportation Control measure
TCRP	Traffic Congestion Relief Program
TDA	Transportation Development Act
TDM	Transportation Demand Management Transportation Demand Model
TE	Transportation Enhancement
TEA	Transportation Enhancement Activities
TEA 21	Transportation Equity Act for the 21st Century
TFCA	Transportation Fund for Clean Air
TIP	Transportation Improvement Program
TLC	Transportation for Livable Communities
TLU	Transportation and Land Use
TMP	Traffic Management Plan
TMS	Transportation Management System
TOD	Transit-Oriented Development
TOS	Transportation Operations Systems
TPP	Transit Priority Project Areas
VHD	Vehicle Hours of Delay
VMT	Vehicle Miles Traveled

625 Burnell Street, Napa CA 94559

January 21, 2015
NCTPA Agenda Item 9.1
Continued From: New
Action Requested: APPROVE

Napa County Transportation and Planning Agency (NCTPA)

Board of Directors

MINUTES

Wednesday, December 17, 2014

DRAFT

ITEMS

1. Call to Order

Chair Dunbar called the meeting to order at 1:32 p.m.

2. Pledge of Allegiance

City of St. Helena Mayor and new NCTPA Board member, Alan Galbraith, led the salute to the flag.

3. Roll Call

Members Present:

		Voting Power
Belia Ramos	City of American Canyon	(2)
Leon Garcia	City of American Canyon	(2)
James Barnes	City of Calistoga	(1)
Chris Canning	City of Calistoga	(1)
Scott Sedgley	City of Napa	(5)
Jill Techel	City of Napa	(5)
Keith Caldwell	County of Napa	(2)
Alan Galbraith	City of St. Helena	(1)
Peter White	City of St. Helena	(1)
Lewis Chilton	Town of Yountville	(1)
John Dunbar	Town of Yountville	(1)

Members Absent:

Vacant	County of Napa	(2)

Non-Voting Member Present:

Beth Kahiga	Paratransit Coordinating Council	(0)

Chair Dunbar announced that the Board will be moving to the two Closed Session Items, 13.1 & 13.2, following Item 7 (Caltrans Update).

4. Public Comment

Al Bundy, provided information on Napa County Vet Connect program, which connects Veterans to local resources and services all in one location. Mr. Bundy suggested placing announcement flyers about the program and monthly meeting location and time on buses, at bus stop locations, and the transit center.

5. Chairperson's, Board Members' and Metropolitan Transportation Commission (MTC) Commissioner's Update

Board Member's Update

Board member Sedgley announced that he has been reassigned to the Napa Valley Recycling Board and that this was his last meeting on the NCTPA Board. The Napa City Council will be appointing his replacement in January 2015.

Chairperson's Update

Announced that Supervisor Mark Luce has been appointed as the Interim Metropolitan Transportation Commission (MTC) Commissioner. The City Selection Committee is expected to make a recommendation for filling the vacancy to the Board of Supervisors in February 2015.

6. Director's Update

Kate Miller, Executive Director

Introduced Kathy Alexander, NCTPA's new Administrative Assistant.

Announced the holiday bus is back this year. A special decorated bus will rotate through the local VINE transit system December 22nd through December 26th. Lucky riders will get a free ride.

Announced new bus schedules will be effective January 4, 2015. Changes have been made to Routes 4, 10, 11, 21, 25, 29 which should improve on-time performance.

Announced the November canned food drive resulted in over 500 donations which were donated to Napa Valley Food Bank.

Announced the mobile version of Ridethevine.com went live December 16th.

DRAFT

7. Caltrans' Update

No oral report given, however, provided for review was the December 2014 Caltrans Reporting Memo.

As reported earlier, the Closed Session Items were moved to after the Caltrans Update.

13. CLOSED SESSION

Janice Killion, NCTPA Legal Counsel, announced that the Board would be adjourning to closed session for the items as noted in the agenda and that no reportable action is expected.

Adjourned to Close Session at 1:43 p.m.

13.1 CONFERENCE WITH REAL PROPERY NEGOTIATOR (Government Code Section 54956.8)

Property: APN 046-370-024-000
Agency Negotiator: Kate Miller, Executive Director
Negotiating Parties: Joe Carter, Boca Company
Under Negotiation: Price and terms of payment

13.2 CONFERENCE WITH LABOR NEGOTIATOR (Government Code Section 54957.6)

Agency Designated Representative:
John F. Dunbar, Chairman

Employee: Executive Director

Adjourned to Open Session at 1:55 p.m.

8. PRESENTATIONS

8.1 Chair Dunbar announced Bill Dodd was unable to be in attendance but will be presented with a plaque in recognition of his years of service as an NCTPA Board Member representing the County of Napa.

8.2 Chair Dunbar announced that Ann Nevero was unable to be in attendance but will be presented with a plaque in recognition of her years of service as an NCTPA Board Member representing the City of St. Helena.

DRAFT

9. CONSENT ITEMS (9.1 – 9.9)

At the request of Chair Dunbar, Item 9.8 was pulled from Consent for further discussion.

MOTION MOVED by **GARCIA SECONDED** by **SEDGLEY** to **APPROVE** Consent Items 9.1-9.7 & 9.9. **Motion Passed 22-0.**

9.1 Approval of Meeting Minutes of November 19, 2014

9.2 Resolution No. 14-26 Setting the Regular Meeting Time, Place, and Schedule of the Napa County Transportation and Planning Agency (NCTPA) Governing Board, the Technical Advisory Committee (TAC), the Paratransit Coordinating Council (PCC), the VINE Consumer Advisory Committee (VCAC), and the Active Transportation Advisory Committee (ATAC) for Calendar Year (CY) 2015

Board action approved Resolution No. 14-26 setting the regular meeting time, place, and schedule of the NCTPA, TAC, PCC, VCAC, and ATAC for Calendar Year (CY) 2015.

9.3 Approval of Rental Agreement No. 2014-24 with the Napa Valley Exposition

Board action authorized the Executive Director to negotiate and execute Rental Agreement No. 2014-24 for the parking of NCTPA vehicles at the Napa Valley Exposition for a period of six (6) months in an amount not to exceed $12,000.

9.4 Award of Fueling Services Agreement No. 14-18 to Clean Energy Corp; Agreement No. 14-19 to Hunt & Sons, Inc.; and Agreement No. 14-20 to Napa Valley Petroleum

Board action authorized the Executive Director to execute fueling services contracts with Clean Energy Corporation; Hunt & Sons, Inc.; and Napa Valley Petroleum.

9.5 Active Transportation Advisory Committee (ATAC) Member Appointment

Board action approved the appointment of James Eales to ATAC as representative for the Town of Yountville.

DRAFT

9.6 Removal and Disposal of Fifteen (15) Vehicles from NCTPA's Fixed Assets

Board action approved the removal of fifteen (15) vehicles from the fixed asset inventory and dispose of the assets according to NCTPA policy.

9.7 Q'POD Restraint System

Board action authorized the Executive Director to enter into an agreement with Complete Coach Works to purchase and retrofit the wheelchair securement devices on 13 VINE buses at a cost not to exceed $174,000.

9.8 Amendment No. 1 to Work Authorization P001 Agreement No. 12-23 with Kimley-Horn and Associates and Approval of Resolution No. 14-27 Increasing the Budget Appropriation for the Congestion Management Agency

At the request of Chair Dunbar, Item was pulled for further discussion.

Recommendation was made to (1) postpone approving Amendment No. 1 to Work Authorization No. 1 to Agreement No. 12-23 with Kimley-Horn and Associates Inc. and (2) establish an Ad-Hoc Committee comprised of Members Techel, Caldwell and Garcia to work with NCTPA Staff and staff from the City of Napa and County of Napa Property Management departments in identifying potential sites for the Transit Maintenance Yard and Fueling facility.

MOTION MOVED by **CHILTON SECONDED** by **GALBRAITH** to **APPROVE** the recommendation to (1) postpone approving Amendment No. 1 to Work Authorization No. 1 to Agreement No. 12-23 with Kimley-Horn and Associates Inc. and (2) establish an Ad-Hoc Committee comprised of Members Techel, Caldwell and Garcia to work with NCTPA Staff and staff from the City of Napa and County of Napa Property Management departments in identifying potential sites for the Transit Maintenance Yard and Fueling facility. **Motion Passed 22-0.**

9.9 Approval to Establish December 26, 2014 as a Holiday

Board action approved establishing Friday December 26, 2014 as an observed holiday.

DRAFT

10. PUBLIC HEARING

10.1 Public Hearing and Approval of Resolution No. 14-28 for the Funding of Operation and Mobility Management Services under Federal Transit Administration (FTA) 5310 Grant Application

Staff reported that the Federal 5310 competitive grant program provides funding for capital and projects to non-profit agencies to provide transportation for seniors and persons with disabilities. When non-profit agencies in a community are not willing, not able or not eligible to provide the proposed grant funded services, a public agency may seek funding. On October 24, 2014, NCTPA announced a call for projects for 5310 funding via public notice in the Napa Valley Register and email solicitation to non-profit organizations and that no applications were received.

Chair Dunbar opened the Public Hearing at 2:13 p.m.

Being no Public Comment, Chair Dunbar closed the Public Hearing at 2:13 p.m.

MOTION MOVED by **RAMON SECONDED** by **CANNING** to **APPROVE** (1) Resolution No. 14-28 finding that no non-profit agency or organization present or in writing expressed an interest in providing operation and mobility management services as indicated in NCTPA's FTA Section 5310 grant application for transportation for elderly and disabled individuals; and (2) authorizing the Executive Director to submit a federal 5310 grant application in the amount of $300,000 and sign the Caltrans agreement related to the FTA Section 5310 program seeking grant funding for these services.

11. REGULAR AGENDA ITEMS

11.1 Travel Behavior Study

Staff provided a review the Napa County Travel Behavior Study Report.

Public Comment was provided by Michele Benvenuto, Winegrowers of Napa County.

MOTION MOVED by **GARCIA SECONDED** by **CALDWELL** to **APPROVE** receipt, acceptance and filing the Napa County Travel Behavior Study Report. **Motion Passed 22-0.**

DRAFT

11.2 NCTPA First Quarter FY 2014-15 Budget and 5 Year Forecast

The Board received a review of NCTPA financial performance against budget for the first quarter (July-September) period and 5 year financial projections.

11.3 Legislative Update and State Bill Matrix

The Board received the monthly Federal and State Legislative Update.

12. FUTURE AGENDA ITEMS

None

14. ADJOURNMENT

14.1 Approval of Regular Meeting Date of January 21, 2015 and Adjournment

The next regular meeting will be held Wednesday January 21, 2015 at 1:30 p.m.

The meeting was adjourned by Chair Dunbar at 2:48 p.m.

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Karalyn E. Sanderlin, NCTPA Board Secretary

DRAFT

January 21, 2014
Board Agenda Item 9.2
Continued From: NEW
Action Requested: APPROVE

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
Board Agenda Letter

TO: Board of Directors

FROM: Kate Miller, Executive Director

REPORT BY: Diana Meehan, Associate Program Planner/Administrator
(707) 259-8327 / Email: dmeehan@nctpa.net

SUBJECT: Active Transportation Advisory Committee (ATAC) Member Appointment

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RECOMMENDATION

That the Napa County Transportation and Planning Agency (NCTPA) Board approve the appointment of Donna Hinds to ATAC to represent the City of St. Helena.

COMMITTEE RECOMMENDATION

The Active Transportation Advisory Committee (ATAC) recommends that the Napa County Transportation and Planning Agency (NCTPA) Board approve the appointment of Donna Hinds to ATAC to represent the City of St. Helena.

EXECUTIVE SUMMARY

There is currently a St. Helena representative vacancy on NCTPA's ATAC committee and the City of St. Helena City Council nominated Donna Hinds to fill that position at its October 14, 2014 City Council meeting.

PROCEDURAL REQUIREMENTS

1. Staff Report
2. Public Comments
3. Motion, Second, Discussion and Vote

FINANCIAL IMPACT

Is there a Fiscal Impact? No

BACKGROUND AND DISCUSSION

The Active Transportation Advisory Committee is made up of eleven members with representation that mirrors the voting structure of NCTPA Board. Committee structure consists of: five members from the City of Napa, two from Napa County and one member from each remaining jurisdiction. There is currently a member vacancy representing the City of St. Helena on NCTPA's ATAC committee. Ms. Hinds appointment to the ATAC would fill the vacancy on the committee.

The City of St. Helena Council acted to recommend that Donna Hinds be appointed to the ATAC at its October 14, 2014 meeting. Ms. Hinds is an avid cyclist and strong proponent of making St. Helena more bicycle and pedestrian friendly. Ms. Hinds has a business degree and law degree. She has held many leadership positions and has been involved in several community and recreational organizations.

SUPPORTING DOCUMENTS

Attachment: (1) October, 2014 City of St. Helena Staff Memo, Letter and Application

Report to the City Council

Council Meeting October 14, 2014

Agenda Section: **Consent**

Subject: **Recommendation to the Napa County Transportation and Planning Agency Board that St. Helena resident Donna Hinds be appointed to the Napa County Active Transportation Advisory Committee**

Prepared By: **Cindy Black, Interim City Clerk**

Approved By: **Jennifer Phillips, City Manager**

BACKGROUND

The Napa County Active Transportation Advisory Committee advises the Napa County Transportation and Planning Agency Board on the development of active transportation facilities, including bicycle and pedestrian facilities as alternative modes of transportation. The Napa County Active Transportation Advisory Committee shall review and/or prioritize Transportation Development Act (TDA), Article 3, active transportation projects and participate in the development and review of comprehensive bicycle, pedestrian and active transportation plans.

The Napa County Active Transportation Advisory Committee is comprised of eleven members. The membership is composed of active transportation advocates who live or work in the Cities or County of Napa.

DISCUSSION

The City Clerk advertised for St. Helena citizens to apply for the vacant Napa County Active Transportation Advisory Committee. The recruitment was advertised via the newspaper, City website and enews email blast.

After reaching out to the community the City Clerk's office received one application from Donna Hinds.

FISCAL IMPACT

None

RECOMMENDED ACTION

It is appropriate for the Mayor and Council to review the application and recommend the applicant to the Napa County Transportation and Planning Agency Board.

ATTACHMENTS

1. Application

Attachment 1

RECEIVED
SEP 30 2014
CITY OF ST.HELENA

CITY HALL, 1480 MAIN STREET
ST. HELENA, CALIFORNIA 94574
(707) 967-2792
www.sthelenacity.com

APPLICATION FOR APPOINTMENT

Note: Your application will be copied for the City Council and made available to the press and public.

Committee/Commission to which you are applying:
NAPA COUNTY ACTIVE TRASPORTATION ADVISORY COMMITTEE

Name: DONNA HINDS

Home Address: [redacted]

Mailing Address: [redacted]

Occupation: Builder

Business Address: —

Home Telephone: — Business Telephone: _____

E-mail: [redacted]

Please indicate if above numbers can be made available to the public upon request: yes

Are you a resident of St. Helena? yes If yes, how long have you lived in St. Helena? Less than 1 year

Current occupation (within last 12 months) Homebuilder

Business interests in last 12 months: Homebuilder, investments

Previous Committee/Commission Experience: President of Homeowners Association in 150 home subdivision -1992-1995
President or officer of Section of Houston Bar Association - 1989-1992

Education/Experience: A resume may be attached containing this and any other information that would be helpful in evaluating your application.

University of Texas - BBA - 1982
University of Houston - J.D. 1986

Professional and/or community service activities:
Organized Tennis Leagues at Houston Racquet Club
Participated ~~in~~ in MS-150 bike ride from Houston to Austin 10 times
Served on board (including President) of Womens Assn of Houston Raquet Club (1000 member club)

Local government related experience: Implemented new DEED Restrictions for 150 home subdivision in Houston

Please explain your reasons for wishing to serve on this committee/commission and how you feel that you may contribute
I have a very strong interest in promoting and encouraging safe bicycling and walking in St Helena.

Names, addresses, and phone numbers of three individuals familiar with your background:
Cyd Greer, [redacted]
Eileen Gordon Chiarello, Pratt Ave. [redacted]
Paul Patillo, Houston, Tx (Brother) [redacted]

Appointments to this position may require you to file a Conflict of Interest Disclosure Statement, which is of public record.

Donna Heinz
Signature of Applicant

9/29/14
Date

If you have any questions regarding the appointment procedure, please telephone the City Clerk at (707) 967-2742.

Please return the completed application to:
City of St. Helena
City Clerk
1480 Main Street
St. Helena, CA, 94574

Supplement to Application for Appointment – Donna Hinds
Napa County Active Transportation Advisory Committee

Thank you for your consideration of my application for appointment to the Napa County Active Transportation Advisory Committee. I have been a visitor of St. Helena for 15 years and part time resident since 2008. During these years, I have stayed current with the news and happenings in St. Helena by reading the local paper and the Napa Register on a regular basis. I have recently become a full time resident and plan to make St. Helena my permanent home. I am an avid cyclist and walker and am a strong proponent of making St. Helena more bicycle and pedestrian friendly. I have been a supporter of the Napa Vine Trail. I believe that making St. Helena more pedestrian and cycle friendly will benefit St. Helena and its residents in many ways.

I have a business degree and a law degree and practiced law for 13 years in Houston. I have held leadership positions and have been involved in several community and recreational organizations. I am very organized and have excellent time management skills.

I am hopeful that you will give me this opportunity to help make St. Helena a more accessible place for its citizens.

Regards,

Donna Hinds

St. Helena, CA 94574

dhinds@me.com

January 21, 2015
NCTPA Agenda Item 9.3
Continued From: New
Action Requested: APPROVE

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
Board Agenda Letter

TO: Board of Directors

FROM: Kate Miller, Executive Director

REPORT BY: Antonio Onorato, Program Manager - Finance
(707) 259-8779 / Email: aonorato@nctpa.net

SUBJECT: Approval of Resolution No. 15-01 Authorizing the Filing for, Acceptance of, and Execution of all Documents and Instruments Related to Proposition 1B, and Other State Law Administered by the California Office of Emergency Services (Cal OES)

RECOMMENDATION

That the Napa County Transportation and Planning Agency (NCTPA) Board approve Resolution No. 15-01 (Attachment 1) authorizing the submittal of the FY 2014-15 California Office of Emergency Service (Cal OES) Investment Justification grant application in the amount of $9,803 for the purchase of security cameras for VINE vehicles.

COMMITTEE RECOMMENDATION

None

EXECUTIVE SUMMARY

Available funding appropriated for the FY 2014-15 California Transit Security Grant Program California Transit Assistance Fund (CTSGP-CTAF) is $60 million statewide. Funds are allocated by the State Controller to eligible agencies (transportation planning agencies) and public transit operators pursuant to Sections 99313 and 99314 of the Public Utilities Code. Allocation of funding is subject to available bond funding.

As provided from the State Controller's figures, NCTPA is eligible to receive a total of $9,803 for FY 2014-15 pursuant to available Proposition 1B funding and submittal of a Cal OES approved Investment Justification (IJ). The funds made available to NCTPA will be used to acquire security cameras for VINE vehicles.

PROCEDURAL REQUIREMENTS

1. Staff Report
2. Public Comments
3. Motion, Second, Discussion and Vote

FINANCIAL IMPACT

Is there a fiscal impact? Yes, $9,803 of purchases for the security system.

Is it Currently Budgeted? No

Where is it budgeted? N/A

Is it Mandatory or Discretionary? Discretionary

Future Fiscal Impact: Yes, the purchase will likely occur during FY 2015-16.

Consequences if not approved: Purchases for Security Cameras on VINE Transit vehicles will be funded with other revenues.

CEQA REQUIREMENTS

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (California Environmental Quality Act (CEQA) Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

NCTPA has received notice of funding availability for the FY 2013-14 grant cycle administered through Cal OES. The revenue source is Proposition 1B, (the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006), Transit System, Safety, Security, and Disaster Response Account (TSSDRA), and is administered by Cal EMA.

As provided from the State Controller's figures, NCTPA is eligible to receive a total of $9,803 for FY 2014-15 pursuant to available Proposition 1B funding and submittal of a Cal OES approved Investment Justification (IJ). The funding will be held in reserve until other funds become available to fully fund the security camera project.

The Board approved purchase of the bus security camera system as part of the computer aided dispatch/automatic vehicle location (CAD/AVL) system in November 2014.

SUPPORTING DOCUMENTS

Attachments: (1) Resolution No. 15-01
(2) FY 2014-15 Appropriations
(3) Investment Justification FY 2014-15

RESOLUTION No. 15-01

A RESOLUTION OF THE NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY (NCTPA) AUTHORIZING THE FILING FOR, ACCEPTANCE OF, AND EXECUTION OF ALL DOCUMENTS AND INSTRUMENTS RELATED TO PROPOSITION 1B, SB88, AND OTHER STATE LAW ADMINISTERED BY THE CALIFORNIA OFFICE OF EMERGENCY SERVICES

WHEREAS, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 authorizes the issuance of general obligation bonds for specified purposes, including, but not limited to, funding made available for capital projects that provide increased protection against security and safety threats, and for capital expenditures to increase the capacity of transit operators to develop disaster response transportation systems; and

WHEREAS, the California Governor's Office of Emergency Services (Cal OES) administers such funds deposited in the Transit System Safety, Security, and Disaster Response Account under the California Transit Security Grant Program (CTSGP); and

WHEREAS, NCTPA is eligible to apply for FY 2014-15 CTSGP funds in an amount of $9,803 for Security Cameras on VINE Transit vehicles to improve security on public transit vehicles; and

WHEREAS, NCTPA recognizes that it is responsible for compliance with all Cal OES CTSGP grant assurances, and state and federal laws, including, but not limited to, laws governing the use of bond funds; and

WHEREAS, Cal OES requires NCTPA to complete and submit a Governing Body Resolution for the purposes of identifying agent(s) authorized to act on behalf of NCTPA's Board of Director's to execute actions necessary to obtain CTSGP funds from Cal OES and ensure continued compliance with Cal OES CTSGP assurances, and state and federal laws.

/ / /

/ / /

NOW THEREFORE BE IT RESOLVED, Board of Directors of NCTPA that the Executive Director of NCTPA, and/or designee, is hereby authorized to execute for and on behalf of NCTPA, a public entity established under the laws of the State of California, any actions necessary for the purpose of obtaining financial assistance provided by the California Office of Emergency Services under the CTSGP.

Passed and Adopted the 21st day of January, 2015.

_____
John F. Dunbar, NCTPA Chair

Ayes:

Noes:

Absent:

ATTEST:

_____
Karalyn E. Sanderlin, NCTPA Board Secretary

APPROVED:

_____
Janice Killion, NCTPA Legal Counsel

FY2014-15 Proposition 1B Transit Security Program Appropriations and Requests

Sponsor	FY14-15 Appropriated			FY 14-15 Requests Received by MTC			FY 14-15 Unrequested
	Population Based Formula GC 8879.58(a)(2)	Revenue Based Formula GC 8879.58(a)(3)	Total	Population Based Formula GC 8879.58(a)(2)	Revenue Based Formula GC 8879.58(a)(3)	Total	
Alameda CMA - Corresponding to ACE	10,504	28,322	38,826				
Caltrain (PCJPB)	254,101	685,145	939,246				
CCCTA	31,631	85,288	116,919				
Dixon	257	692	949				
ECCTA	12,834	34,606	47,440				
Fairfield	4,479	12,078	16,557				
GGBHTD	217,103	585,385	802,488				
Healdsburg	70	187	257				
LAVTA	9,928	26,768	36,696				
NCTPA**	2,652	7,151	9,803				
SamTrans	299,324	807,082	1,106,406				
Santa Rosa	6,794	18,319	25,113				
Sonoma County Transit	8,607	23,208	31,815				
Union City	2,542	6,854	9,396				
Vallejo (Soltrans)	37,476	101,046	138,522				
SCVTA	890,054	2,399,894	3,289,948				
SCVTA - Corresponding to ACE	14,658	39,523	54,181				
WestCAT	15,359	41,414	56,773				
SUBTOTAL	**1,818,373**	**4,902,962**	**6,721,335**				
Alameda-Contra Costa Transit District	581,219	1,567,169	2,148,388				
Bay Area Rapid Transit District	1,454,058	3,920,646	5,374,704				
City of San Francisco (MUNI)	1,912,853	5,157,714	7,070,567				
SUBTOTAL	**3,948,130**	**10,645,529**	**14,593,659**				
TOTAL	**5,766,503**	**15,548,491**	**21,314,994**				

* Not all requests for revenue-based Transit Security Program funds may have been provided to MTC. Sponsors should confirm these requested funding amounts with their own records.

Investment Justification Template

A. Investment Heading	
Date Submitted	December 16, 2014
Grant Year Applying For	FY2014-15
County of Allocation	Napa County
Agency Name	Napa County Transportation and Planning Agency (NCTPA)
Investment Name	Security Camera's on VINE Transit vehicles
Investment Phase	
Amount Requesting	$9,803
FIPS Number	085-91052
Number of Projects	1

B. Contact Information	
Antonio Onorato, Manager of Finance NCTPA 625 Burnell St. Napa, CA 94559 (707) 259-8779 aonorato@nctpa.net	Antonio Onorato, Manager of Finance NCTPA 625 Burnell St. Napa, CA 94559 (707) 259-8779 aonorato@nctpa.net

C. Investment Funding plan			
Investment YEAR__2014_____	CTAF Request Total 8879.58(a)(2) 8879.58(a)(3)		Grand Total
Planning			
Equipment	2,652	7,151	9,803
Construction			
Total	2,652	7,151	9,803

****NOTE –Label each project alphabetically and provide the following questions per project.

Agency Name and FIPS **Napa County Transportation and Planning Agency 085-91052**

Letter and Project Title **Security Camera's on VINE Transit vehicles**

D. Provide a brief description for this investment.

The Napa County Transportation and Planning Agency (NCTPA) plans to procure Bus CCTV Systems for all of their transit vehicle fleet. This procurement will take place in a phased timeframe based on the availability of funds.

Each vehicle will be equipped with 2-8 cameras internally and externally with live streaming capabilities and audio and visual recording/ playback, depending on vehicle type and size. Cameras will not eliminate criminal activity, but they have been known to deter crime and they will provide investigative leads and actual evidence that can help the police solve crime and hold offenders accountable.

E. Describe how this investment specifically addresses capital projects or capital expenditures.

The Bus CCTV System shall monitor and record video, audio and selected auxiliary equipment onboard the transit vehicles. The system shall include all hardware, software, and cable necessary for the successful installation of Bus CCTV systems in accordance with this specification; including but not limited to all Digital Video Recorders (DVRs), cameras, microphones, Global Positioning System (GPS) information, onboard wireless and other onboard components.

F. Describe how the investment will achieve the safety, security, or emergency response benefit.

The purpose of the Bus CCTV System will be to act as a deterrent against illegal or improper behavior on-board the bus (such as vandalism, theft, assault, etc.), and to provide an investigative tool in the case of the occurrence of any of the aforementioned activities as well as incidents such as injury claims, accident claims, and general customer complaints.

G. Describe how this investment specifically meets the useful life for capital assets specified in subdivision (a) of section 16727.

The purchase of the security equipment is capital assets under the category of "equipment" (per subdivision (a) of section 16727) with a useful life of 2 years or more.

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Agency Name and FIPS **085-91052**

Letter and Project Title **Security Camera's on VINE Transit vehicles**

H. Provide a high-level timeline, milestones and dates, for the implementation of this investment. Possible areas for inclusion are: stakeholder engagement, planning, major acquisitions/ purchases, training, exercises, and process/policy updates. Up to 10 milestones may be provided

1. Contract Award: Expected December 2014
2. Implementation: January 2015- December 2015
3. Security System in Service: January 2016

January 21, 2015
NCTPA Agenda Item 9.4
Continued From: New
Action Requested: APPROVE

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
Board Agenda Letter

TO: Board of Directors

FROM: Kate Miller, Executive Director

REPORT BY: Diana Meehan, Associate Planner
(707) 259-8327 / Email: dmeehan@nctpa.net

SUBJECT: eLock Technologies LLC - E-Locker System Purchase

RECOMMENDATION

That the Napa County Transportation and Planning Agency (NCTPA) Board (1) consider adoption of a **Categorical Exemption Class 1:** It has been determined that this type of project does not have a significant effect on the environment and is exempt from the California Environmental Quality Act. [See Class 1 ("Existing Facilities") which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15301; see also Napa County's Local Procedures for Implementing the California Environmental Quality Act, Appendix B.], and (2) authorize the Executive Director to enter into an agreement with eLock Technologies LLC, to purchase, install and maintain six (6) E-Locker units providing 22 secure bicycle parking spaces at a cost not to exceed $92,071.

COMMITTEE RECOMMENDATION

None

EXECUTIVE SUMMARY

The eLock agreement includes the purchase and installation of 22 bicycle parking spaces at Soscol Gateway Transit Center (12 spaces), Redwood Park and Ride (6 spaces) and the Yountville Park and Ride (4 spaces). The total contract amount is $92,070.06. This amount includes freight and installation as well as a 5-year Service and Operations Plan.

PROCEDURAL REQUIREMENTS

1. Staff Report
2. Public Comment
3. Motion, Second, Discussion and Vote

FISCAL IMPACT

Is there a Fiscal Impact? Yes, the board originally approved $74,000 for E-lockers and staff proposes that $18,070 balance be allocated from the Soscol Gateway Transit Center improvement to backfill the balance. If approved by the Board, $92,071 in local TDA funds will be used to fund the project unless additional grant revenues are secured.

Is it Currently Budgeted? Yes

Where is it budgeted? NCTPA Fiscal Year 2014-2015 Capital Investments Budget - Park and Ride Lot Enhancements and Soscol Gateway Transit Center Enhancements

Is it Mandatory or Discretionary? Discretionary

Future Fiscal Impact: In five years there will be a cost to extend service agreement at a to be determined amount.

Consequences if not approved: The $92,071 will not be expended and there will not be bicycle lockers available for public use.

CEQA REQUIREMENTS

CATEGORICAL EXEMPTION CLASS 1: It has been determined that this type of project does not have a significant effect on the environment and is exempt from the California Environmental Quality Act. [See Class 1 ("Existing Facilities") which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15301; see also Napa County's Local Procedures for Implementing the California Environmental Quality Act, Appendix B.]

BACKGROUND AND DISCUSSION

NCTPA had 14 bike lockers at the Soscol Gateway Transit Center and 2 bike lockers at the Redwood Road Park and Ride. The NCTPA Board authorized disposal of the surplus mechanical bicycle lockers at their July 2014 Board meeting. The lockers were donated to two public agencies and were removed on January 8, 2015.

NCTPA staff recommends that the board authorize the executive director to enter into a purchase agreement with eLock Technologies LLC to replace the donated lockers with 18 E-lockers for use at the Soscol Gateway Transit Center and the Redwood Park and Ride, and to add to 4 new E-lockers at the Yountville Park and Ride lot.

E-lockers are being used at multiple transit centers in the Bay Area and are effective at preventing thefts, minimizing misuse, and nominalizing costs. The system functions with a card that activates the locker and charges a nominal fee per hour (5 cents) for secure bicycle parking. Once membership is established, the user has access to convenient secure bicycle parking anywhere. The manufacturer also provides cost effective maintenance and support services for the system.

The Bay Area Air Quality Management District has announced a grant opportunity to help fund installation of E-lockers. Prospective grantees can apply for up to $2,500 per new bicycle parking space (8 spaces maximum). NCTPA staff has applied for these funds and is awaiting approval.

SUPPORTING DOCUMENTS

Attachment: (1) December 3, 2014 eLock Technologies LLC Estimate

Estimate

eLock
TECHNOLOGIES LLC
800 Heinz Avenue, Suite 11
Berkeley, CA 94710
Office (510) 549-2853
Fax (510) 549-9157
info@elocktech.com

Date	Estimate No.
12/03/2014	1223
	Exp. Date

Address
Napa County Transportation and Planning Agency

Activity	Quantity	Rate	Amount
• eLocker Quad Location 1: Transit Center (3 Quads) Location 2: Redwood Park and Ride (1 Quad) Location 3: Yountville (1 Quad)	5	9,750.00	48,750.00T
• - Finish: Stainless Steel	5	0.00	0.00T
• - Power Source: Solar Power with rechargeable NiMH battery and alkaline battery backup	10	50.00	500.00T
• - Roof: Blue	10	0.00	0.00T
• - Graphic End Panel: Bicycle	10	0.00	0.00T
• Adjustment for BAAQMD-funded projects: (if conditions are met) 5%	0.05	49,200.00	2,460.00
• eLocker Double Location: Redwood Park and Ride	1	7,595.00	7,595.00T
• - Finish: Stainless Steel	1	0.00	0.00T
• - Power Source: Solar Power with rechargeable NiMH battery and alkaline battery backup	2	50.00	100.00T
• - Roof: Blue	2	0.00	0.00T
• - Graphic End Panel: Bicycle	2	0.00	0.00T
• Initial BikeLink Software License (per controller)	12	1,000.00	12,000.00
• Transportation and install (per space)	22	220.00	4,840.00
• BikeLink Manager Card	2	50.00	100.00
• Service Access Key	2	20.00	40.00
• 5 year annual Service and Operations Plan ($120 per space per year)	22	600.00	13,200.00
• Adjustment for BAAQMD-funded projects: First year of service free when 5 years purchased	22	-120.00	-2,640.00

Adjustment for BAAQMD-funded projects applies only if conditions are met.

SubTotal	$86,945.00
Tax (9%)	$5,125.06
Total	$92,070.06

Accepted By

Accepted Date

eLocker™ Purchasing & Delivery

General Terms and Conditions

I. GENERAL CONDITIONS

This agreement shall be governed by the Uniform Commercial Code as adopted in the State of California. There are no understandings, terms or conditions not fully expressed herein, and no terms and conditions in lieu of or in addition to the terms and conditions hereof shall be binding unless made in writing and signed by eLock. Failure of either party to enforce any of these conditions or to exercise any right shall not affect such party's rights nor shall any failure act as a waiver in respect of other or further occurrences.

II. TERMS OF PAYMENT

Payment is due as described in this Proposal and Acceptance. In the event Customer fails to make payments as agreed, Customer agrees to pay eLock interest on such unpaid amount at the rate of 1.5% per month. In such event eLock may also, at its option defer further shipments until all payments are made or terminate this agreement. Additionally, eLock shall be entitled to costs of collection, including reasonable legal fees in any legal proceedings commenced to enforce payment.

III. WARRANTIES

See document attached, entitled Limited Product Warranty.

IV. TAXES

Prices quoted herein may include sales, use or other taxes imposed upon or in connection with the sale, transfer, transportation or storage of the materials or work covered by this proposal. To the extent that such taxes are included in the price quoted, only such taxes as are presently imposed upon eLock are included, and should there be any other such taxes imposed or any imposition, withdrawal, or change in rate of any such taxes applicable to this Agreement or to materials furnished hereunder, then the prices stated herein shall be adjusted accordingly.

V. SHIPPING SCHEDULE

eLock will establish shipping schedule as closely in accordance with Customer's requested delivery date as practicable. eLock will use its best efforts to ship within the time(s) scheduled, but eLock does not guarantee to do so and eLock assumes no liability for loss, general damages or special or consequential damages due to delays or failure to deliver. eLock may during any periods of shortage due to causes beyond the control of eLock or its suppliers, prorate its supply among all of its Customers in such manner as may be deemed equitable in the sole judgment of eLock.

eLock shall not incur any liability to Customer because of any proration hereunder. eLock reserves the rights to make shipment in lots, and to ship in advance of any Customer’s estimated delivery schedule, except those dates stipulated not before. Should shipment be held beyond scheduled date for the convenience of the Customer, eLock reserves the right to charge Customer for all expenses incident to such delay and to charge Customer a reasonable amount for storage of such items whose shipment has been delayed.

VI. CUSTOMER DELAYS

Notwithstanding any rights eLock may have to take other action, eLock shall not be held responsible for, nor deem to be in default on account of delays in the performance of this Agreement by Customer including, by way of example, the failure of Customer to deliver any designs, schematics, data or information required under this Agreement, or to respond in a prompt manner to any reasonable request for such material made by eLock. Any such delays by Customer resulting in additional expenses or increased costs of production incurred by such delay, shall be chargeable to Customer.

VII. MANUFACTURE AND SPECIFICATION

Unless otherwise expressly agreed in writing, the products sold hereunder shall be subject to the eLock's standard manufacturing variations, tolerances, and classifications. All inspections or tests made by or on behalf of Customer to determine compliance with specifications shall be made at eLock's plant prior to shipment unless Customer secures eLock's written consent to make such tests at another location. All charges incident to such inspection or tests, wherever made, shall be paid for by Customer. eLock shall not be responsible for the suitability, performance, adequacy or accuracy of designs, engineering or specifications provided by the Customer for use in manufacturing the products sold hereunder.

VIII. TRANSPORTATION

Prepaid freight charges, if quoted herein, are based on delivery from eLock's plant to the Delivery Location shown in Proposal. eLock reserves the right to designate the common carrier and to ship in the manner it deems most economical. Added costs due to special routing requested by Customer shall be charged to Customer. Added costs due to special packing for Customer-arranged pick-up or transportation shall be charged to Customer. If after the date hereof and on or prior to dates of shipment there shall be any increase or decrease in the tariff freight rates used in determining prices, such increase or decrease on all unshipped goods shall be charged to Customer.

IX. NON-ASSIGNABILITY

This contract may not be assigned without eLock's prior written consent.

X. LIMITATION OF LIABILITY

The remedies of the Customer set forth herein are exclusive. The liability of eLock for any claims, damages, or losses arising out of or related to its performance under this Agreement or the products supplied hereunder shall not exceed the price of the products on which such liability is based. In no event shall eLock be liable for special, indirect, consequential or incidental damages regardless of cause and whether founded upon negligence, breach of express or implied warranty, other tort or breach of contract, or otherwise.

XI. TERMINATION

In the event that Customer terminates all or any portion of this order, eLock shall have the right to charge Customer for all costs already incurred by eLock including the price of any goods or services required to fill this order already committed to by eLock and a reasonable allowance for overhead and profit.

XII. DISPUTE

Any controversy or claim arising out of or relating to a contract or purchase order executed by eLock and Customer for goods and/or services that are a subject of this proposal shall be settled by: a) Mediation. If mediation is unsuccessful; b) Arbitration. Mediation and arbitration proceedings shall be held in San Francisco, California and shall be administered by the American Arbitration Association under its Commercial Mediation or Arbitration Rules.

XIII. SEVERABILITY

If any provision in this Agreement is found to be invalid, illegal or otherwise unenforceable by any court or arbitral tribunal, that determination will not affect any other provision of this Agreement. The invalid provision will be severed from this Agreement and all remaining provisions will continue to be enforceable by its terms and of full force and effect.

Specific Terms and Conditions

XIV. PROJECT LOCATION

As specified in Proposal.

XV. DELIVERY SITE REQUIREMENTS:

- Level concrete slab (Customer will incur a relocation surcharge if slab is sloped more than 2.5%).
- If direct power is specified, 120VAC connection with accessible breaker, hookup by customer after locker Delivery.
- Truck and trailer access & free parking.
- Restroom access during Delivery.

XVI. MATERIALS/PROCESS/FINISH

eLock reserves the right to substitute superior materials, processes, and/or finishes if specified materials, processes, and/or finishes become unavailable during production.

XVII. ESTIMATED SCHEDULE

1. Estimated schedule based on workload at the time of Proposal. Actual schedule may vary.
2. This product is fabricated for each order, starting when both purchase order and down payment are received.

XVIII. COMPLETION OF DELIVERY, ACCEPTANCE OF PRODUCT

1. Before the start of Delivery, eLock will communicate to Customer the estimated date of Completion of Delivery. At the end of Delivery, eLock will notify Customer of Substantial Completion. Customer will make all reasonable efforts to visit the Delivery while eLock Delivery crew is still on-site, at a time mutually agreeable to Customer and eLock. If Customer cannot visit Delivery site at time mutually agreeable to Customer and eLock, eLock will send Customer a Notice of Substantial Completion of Delivery via email.
2. During this Delivery site visit or review of Notice of Substantial Completion of Delivery, Customer will assess the completion status of the Delivery and, if necessary, create a written Punch List of items requiring further attention, including documentation of what will constitute Clearance of each item on such a Punch List. Punch List will be dated as of the day of the visit or review.
3. If eLock is not notified within 3 business days that a Punch List will be sent, or if a Punch List is not received by eLock within 10 business days of Notice of Substantial Completion, then the Delivery is classified as Complete, Customer has Accepted Delivery, Customer waives all rights to dispute Delivery classification as Complete, and Customer will remit 100% of unpaid portion of Grand Total within 10 business days.
4. If a Punch List is created, eLock will make all reasonable efforts to clear all items on Punch List within 10 business days. Customer will withold no more than 10% of Grand Total until clearance of all items on Punch List. Customer will remit payment of 100% of the balance due within 10 business days of clearing of all Punch List items.

XIX. INSURANCE:

eLock carries the following insurance coverage. Additional coverage required may result in additional expense, to be added to the contract price.

General Aggregate Liability	$2,000,000
Products and Completed Operations Aggregate	$2,000,000
Each Occurrence	$1,000,000
Auto Coverage	$1,000,000
Workers Compensation	$1,000,000
Umbrella	$1,000,000

XX. EXCLUSIONS

1. Post-Delivery On-Site Service unless specifically included.
2. Post-Delivery Maintenance unless specifically included.
3. Replacement Battery Packs, unless specifically included.
4. Replacement of Management Devices or Access Devices.
5. Replacement or repair of components damaged by vandalism, neglect, misuse, natural disasters or other conditions beyond eLock's control.
6. Replacement or repair of components damaged by actions of Customer or its agents in violation of written service procedures as documented in Owner's Manual, including but not limited to powerwashing.
7. Custom software or modifications written to Customer's specifications, unless specifically included.

XXI. CONTINGENCIES

1. Contingent on mutually agreed upon terms, conditions and schedules.
2. Contingent upon current labor & material costs.
3. Contingent on approval of samples, if any.
4. eLock shall not be liable for any delay in the performance of or failure to perform under this agreement for any cause not reasonably within the control of eLock (including without limitation acts of God, fire, accidents to or breakdowns or mechanical failures of machinery or equipment, however caused, failure of delivery of materials from normal sources, strikes, lockouts or other labor troubles). In the event of eLock's inability to complete its work under this Agreement by reason of any such cause, eLock may cancel and terminate this Agreement in whole or delay performance hereunder for such reasonable period as may be necessary to permit eLock to complete its performance under this Agreement.

BikeLink™ Service and Operations Plan

Overview

This document provides notice of the Operating Terms and Conditions for the BikeLink™ System. Please read it carefully.

If optional services are selected, then sections 3, 5, 14, and signature blocks should be filled out accordingly, based on quotations provided by ELOCK.

Operating Terms & Conditions and Supplemental Operating Services Agreement is made and entered into by and between eLock Technologies LLC, a California limited liability company, and King County, Washington hereinafter referred to as "OWNER."

1. Definitions

"ELOCK" is the company eLock Technologies LLC, with principal place of business at 800 Heinz Avenue #11 Berkeley CA 94710. ELOCK also does business as "BikeLink™".

"BikeLink™" is the name of the bike parking and bike sharing system created by eLock Technologies LLC.

"OWNER" is the original purchaser and/or entity with jurisdiction over a BikeLink™ facility.

"ACCESS DEVICE" is any uniquely assigned ID and/or debit device, such as the BikeLink™ Smart Card, issued to a particular USER and registered in the BikeLink™ central database.

"USER" is an individual who has obtained one or more BikeLink™ access devices and is registered in the BikeLink™ database.

"ELOCKER" is a multi-SPACE electronically controlled enclosure, including group-access enclosures typically referred to as bicycle parking stations.

KIOSK is an electronic control and user interface device that controls access to group parking facilities.

"SPACE" is an enclosure or docking device within an ELOCKER capable of securing one bicycle or other small vehicle.

"CONTROLLER" is an electronic control and user interface device that controls access to one or more SPACEs.

"GATEWAY" is a device enabling remote communications with a group of CONTROLLERs at a specific location.

"ADMINISTRATIVE DEVICE" is a device which enables updating software, collection or viewing of CONTROLLER status, settings and data, modification of CONTROLLER settings or states, and ability to gain entry into a SPACE.

2. Locations Covered

Location Name	Quantity	Product	Spaces	Controllers
Transit Center	3	Quad	12	4
Redwood P&R	1	Quad	4	2
Redwood P&R	1	Double	2	2
Yountville	1	Quad	4	2
			0	
			TOTAL	10

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3. Plan and Duration

Plan selected:

	Term (years)		Spaces	Unit Price	Total
Annual Service and Operations Plan	5	years	22	$120.00	$10,560.00
					First year free

Coverage starts on date this agreement is executed.

After end of the initial 5 year period, renews automatically on an annual basis unless either party provides written notice 60 days in advance of renewal date.

Start Date		Renewal Date

4. Term of Agreement

Elective portions of this agreement are subject to renewal as defined above. The remaining services, benefits, terms and conditions remain in effect as long as the equipment is installed and operational. In the event that OWNER terminates the elective portions of this agreement prior to expiration of annual term, no refund of payments will be made.

Plan Details: Benefits & Services, Service & Operations, Parts Replacement

5. Standard BikeLink™ Benefits & Services

5.01 Access Distribution & Related Services

ELOCK shall maintain an inventory of access devices, and shall provide the following related services:

- ACCESS DEVICE vendor support.
- 24-hour web and telephone sales of ACCESS DEVICEs and add value codes.
- 24-hour web and telephone ACCESS DEVICE activation.
- Web-based FAQs and other instructional information.

OWNER may elect to act as a vendor of ACCESS DEVICEs. OWNER understands that ACCESS DEVICEs it may choose to sell are not different from those sold by other vendors, that they are subject to the universal BikeLink™ USER Agreement, that they may be used at any BikeLink™ facility, and that USER information associated with all BikeLink™ ACCESS DEVICEs must be stored in the BikeLink™ database and available to all BikeLink™ facility owners.

5.02 USER Database

ELOCK shall maintain a web-based database of USER information and provide OWNER with access to information stored on this database. To help ensure the USER information privacy policy, OWNER access to database may be limited to individual queries, USERs in vicinity of OWNER's facilities, and/or USERs who have previously accessed OWNER's facilities. ELOCK shall maintain an up-to-date off-site database backup.

5.03 USER Agreement

ELOCK shall maintain and periodically update USER Agreement, also known generally as the "BikeLink™ System Cardholder and User Agreement." ELOCK shall inform OWNERs and USERs of changes to USER Agreement in accordance with notification obligations defined in USER Agreement.

ELOCK shall maintain USER Agreement link at www.bikelink.org, and take reasonable measures to ensure USERs are informed of USER Agreement before using the BikeLink™ system.

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OWNER shall carefully review and comply with terms of USER Agreement, including information privacy policy.

5.04 Remote USER Support

Upon receiving a query from a USER, ELOCK shall reply promptly to all reasonable inquiries. Upon receiving a technical assistance request from a USER, ELOCK shall create an online trouble ticket, and provide troubleshooting and telephone or email-based problem resolution during normal business hours.

ELOCK shall maintain the following additional remote USER support benefits and services:

• 24-hour free taxi ride from BikeLink™ facility up to $20 in case USER is unable to retrieve bicycle due to equipment malfunction.

• 24-hour telephone support for USERs to report problems, free taxi ride, or to request single use access device in cases where USER has lost his or her access device.

5.05 Supplemental Access Restriction

If OWNER desires to restrict access to a BikeLink™ facility, OWNER may implement BikeLink™ Access Zones feature as described below.

Using ACCESS DEVICE, OWNER turns on Access Zone feature at CONTROLLERs for which access restriction is desired and sets Access Zone desired for each CONTROLLER. To permit access, OWNER obtains from ELOCK, via bikelink.org, a unique access code, associated with the individual user's standard BikeLink™ ACCESS DEVICE for which access will be granted. OWNER is charged a nominal fee for each access code generated. The access code permanently adds permissions for the specified access zone, and only for the OWNERs BikeLink facility, to the user's BikeLink™ ACCESS DEVICE.

Information collected by OWNER upon issuing an access code, beyond the standard information required from every BikeLink™ USER upon ACCESS DEVICE registration, need not be shared with other facility owners via the BikeLink™ database.

USERs who have been issued access codes for a specific BikeLink™ facility retain the ability to access other unrestricted BikeLink™ facilities.

5.06 User Support Reporting

Trouble tickets prepared by ELOCK shall be available for review by OWNER upon request.

USER queries and associated responses prepared by ELOCK shall be available for review by OWNER upon request.

5.07 Facility Owner Support

ELOCK shall provide password-protected OWNER's web page customized for OWNER's locations with up-to-date location information, ability to search USER database, ability to generate access codes, geo-coded cardholder location mapping, outreach materials, promotional program tools, access to monitoring sheets and reporting data, trouble tickets and service records, and equipment documentation.

ELOCK shall provide training to OWNER on use of system at time of initial installation.

5.08 Revenue and Minimum Rental Rate

To compensate ELOCK for standard benefits and services provided to OWNER and USERs, unless otherwise indicated in the Options Selected section of this document, OWNER agrees that rental rate of its ELOCKERs will remain set at or above $0.05 per hour (and, at group-parking facilities, at or above $0.02 per hour nights and weekends), and that revenue will be retained by ELOCK.

5.09 Primary Contact

To facilitate ELOCK's provision of standard benefits and services to USERs, ELOCK shall be the primary contact for USERs. ELOCK's (dba "BikeLink") contact information shall be displayed prominently at BikeLink™ locations so USERs know who to contact for assistance.

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5.10 Facility-Specific Usage Data.

For research and marketing purposes, ELOCK retains the right to collect and publish facility-specific usage data. ELOCK shall report usage data only in aggregate and shall not publicly disclose any user-specific details.

6. Service & Operations

6.01 Facility Satus

ELOCK shall review problem reports by USERs, monitoring information if available, and shall inspect OWNER's BikeLink™ facilities for mechanical, electronic, software, cleaning, and enforcement issues on a regular basis (approximately twice per year.)

eLock shall contact OWNER if graffiti, ELOCKER damage due to vandalism, or items requiring impounding are discovered.

6.02 Preventative Maintenance & Repair

If ELOCK learns that more than 10% of controllers within a thousand foot radius are out of service due to malfunction, low batteries, abandoned rentals or other types of USER violations (see Rental Policy Enforcement section below), ELOCK will provide field service within one week to attempt to restore the facility to 100% of its originally installed functionality.

If ELOCK technicians are unable to restore the facility to at least 90% of originally installed functionality during initial field service visit, ELOCK shall expedite acquisition of replacement parts and materials and shall provide temporary replacement of functionality using alternate parts or systems if possible.

All reasonable measures shall be taken to avoid data loss when CONTROLLER replacement is required.

The following services and materials are specifically included:
• Routine CONTROLLER firmware upgrades, such as for security or bug fixes.
• Replacement battery cells for battery-powered BikeLink™ installations.
• Critical mechanical security improvements.

Note: OWNER may elect to act as a vendor of ACCESS DEVICEs. OWNER understands and agrees that ACCESS DEVICEs it may choose to sell shall not be different from those sold by other vendors, that such ACCESS DEVICES are subject to the universal BikeLink™ USER Agreement, that they may be used at any BikeLink™ facility, and that USER information associated with all BikeLink™ ACCESS DEVICEs must be stored in the BikeLink™ database and available to all BikeLink™ facility owners.

ELOCK shall provide labor, transportation, tools, and equipment necessary to perform the above preventative maintenance and repairs. Service not covered by this Proactive Service and Operation Plan shall be invoiced as "Additional Services and Materials" in accordance with Section 10 below and payable to ELOCK. "Additional Services and Materials" shall be pre-approved by OWNER, except under the following situations where preapproval shall not be required:

• Repair is due to vandalism and can be performed during regular service visit in less than 1 additional hour.
• Repair is due to vandalism and is required to correct an urgent security, safety, or stranded USER issue.

6.03 Auditing & Rental Policy Enforcement

ELOCK shall contact USERs by email or telephone to assist in the enforcement of BikeLink™ rental policies adopted by OWNER. For example, ELOCK will attempt to contact the USER indicated and when rental is expired but SPACE is empty, rental is abandoned, ELOCKER contains inappropriate materials, or when apparent user confusion is noted during inspections or by MONITORS.

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Upon receiving a query or problem report from a USER, ELOCK shall reply promptly with accurate information to all reasonable inquiries. Upon receiving a technical assistance request from a USER, ELOCK shall create an online problem report, and provide troubleshooting and telephone or email-based problem resolution during normal business hours.

ELOCK shall contact USERs by email or telephone to assist in the enforcement of BikeLink™ rental policies.

Whenever possible, ELOCK shall resolve enforcement problems by working directly with USERs. When ELOCK is unable to resolve issues with abandoned bicycles or inappropriate storage situations by working with USER, ELOCK shall contact OWNER to arrange for impounding.

ELOCK does not guarantee USER compliance with BikeLink™ rental policies. ELOCK shall not be responsible for enforcement of supplemental laws or policies adopted by OWNER except as described in the standard BikeLinkTM Cardholder & User Agreement.

6.04 Service Records

ELOCK shall generate trouble tickets and maintenance records for all on-site service and repair. These documents shall be available electronically for review by OWNER upon request.

6.05 Signs and Promotional Outreach Materials

ELOCK shall provide one (1) standard “BIKE PARKING” sign per installation at no additional cost. Sign is 14”x20”, and are customizable with logos requested by OWNER. ELOCK shall install sign on ELOCKER door or side panel. ELOCK can, at the request of OWNER, provide and customize a flyer for outreach purposes.

6.06 Usage Monitoring and Reports

Usage reports are available on www.bikelink.org with a facility owner login, a component of the software included in the BikeLink™ Software License.

eLocker usage data includes rentals by time, market size, UI nodes reporting and rental duration.

Kiosk usage data includes camera images, transaction data, door entry events, and user ID check photos.

6.08 Cleaning

Cleaning shall be performed during a scheduled service visit and shall include the following tasks:

• Sweep/remove trash or debris found inside of ELOCKER spaces

• Clean up urine, grime, grease and other contaminants or stains on internal electronic ELOCKER components.

6.09 Exclusions

This Comprehensive Proactive Service and Operation Plan does not include:

• Repair of any damage or malfunction caused by vandalism.

• Repair of any damage or malfunction caused by abnormal use, abnormal conditions, improper storage, improper cleaning or maintenance such as powerwashing, unauthorized modifications, disassembly, repair or alteration by any person other than ELOCK or a party authorized by ELOCK, misuse, neglect, abuse, accident, use on improper power supply, improper installation, installation of any third-party software, or other acts which are not the fault of ELOCK, including acts of nature and damage caused by shipping.

• Repair of damage caused by battery leakage.

• Cleaning of exterior of BikeLink™ equipment including frames, doors, and rooftops.

• Removal of graffiti.

• Removal of scratches from roof or signage.

• Usage Monitoring & Reports on more frequent than annual basis.

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• Regular monitoring and audits for group-access facilities.
• Replacement parts.
• Emergency response, including staffing group-access facilities to enable bicycle retrieval if the CONTROLLER has been damaged due to vandalism.
• Impounding bicycles or other stored items.
• Custom software or custom features.
• Repair or replacement parts for ELOCKER components manufactured by others (for ELOCKERs retrofitted with an ELOCK retrofit kit).

7. Limited Parts Replacement Coverage

7.01 Parts Repair, Upgrade, or Replacement

If an electronic or mechanical component is determined by ELOCK to be functionally defective, ELOCK, at its sole discretion, will repair, replace, or upgrade the defective component with a refurbished or new component. ELOCK shall not be obligated to replace worn components with new ones to bring appearance or function to originally installed condition unless basic rental and security functions are disabled.

7.02 Limitations

OWNER shall have no coverage or benefits under this Parts Replacement Plan if the product has been subject to abnormal use, abnormal conditions, use contrary to operating instructions, improper storage, improper cleaning or maintenance, unauthorized modifications, disassembly, repair or alteration by any person other than ELOCK or a party authorized by ELOCK, misuse, neglect, abuse, accident, use on improper power supply, improper installation, installation of any third-party software, or other acts which are not the fault of ELOCK, including acts of nature and damage caused by shipping.

Unauthorized or incorrect service attempts by OWNER may void the parts replacement coverage provided by this plan.

This Parts Replacement Plan does not cover defects in appearance of cosmetic, decorative or structural items, including framing, and any non-operative parts.

This plan must be initiated while still under warranty, and may not lapse. Unless specifically indicated, this parts replacement plan is not extendable beyond five years from original installation date.

In the event a USER requests on-site assistance in lieu of remote assistance to resolve a problem caused by an ACCESS DEVICE or equipment malfunction, ELOCK reserves the right to charge a reasonable fee directly to the USER for this service.

8. Software & Intellectual Property

Please see Software License Agreement.

9. Exclusions

This Comprehensive Proactive Service and Operation Plan does not include:
• Repair of any damage or malfunction caused by vandalism.
• Repair of any damage or malfunction caused by abnormal use, abnormal conditions, improper storage, improper cleaning or maintenance such as powerwashing, unauthorized modifications, disassembly, repair or alteration by any person other than ELOCK or a party authorized by ELOCK, misuse, neglect, abuse, accident, use on improper power supply, improper installation, installation of any third-party software, or other acts which are not the fault of ELOCK, including acts of nature and damage caused by shipping.
• Replacement or repair of components damaged by actions of Owner or its agents, including but not limited to power-washing.
• Replacement or repair of components originally supplied by OWNER as a part of group-access facility installation, including but not limited to electric strikes and, power supplies.

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• Repair of damage caused by battery leakage.
• Cleaning of exterior of BikeLink™ equipment including frames, doors, and rooftops.
• Removal of graffiti.
• Removal of scratches from roof or signage.
• Usage Monitoring & Reports on more frequent than annual basis.
• Regular monitoring and audits for group-access facilities.
• Emergency response, including staffing group-access facilities to enable bicycle retrieval if the CONTROLLER has been damaged due to vandalism.
• Impounding bicycles or other stored items.
• Repair or replacement parts for ELOCKER components manufactured by others (for ELOCKERs retrofitted with an ELOCK retrofit kit).
• Custom software or custom features.
• Shipping costs for owner return of apparently defective components.
• Shipping costs for replacement components.
• Immediate or next-day On-site User Support.
• Emergency response, including staffing group-access facilities to enable bicycle retrieval if the CONTROLLER has been damaged due to vandalism.
• Impounding bicycles or other stored items.

10. Costs for Parts and Labor for Additional Services

For additional services not otherwise provided for in this agreement, services will be rendered on a time and materials basis in accordance with the following schedule. Costs provided below are for budget planning purposes. This schedule is not comprehensive, and costs are subject to change without prior notice.

Mileage: Current standard business mileage rate allowed by IRS

Overhead markup for direct expenses:	15%
Monitoring (includes usage reports):	$10 per controller per visit
Next-day on-site user support:	$85 per hour

Retrofit, Double, Quad, or Wedge ELOCKER Replacement Parts:

Controller:	$450.00
Latch Assembly:	$150.00
D- Cell Batteries:	$2.00
LCD Screen:	$20.00
LCD Window:	$15.00
Cardslot Assembly:	$375.00
UI Board:	$95.00
Ui Button:	$15.00

11. Miscellaneous

This document will be covered by and construed in accordance with the laws of the State of California, and the laws of the United States (excluding conflicts of laws rules), and shall inure to the benefit of ELOCK and its successor, assignees and legal representatives. If any provision of this document is held by a court of competent jurisdiction to be invalid or unenforceable to any extent under applicable law, that provision will be enforced to the maximum extent permissible and the remaining provisions will remain in full force and effect.

ELOCK is not liable for incidental or consequential damages of any nature arising from use or inability of use of the equipment.

Upon transfer of ownership or jurisdiction of a BikeLink facility to another entity, OWNER agrees to provide a copy of this document to that entity.

Any modifications to this Agreement must be in writing and signed by both parties.

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Any notices or other communications shall be sent by certified mail,

if to ELOCK, at :

eLock Technologies LLC
800 Heinz Avenue, Suite 11
Berkeley, CA 94710
USA

if to OWNER, at the following address:

The parties agree to the foregoing and have executed the BikeIlnk Service and Operations Plan on the date indicated below:

eLock Technologies LLC

By: Steven Grover, President
Date:

By:
Date:

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BikeLink™ Software License

Napa County

1. Overview

This License grants OWNER the right to use only the following programmable instructions for the duration of the term defined in section 3:

a. Programmable instructions loaded on BikeLink™ equipment listed in section 4;
b. Programmable instructions loaded on BikeLink™ equipment listed in section 4;
c. Web-based software accessed with a facility owner login at bikelink.org;

The included components above will hereafter be referred to as "Software." The features and functionality provided by the Software are described in the Product Manual for Gen 5 eLocker with BikeLink Software 5.01. Services associated with this BikeLink Software License are described in sections 6, 7, and 8 below.

By using the BikeLink™ Software, OWNER understands and agrees that OWNER is joining the BikeLink™ inter-agency facility network, and is subject to the operational terms and conditions outlined herein which are designed to ensure continuing interoperability and access by USERS throughout the network.

This BikeLink™ Software License, provided by eLock Technologies LLC ("ELOCK") extends to the original purchaser ("OWNER") or agency with jurisdiction over a BikeLink™ facility or equipment. Rights and responsibilities are automatically transferred to any subsequent Owner or agency with jurisdiction over a BikeLink™ facility or equipment.

2. Definitions

"ELOCK" is the company eLock Technologies LLC, with principal place of business at 800 Heinz Avenue #11 Berkeley CA 94710. ELOCK also does business as "BikeLink™."
"BikeLink™" is the name of the bike parking and bike sharing system created by eLock Technologies LLC.

"OWNER" is the original purchaser and/or entity with jurisdiction over a BikeLink™ facility.

"ACCESS DEVICE" is any uniquely assigned ID and/or debit device, such as the BikeLink™ Smart Card, issued to a particular USER and registered in the BikeLink™ central database.
"USER" is an individual who has obtained one or more BikeLink™ access devices and is registered in the BikeLink™ database.
"ELOCKER" is a multi-SPACE electronically controlled enclosure.

KIOSK is an electronic control and user interface device that controls access to group parking facilities.

"SPACE" is an enclosure or docking device within an ELOCKER capable of securing one bicycle or other small vehicle.
"CONTROLLER" is an electronic control and user interface device that controls access to one or more SPACEs.
"GATEWAY" is a device enabling remote communications with a group of CONTROLLERs at a specific location.
"ADMINISTRATIVE DEVICE" is a device which enables updating software, collection or viewing of CONTROLLER status, settings and data, modification of CONTROLLER settings or states, and ability to gain entry into a SPACE.

3. Term of License

This license agreement shall remain in effect as long as the equipment remains in operation and any software license renewal fees agreed to in the original purchase contract are paid in full, unless terminated by mutual agreement.

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4. Equipment

This License is for use of BikeLink Software loaded on equipment listed below, as noted in purchase agreement dated:

Location Name	Quantity	Product	Spaces	Controllers
Transit Center	3	Quad	12	4
Redwood P&R	1	Quad	4	2
Redwood P&R	1	Double	2	2
Yountville	1	Quad	4	2
			TOTAL	10

5. Terms and Conditions

By taking ownership or jurisdiction of equipment using the BikeLink™ system, you (the OWNER, or entity with jurisdiction) agree to the following terms and conditions:

5.01 Scope.

This License is grants OWNER the right to use the Software installed on individual BikeLink™ controllers or Kiosks; it is not a general site license. This license covers only software installed on equipment specifically named in section 4, BikeLink™ access devices, and web-based software accessed with a facility owner login at bikelink.org.

5.02 Cardholder and User Agreement.

OWNER agrees to support and uphold the terms and conditions of the universal BikeLink™ Cardholder and User Agreement, including the privacy policy regarding user information.

5.03 Inter-Agency Facility Network.

OWNER agrees to support the BikeLink™ inter-agency facility network. Specifically, you agree to permit ELOCK dba BikeLink™ to:

a. Sell ACCESS DEVICES directly to users for BikeLink™ equipment you have purchased,

b. Provide information and assistance directly to users,

c. Maintain a complete USER information database which allows any BikeLink™ System Facility Owner to look up an individual USER's information,

d. Maintain the universal User Agreement on behalf of all Facility Owners,

e. Track usage at your facility and report, or publish it in an aggregated form,

f. Attach to each locker a small sign, sticker, label or other similar item, displaying eLock's name, address, BikeLink™ logo, contact information, and product information such as model number,

g. Attach a sign at each location approximately 18" x 24" in size displaying the BikeLink™ logo and information about how to use the BikeLink™ system.

5.04 Administrative Devices.

OWNER agrees to carefully safeguard BikeLink™ ADMINISTRATIVE DEVICEs, and to report their loss to ELOCK immediately.

5.05 Access Restriction.

OWNER may restrict access to a BikeLink™ facility under OWNER's control, by setting up restrictive access zones. To permit access, OWNER obtains from ELOCK a unique access code, associated with each individual user's standard BikeLink™ access device to whom OWNER wishes to grant access. A nominal fee is charged for each access code generated by ELOCK. The access code permanently adds permissions for the specified access zone to the user's BikeLink™ access device.

Information collected upon issuing an access code, beyond the standard information requested from every BikeLink™ user upon access device activation, need not be shared with other facility owners via the BikeLink™ database. However, neither restricting access to OWNER's BikeLink™ Facility by implementing access zones, nor issuing access codes to vetted users, releases OWNER from obligations to the BikeLink™ inter-agency facility network as described above.

USERs who have been issued access codes for a specific BikeLink™ facility retain the ability to access other unrestricted BikeLink™ facilities. Therefore, to protect the interests of other Facility Owners, all USERs' information must be included in the BikeLink™ database even if the USER's primary BikeLink location is one with restricted access.

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5.06 Revenue and Rental Rates.
The BikeLink system relies on rental charges accruing in proportion with actual rental time in order to encourage turnover and effectively deter monopolization of the resource by some users. OWNER agrees that the base rental rate of its ELOCKERs will remain set at between $0.05 and $0.10 per hour and that the expired rental rate charged whenever a user allows their meter to expire will be set at least two times the base rental rate. OWNER agrees that the system-wide base rental rate may be periodically adjusted in accordance with changes in the U.S. Consumer Price Index. To compensate ELOCK for the services described in section 6, which are provided for as long as the BikeLink™ facility is in operation, OWNER agrees that all revenue up to $0.10 per hour and 10% of revenue above $0.10 per hour will be retained by eLock, and that any remaining revenue will be transferred to OWNER on an annual basis. Alternatively, if the base rental rate is set below $0.05 per hour, OWNER agrees to compensate ELOCK for the difference between the actual rental rate and $0.10 per hour.

5.07 Primary Contact.
To facilitate ELOCK's provision of the services described in section 6, ELOCK shall be the primary contact for USERs. ELOCK's (dba "BikeLink") contact information shall be displayed prominently at BikeLink™ locations so USERs know who to contact for assistance.

5.08 Use of Facility-Specific Usage Data.
For research and marketing purposes, ELOCK retains the right to collect and publish facility-specific usage data. ELOCK shall report usage data only in aggregate and shall not publicly disclose any user-specific details.

5.09 Transferability.
Upon transfer of ownership or jurisdiction of BikeLink™ equipment by OWNER to another entity, OWNER agrees to provide a copy of this License to that entity and the new owner or entity shall be bound by the terms herein.

5.10 Limitations on Transferability.
The Software may only be used in connection with the BikeLink™ facility or equipment as provided under applicable quote and purchase order or in fulfillment of the specified contract. OWNER may not use, copy or transfer the Software except as permitted herein. OWNER may not sublicense, rent, lease, assign or transfer the Software; provided, however that this License may be transferred to a third party who acquires the BikeLink™ facility or equipment and who agrees to be bound by the terms of this License.

5.11 Exclusions.
This License does not cover custom software that may in the past or future be developed for OWNER or other customers of ELOCK.

5.12 Copyright.
The Software is protected by copyright laws and international copyright treaties. OWNER may NOT: remove, decompile, reverse engineer, disassemble, modify, adapt, translate, overwrite, reprogram, or create derivative works based upon the Software or any part thereof.

5.13 Unauthorized Removal.
Any unauthorized removal of the Software, or the installation of any third-party software to be used in conjunction with the Software, shall void the Limited Product Warranty, and result in termination of this License.

5.14 Limited Product Warranty.
The Limited Product Warranty, incorporated herein by reference, contains the complete and exclusive warranty with respect to the Software licensed hereunder.

5.15 Intellectual Property.
The Software is the property and pre-existing work product of ELOCK. OWNER shall not acquire any rights, including intellectual property rights of any kind or nature, in the Software other than the license set forth herein. This provision extends to new software or software improvements that may be created after this license takes effect.

5.16 Confidentiality.
The Software is the proprietary information of ELOCK and constitutes the confidential information and trade secrets of ELOCK, and may not be disclosed by OWNER to any person.

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5.17 Jurisdiction.
This License will be governed by and construed in accordance with the laws of the State of California, United States (excluding conflicts of laws), and shall inure to the benefit of ELOCK and its successors and assigns. If any provision of this License is held by a court of competent jurisdiction to be invalid or unenforceable to any extent under applicable law, that provision will be enforced to the maximum extent permissible and the remaining provisions of this License will remain in full force and effect. Any notices or other communications to be sent to ELOCK must be mailed by certified mail to the following address:

eLock Technologies, LLC
800 Heinz Avenue
Suite 11
Berkeley, CA 94710
U.S.A.
(510) 549-2853

6. Ongoing Services Covered by Rental Revenue

6.01 Access Device Production & Programming.
ELOCK shall produce and program ACCESS DEVICEs that are compatible with the current version of BikeLink™ Software.

6.02 Access Device Distribution & Activation.
ELOCK shall maintain an inventory of access devices, and shall provide the following related services:
• Distribution of ACCESS DEVICEs to retail vendors.
• 24-hour web and telephone sales and distribution of ACCESS DEVICEs and add value codes to USERs.
• 24-hour web and telephone ACCESS DEVICE activation.
• Web-based FAQs and other instructional information.

Note: OWNER may elect to act as a vendor of ACCESS DEVICEs. OWNER understands and agrees that ACCESS DEVICEs it may choose to sell shall not be different from those sold by other vendors, that such ACCESS DEVICES are subject to the universal BikeLink™ USER Agreement, that they may be used at any BikeLink™ facility, and that USER information associated with all BikeLink™ ACCESS DEVICEs must be stored in the BikeLink™ database and available to all BikeLink™ facility owners.

6.03 USER Agreement.
ELOCK shall maintain and periodically update USER Agreement, also known as the “BikeLink™ System Cardholder and User Agreement.” ELOCK shall inform OWNERs and USERs of changes to USER Agreement in accordance with notification obligations defined in USER Agreement.

ELOCK shall maintain USER Agreement link at www.bikelink.org, and take reasonable measures to ensure USERs are informed of USER Agreement before using the BikeLink™ system.

6.04 Remote USER Support.
Upon receiving a query or problem report from a USER, ELOCK shall reply promptly with accurate information to all reasonable inquiries. Upon receiving a technical assistance request from a USER, ELOCK shall create an online problem report, and provide troubleshooting and telephone or email-based problem resolution during normal business hours.

ELOCK shall maintain the following additional remote USER support benefits and services:
• 24-hour telephone support for USERs to report problems, request a free taxi ride, or to request single use access device in cases where USER has lost his or her ACCESS DEVICE.
• Reimbursement of taxi ride costs from BikeLink™ facility up to $20 in case USER is unable to retrieve bicycle due to an equipment malfunction.
• One-time use cards and ID-verification for lost cards and similar situations.

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6.05 USER Database Maintenance.
ELOCK shall maintain a web-based database of USER information and provide OWNER with access to information stored on this database. ELOCK shall maintain an up-to-date off-site database backup.

6.06 Rental Transaction Data.
ELOCK shall maintain rental transaction data that has been uploaded to the BikeLink™ web-based database. ELOCK shall maintain an up-to-date off-site rental transaction data backup. ELOCK shall provide online rental transaction data plotting and data download tools.

6.07 Signage.
ELOCK shall install one sign at each location approximately 18" x 24" in size displaying the BikeLink™ logo and information about the BikeLink™ system. Additional signs may be requested by OWNER for an additional fee.

7. Ongoing Services Covered by User Fees

7.01 ID Check at Group-Access Facilities.
Use of group-access facilities requires an additional vetting step for USERs, referred to as the "ID Check." This ID Check may be performed by ELOCK and may include making a photographic record of a USER's face and current photo ID such as a driver license upon their first use of the group-access facility. ELOCK shall not be obligated to ensure legibility of this photograph. ELOCK may, at its sole discretion, change the requirements and procedures for the ID Check. Once an ID Check has been performed successfully, a unique Access Code is generated for the USER's access device, and automatically loaded onto it by the group-access facility's CONTROLLER. The nominal fee for this Access Code shall deducted from the balance on the USER's access device and retained by ELOCK.

7.02 On-site User Assistance.
In the event a USER requests on-site assistance in lieu of remote assistance to resolve a problem caused by an ACCESS DEVICE or equipment malfunction, ELOCK reserves the right to charge a reasonable fee directly to the USER for this service.

8. Ongoing Services Covered by Annual Software License Fee

8.01 Software Maintenance for System Interoperability.
To maintain interoperability for BikeLink™ users throughout the BikeLink™ network of facilities, as well as compatibility with evolving changes in USER Access Device technologies, technology security standards, communications networks technologies, and point of sale technologies, ELOCK shall release ongoing Software improvements including:

- Software upgrades
- Security patches
- Ongoing web-based software maintenance

8.02 On-call Network and Web Application Technicians.
ELOCK shall provide specialized technical support services as required to troubleshoot and resolve technical issues that may arise.

8.03 Facility Owner Web Page.
ELOCK shall provide password-protected OWNER’s web page customized for OWNER’s locations with up-to-date location information, ability to search USER database, ability to generate access codes, geo-coded cardholder location mapping, outreach materials, promotional program tools, access to rental transaction data, and equipment documentation. ELOCK shall provide training to OWNER on use of system at time of initial installation.

8.04 Limitations on USER Database Access by OWNER.
To help ensure the USER information privacy, OWNER access to database may be limited to individual queries, USERs in vicinity of OWNER’s facilities, and/or USERs who have previously accessed OWNER’s facilities.

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8.05 User Support Reporting.

Problem reports prepared by ELOCK shall be available for review by OWNER upon request on a case-by-case basis. USER queries and associated responses prepared by ELOCK shall be available for review by OWNER upon request on a case-by-case basis.

8.06 Service Records.

Service records for any service performed by ELOCK shall be maintained by ELOCK. Service records shall be available for review by OWNER upon request, on a case-by-case basis.

8.07 Exclusions.

a) Testing, troubleshooting, upgrade, repair, or other services which require an on-site field technician;
b) Hardware upgrades;
c) Out-of-Warranty service or replacement for malfunctioning parts;
d) Repairs needed due to damage caused by conditions beyond ELOCK's control including but not limited to flooding, earthquakes, or other acts of God.

Payment: Any software license renewal fees agreed to in the original purchase contract are payable annually upon the date of OWNER acceptance of product installation. If payment is not received within 60 days of the annual renewal date, services described in section 8 may be suspended.

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eLock TECHNOLOGIES LLC

800 Heinz Avenue, Suite 11
Berkeley, CA 94710
Office (510) 549-2853
Fax (510) 549-9157
info@elocktech.com

BikeLink Gen5 eLocker Limited Product Warranty

Bicycle storage locker, electronic controller with software and latching mechanism (the "Product").

The following limited warranties provided by eLock Technologies LLC ("ELOCK") extend to the original facility owner ("OWNER") of the Product and are assignable or transferable to a subsequent Owner.

1) **Commencement**. This Limited Product Warranty commences upon OWNER acceptance of product installation.

2) **Electronics.** ELOCK warrants that the locker controller, cables, latch assembly, and battery power supply system including electronic components and battery holder will, under normal use, be free from defects in materials and workmanship and will perform substantially in compliance with the product documentation in the BikeLink Gen 5 eLocker Product Manual relating to the electronics for a period of three (3) years from the date of Commencement.

3) **Locker.** ELOCK warrants that locker frame, door and roof of new lockers will, under normal use, be free from defects in materials and workmanship and will perform substantially in compliance with the product documentation in the Product Manual for a period of three (3) years from the date of Commencement.

4) **Locker Frame Exterior Finishes**. ELOCK warrants that locker frame, electronics housings, roof and panel materials will not deteriorate or corrode beyond normal weathering under normal use for a period of three (3) years from the date of Commencement. Normal weathering for 304 stainless steel components includes small rust deposits that form when ferrous dust impurities in the air adhere to the surface. Normal weathering for galvanized components includes build-up of "white rust" deposits as well as rust that forms along and remains limited to cut or punched edges. Normal weathering for the FRP roof(s) includes a gradual reduction in glossiness and accumulation of oxidation. The roofs will become less shiny and more matte over time. Normal weathering may be substantially decelerated by adhering to care and cleaning recommendations in the BikeLink Gen5 eLocker Product Manual**.**

5) **Remedies.** ELOCK'S sole obligation for a breach of the warranties set forth in paragraphs 2 through 5 above is, in ELOCK'S sole discretion, either (a) a refund of the purchase price paid for the defective component, excluding installation costs, or (b) repair or replacement with new or remanufactured component. Any replacement component will be warranted against defects in materials or workmanship for the remainder of the original warranty period or thirty (30) days, whichever is longer.

6) **Warranty Procedures.** If a defect arises during the limited warranty period, OWNER shall provide written notification to ELOCK via certified mail and may also contact ELOCK via email at support@elocktech.com or at the phone number at the top of this page. ELOCK will respond to service inquiries between 10:00 a.m. and 5:00 p.m. Pacific Time, excluding weekends and holidays. ELOCK represents and warrants that such response will not be unreasonably withheld or delayed. Service will be via a mailed exchange of parts.

   a) Field service may be provided at OWNER's request, however travel time and component replacement labor billed on an hourly basis plus travel expenses, including parking, directly associated with field service, are not covered in this limited warranty and must be requested in advance by OWNER.

   b) In lieu of mailed exchange of parts, ELOCK may, at its sole discretion, elect to perform on-site service to replace a defective part and no charges for labor or travel expenses will be due to ELOCK.

   c) In order to expedite a repair, ELOCK may choose to send a replacement component prior to receiving an original defective part. ELOCK will ship the replacement component to OWNER at the address provided by OWNER at ELOCK's expense. For Products shipped within the United States of

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Office (510) 549-2853
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info@elocktech.com

America, ELOCK will use reasonable efforts to ensure delivery within ten (10) business days. Expedited service is available at additional cost to OWNER.

d) OWNER shall ship the product taken out of service, including cables and attachment hardware where applicable, to the address below, freight or postage prepaid and insured by OWNER.

e) If ELOCK determines that the defect is not eligible for warranty service (e.g. defects due to vandalism or power-washing), Out-of-Warranty service is available at OWNER's request.

f) When a product or part is exchanged, any replacement item becomes OWNER's property and the replaced item becomes ELOCK's property.

7) **Out of Warranty Service.** Out of warranty service, replacement, and repair is available on a time and materials basis. Please contact ELOCK for current Out-of-Warranty repair rates and to request service.

8) **Limitations**.

a) ELOCK is not responsible for damage arising from failure to follow instructions in the BikeLink Gen 5 eLocker Product Manual relating to the product's use.

b) OWNER shall have no coverage or benefits under this Limited Product Warranty if the Product has been subject to abnormal use, abnormal conditions, improper storage, improper cleaning or maintenance, unauthorized modifications, disassembly, repair or alteration by any person other than ELOCK or a party authorized by ELOCK, misuse, neglect, abuse, accident, use on improper power supply, improper installation, installation of any third-party software, or other acts which are not within the control of ELOCK, including acts of nature and damage caused during shipping components for warranty service.

c) This Limited Product Warranty does not cover normal wear of parts or any use contrary to written operating instructions.

d) Because battery cells may be replaced by the OWNER, this Limited Product Warranty does not cover a defect of the device caused by leaking or otherwise defective battery cells.

e) Incorrect service attempts made by technicians other than ELOCK-authorized technicians will void this Limited Product Warranty. Service only by ELOCK technicians is strongly recommended due to the potential for security issues, disabling of user access devices, unintended environmental exposure of electronic components, or damage to electronics resulting from service by non-ELOCK technicians.

f) OWNER ACKNOWLEDGES THAT THIS LIMITED WARRANTY SETS FORTH ITS COMPLETE REMEDY WITH RESPECT TO THE PRODUCTS AND SOFTWARE AND THAT ELOCK'S LIABILITY FOR A WARRANTY CLAIM IS LIMITED TO THE REMEDIES SET FORTH IN PARAGRAPH 6 ABOVE. IN NO EVENT SHALL ELOCK BE LIABLE FOR ANY INDIRECT, SPECIAL, INCIDENTAL OR CONSEQUENTIAL DAMAGES, WHETHER BASED ON BREACH OF CONTRACT, TORT (INCLUDING NEGLIGENCE) OR OTHERWISE, WHETHER OR NOT OWNER HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.

g) Except as noted in paragraph 5 above, this Limited Product Warranty does not cover defects in appearance of cosmetic, decorative or structural items, including framing, finishes, and any non-operative parts. ELOCK's limit of liability under the limited warranty shall be the actual cash value of the product at the time ELOCK receives written notice of a defect from the OWNER, determined by the price paid for the product less a reasonable amount for usage. ELOCK shall not be liable for any other losses or damages.

h) ELOCK provides no warranty for damage caused by third parties, such as graffiti or scratches, software hacking, software viruses, vandalism, neglect or abuse of the equipment.

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info@elocktech.com

i) ELOCK provides no warranty for damage caused by conditions beyond its control including but not limited to flooding, earthquakes, or other acts of God.

j) ELOCK provides no warranty for performance of existing locker components for lockers that are retrofitted with retrofit or upgrade products supplied by ELOCK.

k) Any OWNER requested modifications to the software will void the warranty on software provided in paragraph 3 above.

l) THIS LIMITED WARRANTY IS THE ONLY WARRANTY ELOCK MAKES FOR THE PRODUCT AND SOFTWARE. TO THE EXTENT ALLOWED BY LAW, NO OTHER WARRANTY APPLIES, WHETHER EXPRESS, IMPLIED OR STATUTORY, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.

9) **Exclusions**:

a) Post-installation service.
b) Post-installation maintenance.
c) Battery cells.
d) eLocker Administrative and Access Devices.
e) Replacement or repair of components damaged by vandalism, including but not limited to finishes, electronic, software, and locker components.
f) Replacement or repair of components damaged by actions of OWNER or its agents, including but not limited to power-washing.
g) Custom software or modifications.
h) Service of non-ELOCK components or replacement of non-ELOCK parts on existing lockers which have been retrofitted to use the eLocker electronic controller.

10) **Jurisdiction**. This Limited Warranty will be covered by and construed in accordance with the laws of the State of California, United States (excluding conflicts of laws rules), and shall inure to the benefit of ELOCK and its successor, assignees and legal representatives.

11) **Severability.** If any provision of this Limited Warranty is held by a court of competent jurisdiction to be invalid or unenforceable to any extent under applicable law, that provision will be enforced to the maximum extent permissible and the remaining provisions of this Limited Warranty will remain in full force and effect.

12) **Entire Agreement.** This Limited Product Warranty contains the entire agreement of the parties with respect to the matters set forth herein.

13) **Notices**. Any notices or other communications to be sent to ELOCK must be mailed by certified mail to the following address:

eLock Technologies, LLC
800 Heinz Avenue, Suite 11
Berkeley, CA 94710
U.S.A.

BikeLink™ System
Cardholder and User Agreement

This Agreement with eLock Technologies, LLC (also referred to as "eLock") and Facility Owner (as defined below) allows You to use a BikeLink™ access device to obtain share time in a BikeLink™ facility. Your use of the Access Device constitutes your acknowledgment and consent to this Agreement – READ IT CAREFULLY.

1. Definitions

1.1. The "Access Device" is any uniquely assigned ID and/or debit device, including the BikeLink™ Smart Card, issued to a particular user and registered in the BikeLink™ user database.

1.2. The "Card" or "Smart Card" is the BikeLink™ Smart Card issued to the Cardholder.

1.3. The "Cardholder" or "User" ("You") is the bearer of the Access Device.

1.4. A "Locker" or "eLocker" is a Bicycle Locker with compatible Access Device reader made or licensed by eLock Technologies LLC.

1.5. "BikeLink™" is an inter-agency network of shared, on-demand parking and vending facilities for bicycles and other small vehicles, and an administrative system for issuing and distributing Access Devices for use in BikeLink™ Facilities.

1.6. "Inter-agency network" means that a user who has obtained a BikeLink™ Access Device and who agrees to and complies with the terms of this Agreement could access any BikeLink™ facility. Some BikeLink™ facilities may require additional access codes.

1.7. An "Administrative Device" is a device which enables system administrators to update, modify, unlock, or access a BikeLink™ Facility.

1.8. "Card Issuers" or "Vendors" are agencies or entities which sell or distribute Access Devices.

1.9. "Rental" is the result of securing a unit of a BikeLink™ facility, such as an on-demand locker, or bicycle share, for the sole use of a specific access device.

1.10. "Available" is the state in which any authorized Access Device may initiate a Rental of a unit of a BikeLink™ facility.

1.11. "Rented" is the state in which a particular unit of a BikeLink™ facility is assigned for exclusive use by a particular User.

1.12. "Expired" is the state resulting when a Rental is not terminated before its scheduled ending date and time.

1.13. "Held" or "Reserved" is the state in which a particular unit of a BikeLink™ facility is preemptively assigned for exclusive use by a particular User or set of Users.

1.14. "Abandoned" is the state in which a particular unit of a BikeLink™ facility has been left in an "Expired" state long enough to be in violation of rental duration terms indicated on screens or signage at the Facility.

1.15. A "Facility Owner" or "Owner" is the agency with ownership of a particular BikeLink™ facility, or the agency with jurisdiction over a particular BikeLink™ facility.

2. Rental Transactions

2.1. Rental terms may vary by location and are displayed on information screens or signage.

2.2. Only the renting Access Device or an authorized Administrative Device can unlock a Rented, or Expired unit of a BikeLink™ facility.

2.3. Only the renting Access Device or Administrative Device can terminate a Rental.

3. Vehicle Storage Facility: Usage & Contents

3.1. Initiation of a Rental at a BikeLink™ storage facility entitles the User to access a storage space for immediate or future use. User may store their vehicle for the duration until the Rental is terminated or the Locker becomes Expired. BikeLink™ storage facilities shall be used only for the purpose of storing a vehicle and related equipment (such as helmet, pump, or lock). The storage facility shall not be used in, or in connection with, any activity prohibited by law, or set by Facility Owner. Non-compliance of any of the above conditions shall constitute a default by the User in the terms of this agreement.

3.2. After a time period the Facility Owner deems excessive, an Expired Rental shall be considered Abandoned. Abandoned Rentals constitute a default by the User in the terms of this agreement.

3.3. Upon default, the Facility Owner and the Facility Owner's agent(s) have the right to empty the storage space of any property stored therein, and dispose of such contents as it sees fit. If the User has registered his or her correct and up to date contact information with BikeLink™ (at the time of Access Device purchase or by contacting BikeLink™), the Facility Owner shall promptly notify the User in writing, by email, and/or by phone before disposing of property.

3.4. As a condition for using a BikeLink™ facility for the restricted purposes mentioned above, the User waives any claim to the right to privacy and expressly consents to allow the Facility Owner and the Facility Owner's agent(s):

- to open and inspect the storage space and inspect or relocate the contents thereof at any time without prior notice:
- in an emergency, to determine whether a health or safety hazard exists;
- to maintain the storage space, its door, or locking mechanism; or
- to determine whether any term of the Agreement is being violated.

3.5. You will be monetarily responsible for damages beyond normal wear and tear to the facility or adjacent structures caused by your misuse of the storage space.

4. Issue of Access Devices

4.1. The Access Device is available for purchase through BikeLink™, and authorized Vendors.

4.2. Vendor Location information is provided at www.bikelink.org, by calling (888) 540-0546, or on information screens, and signage at a BikeLink facility.

5. Access Device Value

5.1. The Access Device is not a charge, credit, or debit card.

5.2. The value the Access Device holds is neither cash nor the equivalent of cash. At a BikeLink™ Facility which charges for use, You can exchange value on the Access Device for share time of the facility or item; the Access Device value has no other use or worth.

6. Access Device Loss and Damage

6.1. You shall take all reasonable care of the Access Device to prevent it from damage, defacement, destruction, or loss of any kind.

6.2. You shall not alter or interfere with any graphic or Access Device Data and shall take all reasonable measures and care to ensure that any graphic and Access Device Data are not interfered or tampered with.

6.3. No refund for lost or damaged Access Devices will be provided except at the absolute discretion of eLock.

6.4. You shall report any lost, stolen, or irreparably damaged Access Devices to eLock in a timely manner; unless You report your lost or stolen Access Device, You may be held liable for its misuse.

7. Conditions for Services and Facilities

7.1. While using the services and/or facilities of a Facility Owner, You shall observe, perform, and comply with the terms and conditions, by-laws, rules, and regulations, including rental settings such as maximum rental duration and hourly rate, selected by that Facility Owner in relation to such services and/or facilities.

7.2. At the behest of a Facility Owner, authorized agents of eLock or the Facility Owner may electronically access, unlock, move or remove stored contents, and/or modify a facility owned by the Facility Owner, regardless of the facility's state or the state of any affected Access Device, and neither eLock nor the Facility Owner shall be liable for any loss or damage resulting therefrom.

7.3. A Facility Owner may deny access to, replace, or remove any facilities it owns at any time for any reason, and neither eLock nor the Facility Owner shall be liable for any loss or damage resulting therefrom.

7.4. Neither eLock nor the Facility Owner are responsible for fire, theft, loss, or damage to any article left in a facility. The User shall indemnify eLock and the Facility Owner and their directors, officers, agents, representatives, and employees from any liability of any nature arising out of the User's use of a facility.

8. Reservation

8.1. eLock does not warrant that any particular service and/or facility will be provided by any Facility Owner at any time or place.

8.2. You may rent in advance, within the limits set by the Facility Owner, to reserve use of a facility until a future time.

8.3. Where available, you may rent in advance using the on-line reservation system, within the limits set by eLock and the Facility Owner, to reserve use of a facility at a future time.

8.4. A reservation which has Expired constitutes a default by the User in the terms of this agreement, and may be terminated by the Facility Owner pursuant to section 3.3.

8.5. Neither eLock nor the Facility Owner warrant that any particular facility will function as expected at any time or place, nor shall eLock nor the Facility Owner be liable for any loss or damage therefrom.

8.6. No warranty is given that operation of the Access Device or BikeLink™ will be available with any Facility Owner at any time or place, and neither eLock nor the Facility Owner shall be liable for any loss or damage resulting therefrom.

8.7. Authorized agents of eLock and the Facility Owner shall have the right to inspect any Access Device and the Data therein at any time.

8.8. eLock reserves the right to:

8.8.1. Recover any cost, expenses, loss, and damages incurred or suffered by eLock as a result of the User altering or interfering with the Access Device Data.

8.8.2. Waive these Conditions or any part thereof against any person.

9. Termination

9.1. eLock may terminate this agreement at any time and for any reason. If eLock requests or if You wish to terminate this Agreement, you must return your Access Device in proper working condition to BikeLink. No refund will be provided except at the absolute discretion of eLock.

10. Changes to this Agreement

10.1. eLock reserves the right to change the terms of this Agreement and any associated policies at any time by providing written notice on the BikeLink™ website at www.bikelink.org. You will be deemed to have received such notice thirty (30) days after posting of that notice on the BikeLink™ web site. You agree to all changes when You use your Access Device after that date.

11. Release and Indemnity

11.1. You hereby release eLock and the Facility Owner from all loss, damage, or injury whatsoever, known or unknown, arising out of or in any manner connected with the use or performance of the Access Device issued to You. Neither eLock, its officers, employees, nor its agents, nor the Facility Owner, will have any obligation or liability with respect to your use or the performance of the Access Device. Your sole and exclusive recourse from eLock and the Facility Owner will be the replacement of any defective Access Device(s) by Elock. You agree to indemnify, protect, and hold harmless the Facility Owner, eLock, their officers, employees, and their agents from any and all liability for any loss, damage, or injury to persons or property arising from or related to the Access Device.

11.2. For and in consideration of permitting You to rent Facility Owner's property, You hereby voluntarily release, discharge, waive and relinquish any and all actions or causes of action for personal injury, property damage or wrongful death occurring to You arising as a result of your use of or the performance of the Access Device issued to You, any BikeLink facility, or any activities incidental thereto, wherever or however the same may occur, and You do for yourself, your heirs, executors, administrators and assigns hereby release, waive, discharge and relinquish any action or causes of action aforesaid, which may hereafter arise for yourself or for your estates and agree that under no circumstances will You or your heirs, executors, administrators and assigns prosecute, present any claim for personal injury, property damage or wrongful death against eLock or the Facility Owner or any of its officers, agents, servants or employees for any of said causes of action whether the same shall arise by the negligence of any of said persons or otherwise. It is your intention by this instrument to exempt and relieve eLock and the Facility Owner from liability for personal injury, property damage or wrongful death, whether or not the same is caused by negligence.

11.3. You further agree to indemnify and hold harmless eLock and the Facility Owner, its officers, agents, servants and employees from any liability or claim or action for damages which in any way arises out of your use of or the performance of the Access Device or BikeLink facility, even though that liability may arise out of the negligence or carelessness on the part of the Facility Owner or eLock, their officers, agents or employees. Notwithstanding anything stated in the foregoing paragraphs, nothing in this document shall apply to exempt any person or entity from responsibility for his, her, or its own fraud, or willful injury to the person or property of another, or violation of law whether willful or negligent.

12. Failure to Comply

12.1. Failure to comply with any portion of this agreement may result in eLock's blocking the use of the Access Device. No refund will be provided except at the absolute discretion of eLock.

13. Entire Agreement

13.1. This document represents the entire and integrated agreement between eLock and the User, and the entire and integrated agreement between the Facility Owner and the User. This document supersedes all prior negotiations, representation, or agreements, either written or oral. All provisions of this agreement are expressly made conditions.

14. Communications

Please address all questions, notifications, and communications related to the bicycle parking facility to the Facility Owner using the contact information provided on the information screens.

Please address all questions, notifications, and communications related to the BikeLink™ Access Device to: info@bikelink.org

15. Privacy

15.1. All information and data relating to the User collected by BikeLink™ shall be used by eLock and the Facility Owner for the purposes of the operation and management of BikeLink™ facilities, and shall serve as a source of information and data for transit and/or related services in general but shall otherwise be dealt with in a confidential manner by eLock unless:

a) the express written consent of the User has been obtained; and / or

b) there is a legal requirement to the contrary.

15.2. You retain the right to review all personal information pertaining to your Access Device, whether stored electronically or on paper. Any inquiry or request to obtain information, in accordance with the above provisions, should be directed in writing to BikeLink™. eLock may adopt procedures for your review of such information, including but not limited to charging a fee for processing requests for access to personal information.

15.3. When you provide information to eLock, eLock will not share this information with other entities except to conduct regular business, to comply with legal requirements, and to protect against fraud. eLock will not sell, lease, rent, loan, or trade lists of physical or email addresses or phone numbers. eLock's web server and rental devices collect information that details the traffic on our site and rental usage patterns. eLock may analyze this information and use aggregate statistics to improve the content and navigation on websites, and to improve the usefulness of products.

15.4. Your Address, Email and Other Contact Information. When you obtain a BikeLink™ Access Device you are required to provide accurate personal identifying, address, and contact information. That information will not be released to third parties, except as follows: it is available on demand to BikeLink™ facility owners and law enforcement officials so that in the event that your BikeLink™ Access Device is lost while you are storing a vehicle, your identity may be verified before releasing that vehicle to You. Unless and until you return your Access Device to eLock Your information may also be used to contact You if your Access Device's rental transactions do not conform with the terms of this agreement, or in the event of an emergency affecting your property, or to provide information about changes in BikeLink terms or features, facility status, or stored property status.

15.5. Usage Data. eLock may provide aggregate statistics and usage reports to our customers or researchers, to assist them in assessing the BikeLink™ system or in applying for funding to install new facilities. These statistics and usage reports shall not contain personally identifiable information.

15.6. Website Statistics. eLock makes no attempt to link website statistics to the individuals who browse our site. eLock does not share server statistics with third parties.

15.7. Information Requests. If you request information from us, any information you supply will be used only to satisfy your request. eLock will not share this information with third parties unless it has prior approval from you.

15.8. Exceptions. The above policies may be superseded by requirements or obligations imposed by statute, regulation, or legal process.

January 21, 2015
NCTPA Agenda Item 10.1
Continued From: New
Action Requested: APPEOVE

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
Board of Directors Agenda Letter

TO: Board of Directors

FROM: Kate Miller, Executive Director

REPORT BY: Justin Paniagua, Senior Finance/Policy Analyst
(707) 259-8781 / Email: jpaniagua@nctpa.net

SUBJECT: Public Hearing and Approval of NCTPA Public Transit Fare Adjustment

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RECOMMENDATION

That the Napa County Transportation and Planning Agency (NCTPA) Board of Directors (1) hold a Public Hearing and (2) approve the proposed VINE fare adjustment.

COMMITTEE RECOMMENDATION

The Paratransit Coordinating Council (PCC) and the VINE Consumer Advisory Committee (VCAC) recommend that the Napa County Transportation and Planning Agency (NCTPA) Board approve the proposed VINE fare adjustment.

EXECUTIVE SUMMARY

NCTPA is proposing a $.10 increase in the VINE adult fare from $1.50 to $1.60 and subsequent adjustments to youth, senior and disabled fares and passes. VINE Go fares would increase $.20 to $3.20 for a single zone and $6.40 for two zones. The Route 29 pass fare would also be adjusted to reflect consistent adult, elderly-disabled, and youth fares.

PROCEDURAL REQUIREMENTS

1. Open Public Hearing
2. Staff report
3. Public Comment
4. Close Public Hearing
5. Motion, Second, Discussion and Vote

FISCAL IMPACT

Is there a Fiscal Impact? Yes. The proposed fare adjustments will increase revenue by approximately $66,000 for the VINE at current ridership levels over a twelve month period.

CEQA REQUIREMENTS

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

NCTPA is required by law to attain a 16% farebox ratio for the VINE Transit system. This is defined as revenue obtained through means other than state and federal grants in an amount equal to 16% of the system's operating cost. For the past two fiscal years the VINE Transit system has failed to meet this requirement. If VINE Transit continues to miss the required farebox ratio target, the system is at risk of having funds withheld by the state which would likely result in service reductions.

In July 2014, the NCTPA Fare Policy was approved by the Paratransit Coordinating Council and VINE Consumer Advisory Committee and subsequently adopted by the NCTPA Board of Directors. The VINE Fare Policy states that:

> *Fare adjustments shall be considered by the NCTPA Board under the following scenarios:*
> 1. *Following NCTPA's annual report if VINE has failed to meet its farebox ratio goal defined in the fare policy.*
> 2. *Every three years the NCTPA Board of Directors will consider fare adjustments to match the previous three years of CPI-U for the San Francisco – Oakland – San Jose Region or to match the percent increase in VINE expenditures for the previous three years whichever is greater. Unless the farebox ratio for the previous fiscal year is equal to or greater than 20%. In which case fare increases shall be paused.*

Currently NCTPA is projecting a farebox shortfall of approximately $41,000 for FY 2014-2015. Given the required 16% farebox ratio NCTPA, may have to cut costs by approximately $250,000 if the shortfall cannot be made up through revenues. The proposed fare changes would take effect July 1, 2015 and is projected to increase revenues by approximately $66,000 for FY 2015-16 at current ridership levels. This would bring VINE Transit into compliance with the farebox ratio requirement. Tables 1, 2, and 3 below outlines the proposed pricing for NCTPA's pass and fare structure.

NCTPA staff is recommending that the NCTPA Board of Directors vote to approve a fare adjustment.

Proposed VINE Fare Tables:

Table 1: VINE Routes 1-8, 10, 11, and 25 Cash Fares and Passes

	Current Cash Fare	New Cash Fare	Current 31-Day Pass	New 31-Day Pass	Current Punch Pass	New Punch Pass	Current Day Pass	New Day Pass
Adult (19-64)	$1.50	$1.60	$48.00	$53.00	$27.50	$29.00	$5.00	$6.50
Youth (6-18)	$1.00	$1.10	$33.00	$36.00	$20.00	$20.00	$3.00	$4.50
Senior (65+), Disabled and Medicare	$.75	$.80	$24.00	$26.50	$13.00	$14.50	$2.50	$3.25

Table 2: VINEGo Fares

	Current Single Zone Fare	New Single Zone Fare	Current Multi Zone Fare	New Multi Zone Fare
VINEGo	$3.00	$3.20	$6.00	$6.40

Table 3: VINE Route 29 Cash Fares and Passes

	Cash Fare (Ferry)	Cash Fare (BART)	Current 31-Day Pass (Ferry)	New 31-Day Pass (Ferry)	Current 31-Day Pass (BART)	New 31-Day Pass (BART)
Adult (19-64)	$3.25	$5.50	$60.00	$65.00	$120.00	$120.00
Youth (6-18)	$3.25	$5.50	$56.00	$65.00	$112.00	$120.00
Senior (65+), Disabled and Medicare	$3.25	$5.50	$40.00	$65.00	$80.00	$120.00

SUPPORTING DOCUMENTS

Attachment: (1) VINE Transit Title VI Equity Analysis – December 2014

VINE TRANSIT TITLE VI FARE EQUITY ANALYSIS

December 2014

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VINE TRANSIT TITLE VI FARE EQUITY ANALYSIS

1 INTRODUCTION

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Federal Transportation Administration (FTA) Circular 4702.1B requires FTA recipients serving populations of 200,000 or greater to evaluate any fare change and any major service change at the planning and programming stages to determine whether those changes have a discriminatory impact. Although VINE Transit is not required by FTA Circular 4702.1B to perform an equity analysis as a matter of policy VINE Transit performs equity analyses as guided by FTA Circular 4702.1B. This document is an analysis of VINE Transit's planned fare increase which will increase fares by approximately 7%.

2 BACKGROUND

In December 2013 the VINE Transit system embarked on an extensive restructuring of the system to improve performance and efficiency. The intention was to reverse a long precipitous slide downward of system ridership which would have resulted in service reductions. Since the system restructuring, ridership has been steadily increasing totaling approximately 327,000 new rides in nearly two years and an additional $190,000 during the same period in total farebox revenues. If trends continue, it is anticipated that the system will have 865,000 unlinked passenger trips on the VINE fixed-route system and approximately $1,027,000 in farebox revenue for FY 2014-2015. Since the last fare increase in 2011, costs have increased 40% or approximately $2,000,000.

By law, the VINE Transit system must collect through fares, advertising and local contribution an amount equal to 16% of its operating cost. This is referred to as the farebox recovery ratio. Over the last two fiscal years, VINE Transit has failed to reach the required farebox ratio and as a result, is subject to statutory penalties which may jeopardize a portion of our Transportation Development Act (TDA) funding NCTPA can claim. If TDA funding were to be reduced, VINE Transit would initiate service reductions.

Additionally the NCTPA Board of Directors in July 2014 adopted a Fare Policy which directs VINE Transit to propose a reasonable fare adjustment every three years or when operations fail to reach its required farebox ratio. VINE Transit missed its obligatory 16% target in Fiscal Year 2013-2014 and through the first five months of Fiscal Year 2014-2015 VINE Transit is projected to miss the required 16% farebox ratio by approximately $40,000 for the year.

2.1 July 2015 Fare Adjustment

VINE Transit is proposing an increase in adult fares of 7% from $1.50 to $1.60 per ride. This change would result in a $1.10 youth fare and a $.80 senior and disabled fare per the adopted VINE Fare Policy. The fare increase would subsequently change the pass fare structure as well in accordance with the VINE Fare Policy. This proposed

fare increase would change the standard VINEGo fare as well to $3.20 for a single zone and $6.40 for a multi zone trip. All Route 29 passes would all be priced at the same level as the adult pass pricing. Additionally the Route 29 31-day Ferry Pass would increase to $65.00 to bring pricing in line with NCTPA's VINE Fare Policy which states pass prices equal twenty times the cash fare on the Route 29. The proposed new fares are included in Appendix 1.

3 TITLE VI POLICY

NCTPA will ensure that their programs, policies, and activities all comply with the Department of Transportation's (DOT) Title VI regulations. NCTPA is committed to creating and maintaining public transit service that is free of all forms of discrimination. The agency will take whatever preventive, corrective, and disciplinary action necessary to address behavior that violates this policy or the rights and privileges it is designed to protect.

4 METHODOLOGY

Using the results of the recently completed MTC VINE Survey, NCTPA staff compared the demographic information gathered about VINE riders with the 2013 five year American Community Survey data. Extrapolating from this data, staff was able to predict how the proposed fare change would affect certain populations based upon the overall service area demographics.

The geographical areas included all incorporated jurisdictions; Napa, St. Helena, Calistoga, Yountville and American Canyon. The County of Napa was excluded because the population centers of the unincorporated County are not in VINE Transit's service area. The smaller jurisdictions up valley and American Canyon are included because the residents receive VINE service via the routes 10 and 11.

The Disproportionate Burden Analysis was completed by comparing the percentage of households with income under 200% of the federal poverty line. This is a standard measure in the Bay Area in determining Communities of Concern. Staff also compared the percentage of zero vehicle households as these people are more likely to be transit dependent.

5 EFFECTS OF PROPOSED FARE CHANGES ON MINORITY AND LOW INCOME POPULATIONS

5.1 System Wide Effects

The recommended fare change would increase the base adult fare by $.10 from $1.50 to $1.60 and increase all other fare types in accordance with the VINE Fare Policy. The increase will apply to routes 1 – 8, 10, 11 and 25. The routes 29 and 21 cash fares would not be affected per the approved VINE Fare Policy. The Route 29 passes would all be priced at the adult pricing level and the 31-Day Ferry Pass would increase to $65. The total projected change in fare revenue resulting from the fare increase is approximately $66,000.

5.2 Disparate Impact Analysis

Table 5-1 VINE Rider and General Population Demographics

	VINE Ridership	General Population	Difference
Percent Minority Population	55%	47%	8%
Percent of Households Under 200% of Poverty Level	11%	29%	-18%
Percent of Zero Vehicle Households	35%	5%	30%

The minority population among VINE ridership is 8% greater than that of the general population within the affected jurisdictions. Though the minority population is greater than the general population, the analysis indicates that it is not so high as to constitute a disparate impact.

5.3 Disproportionate Burden Analysis

In analyzing the percentage of households with annual income under 200% of the federal poverty level, NCTPA staff found that VINE riders are less likely than the general population to be under 200% of the federal poverty level by 18%. Therefore these findings indicate that there is no disproportionate burden based on household income. NCTPA staff also analyzed the percentage of zero vehicle households and found that VINE riders are more likely to live in households without vehicles by 30% compared to the general population. This is important because these riders are more likely to be transit dependent and therefore more affected by an increase in fares. This realization has to be balanced by the alternative solution to address the farebox problem which would be to cut service. The alternative solution would likely result in greater negative impact on these transit dependent riders.

7 LIST OF APPENDICES & ATTACHMENTS

Appendix 1	Proposed Fare Table
Appendix 2	American Communities Survey 2013 5yr Data
Appendix 3	2014 VINE Transit ON-Board Transit Survey Data Analysis
Attachment 1	2014 VINE Transit ON-Board Transit Survey

Appendix 1

VINE Routes 1-8, 10, 11, and 25 Cash Fares and Passes

	Cash Fare	31-Day Pass	Punch Pass	Day Pass	Single Ride Pass
Adult (19-64)	$1.60	$53.00	$29.00	$6.50	$1.60
Youth (6-18)	$1.10	$36.00	$20.00	$4.50	$1.10
Senior (65+), Disabled and Medicare	$.80	$26.50	$14.50	$3.25	$.80

VINE Route 29 Cash Fares and Passes

	Cash Fare (Ferry)	Cash Fare (BART)	31-Day Pass (Ferry)	31-Day Pass (BART)
Adult (19-64)	$3.25	$5.50	$65.00	$120.00
Youth (6-18)	$3.25	$5.50	$65.00	$120.00
Senior (65+), Disabled and Medicare	$3.25	$5.50	$65.00	$120.00

Appendix 2

C17002: RATIO OF INCOME TO POVERTY LEVEL IN THE PAST 12 MONTHS - Universe: Population for whom poverty status is determined

2009-2013 American Community Survey 5-Year Estimates

	American Canyon city, California	Calistoga city, California	Napa city, California	St. Helena city, California	Yountville city, California
	Estimate	Estimate	Estimate	Estimate	Estimate
Total:	19,607	5,158	76,386	5,788	2,479
Under .50	443	220	3,491	131	80
.50 to .99	1,253	434	5,016	263	53
1.00 to 1.24	683	369	3,902	348	48
1.25 to 1.49	627	132	4,204	265	51
1.50 to 1.84	889	407	5,219	196	135
1.85 to 1.99	330	115	1,988	136	50
2.00 and over	15,382	3,481	52,566	4,449	2,062

Total Households
109,418

Total Under 200%	Percent of Total
31478	29%

DP04: SELECTED HOUSING CHARACTERISTICS
2009-2013 American Community Survey 5-Year Estimates

	American Canyon city, California		Calistoga city, California		Napa city, California		St. Helena city, California		Yountville city, California		Totals	Percent of Total
VEHICLES AVAILABLE	Estimate	Percent	Estimate	Percent	Estimate	Percent	Estimate	Percent	Estimate	Percent		
Occupied housing units	5,594	5,594	2,068	2,068	28,568	28,568	2,648	2,648	1,240	1,240	40118	
No vehicles available	94	1.7%	79	3.8%	1,665	5.8%	204	7.7%	84	6.8%	2126	5%
1 vehicle available	1,334	23.8%	691	33.4%	9,346	32.7%	989	37.3%	606	48.9%		
2 vehicles available	2,125	38.0%	922	44.6%	11,501	40.3%	1,060	40.0%	460	37.1%		
3 or more vehicles available	2,041	36.5%	376	18.2%	6,056	21.2%	395	14.9%	90	7.3%		

DP05: ACS DEMOGRAPHIC AND HOUSING ESTIMATES 2009-2013 American Community Survey 5-Year Estimates

	American Canyon city, California		Calistoga city, California		Napa city, California		St. Helena city, California		Yountville city, California		COMBINED	
HISPANIC OR LATINO AND RACE	Estimate	Percent	Estimate	Percent	Estimate	Percent	Estimate	Percent	Estimate	Percent	Estimate	Percent
Total population	19,656	19,656	5,204	5,204	77,698	77,698	5,862	5,862	2,968	2,968	111388	
Hispanic or Latino (of any race)	5,376	27.4%	2,088	40.1%	29,312	37.7%	1,289	22.0%	389	13.1%	38454	35%
Not Hispanic or Latino	14,280	72.6%	3,116	59.9%	48,386	62.3%	4,573	78.0%	2,579	86.9%	72934	65%
White alone	5,234	26.6%	2,994	57.5%	44,350	57.1%	4,025	68.7%	2,343	78.9%	58946	53%
Black or African American alone	1,487	7.6%	41	0.8%	695	0.9%	51	0.9%	85	2.9%	2359	2%
American Indian and Alaska Native alone	41	0.2%	0	0.0%	307	0.4%	22	0.4%	25	0.8%	395	0%
Asian alone	6,661	33.9%	25	0.5%	1,658	2.1%	219	3.7%	77	2.6%	8640	8%
Native Hawaiian and Other Pacific Islander alone	138	0.7%	29	0.6%	60	0.1%	72	1.2%	0	0.0%	299	0%
Some other race alone	83	0.4%	27	0.5%	34	0.0%	0	0.0%	0	0.0%	144	0%
Two or more races	636	3.2%	0	0.0%	1,282	1.6%	184	3.1%	49	1.7%	2151	2%
Two races including Some other race	55	0.3%	0	0.0%	17	0.0%	10	0.2%	0	0.0%	82	0%
Two races excluding Some other race, and Three or more races	581	3.0%	0	0.0%	1,265	1.6%	174	3.0%	49	1.7%	2069	2%

Appendix 3

Household Size	200% of Poverty Level ($)	Total Households Under
1	$ 23,340.00	63
2	$ 31,460.00	50
3	$ 39,580.00	61
4	$ 47,700.00	45
5	$ 55,820.00	33
6	$ 63,940.00	13
7	$ 72,060.00	10
8+	$ 80,180.00	8
	Total	283
	Total Households Surveyed	2631
	Percent under 200%	11%

January 21, 2015
NCTPA Agenda Item 11.1
Continued From: New
Action Requested: ACCEPT AND FILE

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
Board Agenda Letter

TO: Board of Directors

FROM: Kate Miller, Executive Director

REPORT BY: Antonio Onorato- Program Manager - Finance
(707) 259-8779 / Email: aonorato@nctpa.net

SUBJECT: FY 2013-14 Independent External Fiscal and Single Audit Reports for NCTPA

RECOMMENDATION

That the Napa County Transportation and Planning Agency (NCTPA) Board: (1) Accept and file the FY 2013-14 NCTPA Fiscal Audit and the NCTPA Single Audit Report - OMB Circular A-133; and (2) Return an allocation surplus of $1,534,634 to the County's Local Transportation Trust Fund.

COMMITTEE RECOMMENDATION

None

EXECUTIVE SUMMARY

Brown Armstrong, Certified Public Accountants, has completed the annual financial audit and federal single audit report OMB A-133 for NCTPA for FY 2013-14, which is required by statute.

Attachment 1 is the Statement of Auditing Standards (SAS) 114 management letter to the NCTPA Board of Directors communicating the outcome of the Audit inclusive of any findings. Attachment 2 is the Fiscal Audit Report for the FY June 30, 2014 and 2013. Attachment 3 is the Single Audit Report OMB A-133 section for the year ending June 30, 2014.

No findings or recommendations were identified

PROCEDURAL REQUIREMENTS

1. Staff Report
2. Public Comment
3. Motion, Second, Discussion and Vote

FINANCIAL IMPACT

Is there a fiscal impact? No

Is it Currently Budgeted? Yes

Where is it budgeted? Expenditures are budgeted in Audit and Accounting in the CMA department.

Is it Mandatory or Discretionary? Mandatory

Future Fiscal Impact: No

Consequences if not approved: Future revenues could be withheld. Annual fiscal audits are required by Federal, State, and Local authorities.

CEQA REQUIREMENTS

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (California Environmental Quality Act (CEQA) Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

NCTPA's Audit for FY 2013-14 was prepared by Brown Armstrong, Certified Public Accountants, in accordance with auditing standards generally accepted in the United States. The report includes a Management Discussion and Analysis section, basic financial statements, including government-wide and three separate fund financial statements, notes to the statements, and other required supplementary information. Additionally, Brown Armstrong prepared a separate Single Audit Report for discussing findings of weakness and deficiencies in internal controls. The Audit for the fiscal year ending June 30, 2014 is the seventh audit performed by Brown Armstrong for NCTPA.

NCTPA Financial Activities

NCTPA financial activities are separated into three fund types:

1. **Governmental Fund Type:** This fund type accounts for all of the non-trust, non-transit, non-capital activities of NCTPA - considered the General Fund. It includes Agency administration, pass through activities and planning costs. The Governmental Fund balance as of June 30, 2014 was $863,047, a decrease of $185,583 over the previous fiscal year. These funds are prior year revenues expended in FY 2013-14.

2. **Proprietary Fund Type (or Enterprise Fund)**: This fund accounts for the financial activity of all public transit services and taxi scrip program. At the end of FY 2013-14, the enterprise fund increased assets by $1,329,882, and will return an allocation surplus to the Local Transportation Fund (LTF) trust account of $1,534,634.

3. **Fiduciary Funds (or Expendable Trust Funds)**: This fund type accounts for the Abandoned Vehicles Abatement Authority Trust Fund (AVAA) and the Bay Area Air Quality Management (BAAQMD) Fund. These funds pass through NCTPA to other agencies. NCTPA charges an administration fee to the BAAQMD program of 5%. At the end of FY 2013-14, the Fiduciary Fund Type shows net assets of $663,861 due to the carryover of projects into later years.

Changes in Net Assets

In FY 2013-14, NCTPA net assets, governmental and business type combined, increased by $1,329,882 or 4.7%. The proprietary fund (public transit) added net assets for the year due to capital investments of six (6) buses, new farebox equipment, and new transit related equipment.

Farebox Ratio

The auditors validate the farebox ratio for the services and ascertain compliance with the Transportation Development Act (TDA) statute, which mandates a minimum farebox recovery ratio. Transit agencies are given a grace period if they are out of compliance with the farebox ratio requirement. Penalties may apply to transit services that are unable to meet the requirement after one year.

VINE Transit including regional Route 10 and American Canyon Transit are required to make a 16% farebox recovery. The actual farebox recovery ratio was 15.13%. For a second consecutive year, Napa Vine has experienced farebox recovery challenges and was not in compliance with the minimum farebox ratio required for Article 4 transit operations for the Napa urbanized area.

The 16% farebox recovery ratio for the VINE was adopted 26 years ago in 1989 when transit services were provided by the City of Napa. The 16% ratio is dated and doesn't align with the Transportation Development Act (TDA) statute of 15% for the service profile of Napa VINE. NCTPA has been working with Metropolitan Transportation Commission (MTC) staff on a correction action plan to bring Napa Vine back into compliance with the TDA statue and if approved by MTC will forward a Resolution of findings to the NCTPA Board of Director's formalizing a farebox recovery ratio of 15%, which aligns with the current statute.

The combined Article 8 services, including VINE Go, the Yountville Shuttle, the Calistoga HandyVan, the St. Helena VINE Shuttle and the Taxi Scrip Program are required to make 10% and achieved a 11.56% ratio.

Findings

Financial: There were no financial findings in the FY 2013-14 audit.

Federal Award Findings and Questioned Costs: There were no findings in the FY 2013-14 audit.

Material Weakness: No material weaknesses were noted in FY 2013-14.

The complete audits are available on request and will be distributed to Board members at the meeting. The financial audit and single audit will also be available on NCTPA's website.

Recommendations: There were no recommendations noted in FY 2013-14.

SUPPORTING DOCUMENTS

Attachments:
(1) Brown Armstrong CPA Letter to NCTPA's Board of Directors dated December 29, 2014
(2) NCTPA Audit Report for Fiscal Years Ended June 30, 2014 and 2013
(3) NCTPA Single Audit Report for Fiscal Years Ended June 30, 2014 and 2013

NOTE: The audit reports are provided in Board Member packets only. Copies are available for review on the NCTPA website at http://www.nctpa.net/agendas-minutes/12 and at the NCTPA office, 625 Burnell Street Napa CA.

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REGISTERED with the Public Company Accounting Oversight Board and MEMBER of the American Institute of Certified Public Accountants

BROWN ARMSTRONG
Certified Public Accountants

To the Board of Directors
Napa County Transportation and Planning Agency

We have audited the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of Napa County Transportation and Planning Agency (NCTPA) for the year ended June 30, 2014. Professional standards require that we provide you with information about our responsibilities under auditing standards generally accepted in the United States of America, *Government Auditing Standards* and OMB Circular A-133, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated June 24, 2014. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Findings

Qualitative Aspects of Accounting Practices
Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by NCTPA are described in Note 1 to the financial statements. During the year ended June 30, 2014, NCTPA implemented Governmental Accounting Standards board (GASB) Statement Nos. 65, 66, 67, and 70. Additional information on these statements is described in Note 1 to the financial statements. We noted no transactions entered into by NCTPA during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimate affecting financial statements was:

> Management's estimate of the Postemployment Benefits Other than pensions (OPEB) is based on the most recent actuarial study prepared as of June 30, 2014. We evaluated the key factors and assumptions used to develop the Annual OPEB cost in determining that it is reasonable in relation to the financial statements taken as a whole.

The financial statement disclosures are neutral, consistent, and clear.

Difficulties Encountered in Performing the Audit
We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements
Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. Management has corrected all such misstatements. In addition, none of the misstatements detected as a result of audit procedures and corrected by management were material, either individually or in the aggregate, to each opinion unit's financial statements taken as a whole.

Disagreements with Management
For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations
We have requested certain representations from management that are included in the management representation letter dated December 29, 2014.

Management Consultations with Other Independent Accountants
In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to NCTPA's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues
We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as NCTPA's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

Other Matters

We applied certain limited procedures to the 'Schedules or Revenues, Expenditures, and Changes in Fund Balance – Budgeted and Actual – Governmental Fund – Planning Fund' and the 'Schedule of Funding Progress – Other Postemployment Benefits', which are required supplementary information (RSI) that supplements the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the RSI and do not express an opinion or provide any assurance on the RSI.

We were engaged to report on the 'Combining Statement of Fiduciary Net Position – Private Purpose Trust Funds', the 'Combining Statement of Changes in Fiduciary Net Position – Private Purpose Trust Funds', and the 'Statement of Revenues, Expenditures, and Changes in Fund Net Position – Private Purpose Trust Funds', which accompany the financial statements but are not RSI. With respect to this supplementary information, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

Restriction on Use

This information is intended solely for the use of Board of Directors and management of NCTPA and is not intended to be, and should not be, used by anyone other than these specified parties.

BROWN ARMSTRONG
ACCOUNTANCY CORPORATION

Brown Armstrong
Accountancy Corporation

Bakersfield, California
December 29, 2014

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY

AUDIT REPORT

FOR THE FISCAL YEARS ENDED JUNE 30, 2014 AND 2013

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
JUNE 30, 2014 AND 2013

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BROWN ARMSTRONG
Certified Public Accountants

INDEPENDENT AUDITOR'S REPORT

To the Honorable Members
of the Board of Directors
Napa County Transportation and Planning Agency
Napa, California

Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of Napa County Transportation and Planning Agency (NCTPA), as of and for the years ended June 30, 2014 and 2013, and the related notes to the financial statements, which collectively comprise the NCTPA's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audits to obtain reasonable assurance about whether the financial statements are free of material misstatement.

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to NCTPA's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of NCTPA's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of NCTPA as of June 30, 2014 and 2013, and the respective changes in financial position and, where applicable, cash flows thereof for the years then ended in conformity with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis, budgetary comparison information, and the schedule of funding progress on pages 4 through 8, 43 through 44, and 45, respectively, be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board (GASB), which considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise NCTPA's basic financial statements. The combining and individual nonmajor fund financial statements are presented for purposes of additional analysis and are not a required part of the financial statements.

The combining and individual nonmajor fund financial statements as well as the statement of revenues, expenses, and changes in fund net position enterprise fund – transit related by operation are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the combining and individual nonmajor fund financial statements are fairly stated in all material respects in relation to the basic financial statements taken as a whole.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated December 29, 2014, on our consideration of the NCTPA's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering NCTPA's internal control over financial reporting and compliance.

BROWN ARMSTRONG
ACCOUNTANCY CORPORATION

Brown Armstrong
Accountancy Corporation

Bakersfield, California
December 29, 2014

MANAGEMENT'S DISCUSSION AND ANALYSIS

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
MANAGEMENT'S DISCUSSION AND ANALYSIS
FOR THE YEARS ENDED JUNE 30, 2014 AND 2013

This section of the Napa County Transportation and Planning Agency's (NCTPA) annual financial report presents our discussion and analysis of NCTPA's financial performance during the years that ended on June 30, 2014 and 2013. It should be read in conjunction with the basic financial statements contained in the independent auditor's report.

Financial Highlights

- At the close of the fiscal year 2013-2014, total assets of NCTPA exceeded liabilities by $25,621,674. Of this amount, $23,349,107 is the net investment in capital assets. The remaining $2,272,567 represents unrestricted Net Position.

- As of June 30, 2014, NCTPA's governmental fund reported an ending fund balance of $761,396 or 24.18% of total governmental fund expenditures.

- Capital contributions in the form of grants from the Federal and State governments decreased from $7,498,113 in fiscal year 2012-2013 to $3,212,376 in fiscal year 2013-2014 due the procurement of eighty-five (85) new fareboxes and related equipment, six (6) new clean diesel buses, and transit related equipment in the fiscal year 2013.

- NCTPA embarked on several ambitious strategic plans for Napa County. The most notable are:

  - Napa Travel Behavior Study: The survey will help identify how many trips are associated with visitors, employees, and students, where those trips begin and end, the predominant modes of travel, vehicle occupancies, and times of day/week that have the heaviest traffic volumes. The outcome of the report will assist NCTPA with decision support tools in the transportation planning process.

  - Countywide Plan: The strategic plan is a region-wide process to assist in identifying transportation investments that will best serve Napa communities, leverage potential revenue sources with existing funding, place the local road maintenance tax expenditure plan into context of other potential sources, and contribute to the Regional Transportation Plan.

- Significant investments were made in VINE Transit by adding service, increasing frequency, enhancing connectivity and transferability, and improved on-time performance resulting in a passenger increase of 33% over the previous year and the highest ridership in ten (10) years. As a result, farebox revenue also increased 26% over the previous year.

- The Agency continues to improve operation performance, compliance and accountability during fiscal year 2013-2014 by making investments in professional management, fiscal controls, and accounting.

Overview of the Financial Statements

This annual report consists of three (3) parts – management's discussion and analysis (this section), the basic financial statements, and required supplementary information. The basic financial statements include two kinds of statements that present different views of NCTPA's financial position and activity.

- The first two statements are *government-wide* financial statements that provide both *long-term* and *short-term* information about NCTPA's overall financial status.

- The remaining statements are *fund* financial statements that focus on individual parts of NCTPA's organization. These statements report NCTPA's financial position and activity.

The financial statement also includes notes that explain some of the information in the financial statements and provide more detailed data. The financial statements are followed by a section of *required supplementary information* that includes budgetary comparison information for NCTPA's governmental fund.

Government-Wide Financial Statements

The government-wide financial statements report information about NCTPA as a whole using accounting methods similar to those used by private-sector companies. The Statement of Net Position includes all of NCTPA's assets and liabilities including long-term debt. All of the current year's revenues and expenses are accounted for in the Statement of Activities regardless of when cash is received or paid.

The two government-wide financial statements report NCTPA's Net Position and how they have changed. Net Position – the difference between NCTPA's assets and liabilities – is one way to measure NCTPA's financial health, or position. Over time, increases or decreases in NCTPA's Net Position are indicators of whether its financial health is improving or deteriorating, respectively.

Fund Financial Statements

The fund financial statements provide a detailed short-term view and do not include information related to NCTPA's long-term liabilities. Additional information is provided on separate schedules that reconcile the differences between the government-wide financial statements and the fund financial statements.

Financial Analysis of NCTPA

Net Position

The governmental activities Net Position decreased by $185,583. The business type activities Net Position increased $1,329,882 due to new capital investments in the form of six (6) new clean diesel public transit vehicles, eighty-five (85) new fareboxes and related ancillary transit equipment. The result is an overall increase in Net Position of $1,144,299 or 4.7%.

The following schedule is a summary of NCTPA's Statement of Net Position:

	As of June 30, 2014			As of June 30, 2013			As of June 30, 2012		
	Governmental Activities	Business-Type Activities	Total	Governmental Activities	Business-Type Activities	Total	Governmental Activities	Business-Type Activities	Total
Current and other assets	$ 979,498	$ 4,840,850	$ 5,820,348	$ 1,290,618	$ 7,644,136	$ 8,934,754	$ 1,235,019	$ 3,845,765	$ 5,080,784
Capital assets	142,614	23,206,493	23,349,107	184,214	22,305,956	22,490,170	6,495	13,404,699	13,411,194
Total assets	1,122,112	28,047,343	29,169,455	1,474,832	29,950,092	31,424,924	1,241,514	17,250,464	18,491,978
Current and other liabilities	259,065	3,288,716	3,547,781	426,202	6,521,347	6,947,549	191,093	2,932,167	3,123,260
Total liabilities	259,065	3,288,716	3,547,781	426,202	6,521,347	6,947,549	191,093	2,932,167	3,123,260
Net Position:									
Net investment in capital assets	142,614	23,206,493	23,349,107	184,214	22,305,956	22,490,170	6,495	13,404,699	13,411,194
Unrestricted Net Position	720,433	1,552,134	2,272,567	864,416	1,122,789	1,987,205	1,043,926	913,598	1,957,524
Total Net Position	$ 863,047	$ 24,758,627	$ 25,621,674	$ 1,048,630	$ 23,428,745	$ 24,477,375	$ 1,050,421	$ 14,318,297	$ 15,368,718

Changes in Net Position

A summary of NCTPA's Statement of Activities, recapping NCTPA's revenues earned during the fiscal years ended June 30, 2014, 2013, and 2012, and the expenses incurred are as follows:

	As of June 30, 2014			As of June 30, 2013			As of June 30, 2012		
	Governmental Activities	Business-Type Activities	Total	Governmental Activities	Business-Type Activities	Total	Governmental Activities	Business-Type Activities	Total
Revenues:									
Program revenues:									
Fees, fines, and charges for services	$ -	$ 1,214,077	$ 1,214,077	$ -	$ 966,429	$ 966,429	$ -	$ 1,088,876	$ 1,088,876
Operating grants and contributions	2,834,306	8,667,093	11,501,399	2,281,030	10,487,025	12,768,055	2,193,893	8,533,295	10,727,188
Capital grants and contributions	-	3,212,376	3,212,376	-	7,498,113	7,498,113	-	2,683,432	2,683,432
General revenues:									
Unrestricted interest and investment earnings	4,200	17,339	21,539	4,619	15,820	20,439	6,251	13,255	19,506
Miscellaneous	133,832	(372,870)	(239,038)	29,620	-	29,620	122,194	99	122,293
Total revenues	2,972,338	12,738,015	15,710,353	2,315,269	18,967,387	21,282,656	2,322,338	12,318,957	14,641,295
Expenses:									
Transportation planning	3,157,921	-	3,157,921	2,317,060	-	2,317,060	1,766,948	-	1,766,948
Transit	-	11,408,133	11,408,133	-	9,856,939	9,856,939	-	8,225,424	8,225,424
Total expenses	3,157,921	11,408,133	14,566,054	2,317,060	9,856,939	12,173,999	1,766,948	8,225,424	9,992,372
Change in Net Position	(185,583)	1,329,882	1,144,299	(1,791)	9,110,448	9,108,657	555,390	4,093,533	4,648,923
Net Position, beginning	1,048,630	23,428,745	24,477,375	1,050,421	14,318,297	15,368,718	495,031	10,224,764	10,719,795
Net Position, ending	$ 863,047	$ 24,758,627	$ 25,621,674	$ 1,048,630	$ 23,428,745	$ 24,477,375	$ 1,050,421	$ 14,318,297	$ 15,368,718

Governmental Activities

NCTPA's governmental activities financial reports capture the financial information for NCTPA's administration, transportation planning, coordination of transportation and land use in the region, and programming of regional funding activities.

Governmental activity expenses increased from $2,317,060 in fiscal year 2012-2013 to $3,157,921 in fiscal year 2013-2014, a difference of $840,861 or 36.29%. The increase is attributable to increased costs associated with:

1. Administration Costs

   An increase in spending on special studies and reports, building maintenance, insurance, and office expenses by $444,400, offset by decreases in spending for communications, rents and leases, and transportation by $40,518.

2. Salary and Benefits

   An increase in spending on salary and benefits for the Congestion Management Agency by $177,424. The increase in costs is due to a reduction of personnel charges to the public transit fund over the previous year.

Governmental activities are supported by a variety of funding sources which include:

- Federal Highway Administration (FHWA) Funds
- Federal Transit Administration (FTA) Funds
- State Programming, Planning and Monitoring Funds
- Transportation Development Act (TDA) Funds
- Local Support from Member Agencies
- Various Special and One-Time Grants

The Metropolitan Transportation Commission (MTC) provides NCTPA with FHWA funds to support regional transportation planning and programming and to support the coordination of transportation and land use activities throughout the Napa County. In fiscal year 2013-2014, the level of this funding was $658,000.

TDA funds derive from ¼ cent of the local sales tax collected. TDA funds are used to support transit planning, administration and the Paratransit Coordinating Council. TDA funds which are not spent within the year must either be returned to the Napa County Local Transportation Fund (LTF (trust account for TDA)) or designated as advances for a specific project. Funds returned to the LTF become available to NCTPA again in the fiscal year following their return. The LTF is not a fund under the control of the NCTPA; it is administered by the MTC through the Napa County Auditor-Controller.

Local funds which are provided by the member agencies are unrestricted and may be placed in Net Position balance if not used in the fiscal year they are collected. Currently, the NCTPA has a net fund balance of $761,396 which is held in reserve for future regional planning projects or necessary administrative costs.

Business-Type Activities

NCTPA's Business-Type Activities encompass the financial reports for public transit services provided by NCTPA including the VINE (fixed route transit), Vine Go (complimentary Americans with Disabilities Act (ADA) required paratransit service), American Canyon Transit (fixed deviated transit), the Yountville Trolley (fixed deviated transit), the St. Helena Shuttle (fixed deviated transit), the Calistoga Shuttle (dial-a-ride transit), and the Taxi Scrip program.

Business-type activity expenses increased considerably from $9,856,939 in fiscal year 2012-2013 to $11,408,133 in fiscal year 2013-2014 which is an overall increase of 15.74%. The significant growth is accounted for by VINE Transit's service expansion of hours which increased vehicle fuel costs, purchased transportation services costs, administrative cost for supplies, rents and leases, marketing, vehicle maintenance, security, and general planning and administration.

Transit operating expenses are supported by a variety of funding sources which include:

- TDA funds
- FTA funds
- Fare Revenues collected
- Various grants and contributions

Any TDA operating revenue received which is not spent on transit operations is returned to the LTF as described in the Governmental Activities section. As a result, there is no fund balance or reserve set aside for transit operations.

BUDGETARY HIGHLIGHTS

NCTPA adopts an annual operating budget that includes proposed expenditures and the means of financing them. NCTPA's budget is adopted by the Board of Directors (the Board) before June 30th of each year. Subsequent increases or decreases to the original budget must be approved by the Board. Page 44 provides a budget to actual comparison of the Governmental Fund.

For NCTPA's Governmental Fund, the budget for revenues was $4,729,700 and for expenditures was $4,729,700. When comparing actual expenditures and revenue to the final budget, NCTPA was within budget.

CAPITAL ASSETS

The governmental activities financial statements list capital assets at $142,614 and unrestricted Net Position at $720,433. Capital assets in total are composed of one vehicle for agency use and office furniture located at NCTPA's administrative headquarters at the Soscol Gateway Transit Center.

The business-type activities financial statements list capital assets at $23,206,493 and unrestricted Net Position at $1,582,499. Capital assets in total are predominantly made up of buses and other transit related equipment as well as the Soscol Gateway Transit Center. Construction of the transit center began in November 2011 and placed into service on December 3rd, 2012. Unrestricted Net Position primarily represents the dollar amount to maintain the VINE fleet.

Major additions during the year included purchases of eighty-five (85) new fareboxes and related equipment, six (6) clean diesel public transit vehicles, and maintenance yard equipment.

For additional information on the NCTPA's capital assets and capital asset activity, please refer to Note 4 in the notes to the financial statements.

DEBT ADMINISTRATION

As of June 30, 2014, NCTPA had a long-term liability for compensated absences in the amount of $40,963. For additional information on the NCTPA's long-term liability activity, please refer to Note 5 in the notes to the financial statements.

CONTACTING NCTPA

This financial report is designed to provide citizens, taxpayers, investors and creditors with a general overview of NCTPA's finances and to demonstrate NCTPA's accountability for the money it receives. For questions about this report or any additional information needed, contact the NCTPA's administrative headquarters at 625 Burnell Street, Napa, California 94559-3420.

BASIC FINANCIAL STATEMENTS –
GOVERNMENT-WIDE FINANCIAL STATEMENTS

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
STATEMENT OF NET POSITION
JUNE 30, 2014

	Primary Government		
	Governmental Activities	Business-Type Activities	Totals
ASSETS			
Cash and Investments in County Treasury	$ 586,725	$ 1,757,893	$ 2,344,618
Imprest Cash	500	-	500
Due from Other Government Agencies	353,406	2,518,526	2,871,932
Prepaid Expenses	38,867	149,864	188,731
Inventory	-	414,567	414,567
Capital Assets, Net of Accumulated Depreciation	142,614	23,206,493	23,349,107
Total Assets	$ 1,122,112	$ 28,047,343	$ 29,169,455
LIABILITIES			
Accounts Payable	$ 156,160	$ 1,308,101	$ 1,464,261
Accrued Salaries	61,942	-	61,942
Unearned Revenue	-	445,981	445,981
Due to Other Government Agencies	-	1,534,634	1,534,634
Compensated Absences	40,963	-	40,963
Total Liabilities	259,065	3,288,716	3,547,781
NET POSITION			
Net Investment in Capital Assets	142,614	23,206,493	23,349,107
Unrestricted	720,433	1,552,134	2,272,567
Total Net Position	863,047	24,758,627	25,621,674
Total Liabilities and Net Position	$ 1,122,112	$ 28,047,343	$ 29,169,455

The accompanying notes are an integral part of these financial statements.

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
STATEMENT OF NET POSITION
JUNE 30, 2013

	Primary Government		
	Governmental Activities	Business-Type Activities	Totals
ASSETS			
Cash and Investments in County Treasury	$ 620,170	$ 2,912,589	$ 3,532,759
Imprest Cash	500	-	500
Grants Receivable	250,226	1,685,905	1,936,131
Due from Other Government Agencies	375,558	2,523,240	2,898,798
Prepaid Expenses	44,164	146,977	191,141
Inventory	-	375,425	375,425
Capital Assets:			
Land	-	1,353,692	1,353,692
Construction in Progress	-	1,221,645	1,221,645
Capital Assets, Net of Accumulated Depreciation	184,214	19,730,619	19,914,833
Total Assets	$ 1,474,832	$ 29,950,092	$ 31,424,924
LIABILITIES			
Accounts Payable	$ 277,242	$ 2,402,456	$ 2,679,698
Accrued Salaries	75,182	-	75,182
Unearned Revenues	-	601,784	601,784
Due to Other Government Agencies	-	3,517,107	3,517,107
Compensated Absences	73,778	-	73,778
Total Liabilities	426,202	6,521,347	6,947,549
NET POSITION			
Net Investment in Capital Assets	184,214	22,305,956	22,490,170
Unrestricted	864,416	1,122,789	1,987,205
Total Net Position	1,048,630	23,428,745	24,477,375
Total Liabilities and Net Position	$ 1,474,832	$ 29,950,092	$ 31,424,924

The accompanying notes are an integral part of these financial statements.

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED JUNE 30, 2014

		Program Revenues			Net (Expense) Revenue and Changes in Net Position		
Functions/Programs	Expenses	Fees, Fines, and Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	Governmental Activities	Business-Type Activities	Total
Primary Government:							
Governmental Activities							
Transportation Planning	$ 3,157,921	$ -	$ 2,834,306	$ -	$ (323,615)	$ -	$ (323,615)
Business-Type Activities:							
Transit	11,408,133	1,214,077	8,667,093	3,212,376	-	1,685,413	1,685,413
Total Primary Government	$ 14,566,054	$ 1,214,077	$ 11,501,399	$ 3,212,376	(323,615)	1,685,413	1,361,798
		General Revenues					
		Unrestricted Interest and Investment Earnings			4,200	17,339	21,539
		Miscellaneous			133,832	(372,870)	(239,038)
		Change in Net Position			(185,583)	1,329,882	1,144,299
		Net Position July 1, 2013			1,048,630	23,428,745	24,477,375
		Net Position June 30, 2014			$ 863,047	$ 24,758,627	$ 25,621,674

The accompanying notes are an integral part of these financial statements.

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED JUNE 30, 2013

		Program Revenues			Net (Expense) Revenue and Changes in Net Position		
Functions/Programs	Expenses	Fees, Fines, and Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	Governmental Activities	Business-Type Activities	Total
Primary Government:							
Governmental Activities							
Transportation Planning	$ 2,317,060	$ -	$ 2,281,030	$ -	$ (36,030)	$ -	$ (36,030)
Business-Type Activities:							
Transit	9,856,939	966,429	10,487,025	7,498,113	-	9,094,628	9,094,628
Total Primary Government	$ 12,173,999	$ 966,429	$ 12,768,055	$ 7,498,113	(36,030)	9,094,628	9,058,598
		General Revenues					
		Unrestricted Interest and Investment Earnings			4,619	15,820	20,439
		Miscellaneous			29,620	-	29,620
		Change in Net Position			(1,791)	9,110,448	9,108,657
		Net Position July 1, 2012			1,050,421	14,318,297	15,368,718
		Net Position June 30, 2013			$ 1,048,630	$ 23,428,745	$ 24,477,375

The accompanying notes are an integral part of these financial statements.

FUND FINANCIAL STATEMENTS

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
BALANCE SHEETS
PLANNING FUND
JUNE 30, 2014 AND 2013

	2014	2013
ASSETS		
Current Assets		
Cash and Investments in County Treasury	$ 586,725	$ 620,170
Imprest Cash	500	500
Grants Receivable	334,590	375,558
Due from Other Government Agencies	18,816	250,226
Prepaid Expenses	38,867	44,164
Total Current Assets	979,498	1,290,618
Total Assets	$ 979,498	$ 1,290,618
LIABILITIES		
Current Liabilities		
Accounts Payable	$ 156,160	$ 277,242
Accrued Salaries and Benefits	61,942	75,182
Total Current Liabilities	218,102	352,424
Total Liabilities	218,102	352,424
FUND BALANCE		
Unassigned	761,396	938,194
Total Fund Balance	761,396	938,194
Total Liabilities and Fund Balance	$ 979,498	$ 1,290,618

The accompanying notes are an integral part of these financial statements.

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
RECONCILIATION OF THE PLANNING FUND
BALANCE SHEETS TO THE STATEMENTS OF NET POSITION
JUNE 30, 2014 AND 2013

	2014	2013
Total Fund Balance - Governmental Fund	$ 761,396	$ 938,194
Amounts Reported for Governmental Activities in the Statement of Net Position are different because:		
Capital Assets used in governmental activities are not financial resources and, therefore, are deferred in the funds. The cost of assets were $224,813 and $224,814 and the accumulated depreciation was $40,600 and $82,060 at June 30, 2014 and 2013, respectively.	142,614	184,214
Compensated Absence Liability is not reported in the Governmental Fund.	(40,963)	(73,778)
Total Net Position - Governmental Activities	$ 863,047	$ 1,048,630

The accompanying notes are an integral part of these financial statements.

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
STATEMENTS OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCE
PLANNING FUND
FOR THE YEARS ENDED JUNE 30, 2014 AND 2013

	2014	2013
Revenues		
Local Transportation Fund Allocation	$ 1,085,900	$ 746,300
Federal Highway Allocations	1,338,550	825,594
Programming Planning and Monitoring	222,660	363,324
Other Grants	94,478	46,858
Local Support	92,718	298,954
Interest	4,200	4,619
Other Revenues	133,832	29,620
Total Revenues	2,972,338	2,315,269
Expenditures		
Communications	9,119	10,023
Insurance	38,090	27,871
Office Expense	42,982	24,549
Rents and Leases	8,007	44,733
Transportation	8,263	11,151
Salary and Benefits	1,290,483	1,113,059
Miscellaneous Expense	160,421	84,234
Professional Services	1,591,771	1,147,371
Total Expenditures	3,149,136	2,462,991
Net Change in Fund Balance	(176,798)	(147,722)
Fund Balance, Beginning of Year	938,194	1,085,916
Fund Balance, End of Year	$ 761,396	$ 938,194

The accompanying notes are an integral part of these financial statements.

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
RECONCILIATION OF THE STATEMENTS OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE OF THE PLANNING FUND TO THE GOVERNMENT-WIDE STATEMENT OF ACTIVITIES – GOVERNMENTAL ACTIVITIES
FOR THE YEARS ENDED JUNE 30, 2014 AND 2013

	2014	2013
Net Change in Fund Balance - Governmental General Fund	$ (176,798)	$ (147,722)
Amounts reported for governmental activities in the Statement of Activities are different because:		
Capital outlays are reported in governmental funds as expenditures. However, in the Statement of Activities, the cost of those assets is allocated over their estimated useful lives as depreciation expense. This is the amount by which capital outlay exceeded depreciation in the current period.	(41,600)	177,719
In the Statement of Activities, compensated absences are measured by the amounts earned during the year. In the Governmental Fund, however, expenditures for these items are measured by the amount of financial resources used (essentially the amounts paid). The difference between the amounts earned and benefits paid was:	32,815	(31,788)
Total Change in Net Position - Governmental Activities	$ (185,583)	$ (1,791)

The accompanying notes are an integral part of these financial statements.

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
STATEMENTS OF FUND NET POSITION
TRANSIT FUND
JUNE 30, 2014 AND 2013

	2014	2013
ASSETS		
Current Assets		
Cash and Investments in County Treasury	$ 1,757,893	$ 2,912,589
Grants Receivable	2,184,317	2,523,240
Due from Other Government Agencies	334,209	1,685,905
Prepaid Expenses	149,864	146,977
Inventory	414,567	375,425
Total Current Assets	4,840,850	7,644,136
Noncurrent Assets		
Land	1,353,692	1,353,692
Capital Assets, Net of Accumulated Depreciation	21,852,801	20,952,264
Total Noncurrent Assets	23,206,493	22,305,956
Total Assets	$ 28,047,343	$ 29,950,092
LIABILITIES		
Current Liabilities		
Accounts Payable	$ 1,308,101	$ 2,402,456
Unearned Revenue	445,981	601,784
Due to Other Government Agencies	1,534,634	3,517,107
Total Current Liabilities	3,288,716	6,521,347
Total Liabilities	3,288,716	6,521,347
NET POSITION		
Net Investment in Capital Assets	23,206,493	22,305,956
Unrestricted	1,552,134	1,122,789
Total Net Position	24,758,627	23,428,745
Total Liabilities and Net Position	$ 28,047,343	$ 29,950,092

The accompanying notes are an integral part of these financial statements.

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
STATEMENTS OF REVENUES, EXPENSES,
AND CHANGES IN FUND NET POSITION
TRANSIT FUND
FOR THE YEARS ENDED JUNE 30, 2014 AND 2013

	2014	2013
Operating Revenues		
Farebox Revenues	$ 1,214,077	$ 966,429
Total Operating Revenues	1,214,077	966,429
Operating Expenses		
Marketing	190,754	234,967
Vehicle Maintenance	23,224	81,600
Other Maintenance	34,029	173,302
Fuel and Lubricants	1,379,143	1,275,667
Insurance	324,975	21,598
Planning and Administration	-	4,691
Security	10,126	16,954
Services	53,119	69,334
Supplies	51,777	53,179
Purchased Transportation	7,226,025	6,319,666
Rents and Leases	24,000	44,653
Utilities	10,318	3,611
Miscellaneous	10,903	13,354
Depreciation	1,850,138	1,210,769
Personnel Costs	219,602	333,594
Total Operating Expenses	11,408,133	9,856,939
Operating Loss	(10,194,056)	(8,890,510)
Nonoperating Revenue, Net		
Local Transportation Funds	6,763,066	7,152,784
Loss: Returned Local Transportation Fund Allocations	(1,534,634)	(3,517,107)
State Transit Assistance	1,070,766	1,240,123
Federal Transit Assistance - Operating	1,977,895	1,830,151
Other Federal Grants	-	373,239
Other Operating Grants	390,000	3,407,835
Interest Income	17,339	15,820
Loss from Disposal of Property	(372,870)	-
Total Nonoperating Revenue, Net	8,311,562	10,502,845
Change in Net Position Before Contributions	(1,882,494)	1,612,335
Capital Contributions		
Federal Transit Assistance	2,132,992	2,599,127
Other Capital	196,900	1,013,172
Local Transportation Funds	882,484	3,885,814
Total Capital Contributions	3,212,376	7,498,113
Change in Net Position	1,329,882	9,110,448
Net Position, Beginning of Year	23,428,745	14,318,297
Net Position, End of Year	$ 24,758,627	$ 23,428,745

The accompanying notes are an integral part of these financial statements.

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
STATEMENTS OF CASH FLOWS
TRANSIT FUND
FOR THE YEARS ENDED JUNE 30, 2014 AND 2013

	2014	2013
CASH FLOWS FROM OPERATING ACTIVITIES:		
Cash Received from Passengers	$ 1,214,077	$ 966,429
Cash Payments for General and Administrative Expenses	(831,552)	(713,247)
Cash Payments to Suppliers for Operations	(10,018,630)	(6,352,412)
Net Cash Used in Operating Activities	(9,636,105)	(6,099,230)
CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES:		
Local Transportation Fund	3,227,874	5,941,158
Federal Operating Grants	2,352,249	996,780
State Transit Assistance	1,106,517	1,217,785
Other Federal Grants	-	373,239
Other Operating Grants	1,802,444	1,992,906
Other Revenues	(486,715)	(3,091)
Net Cash Provided by Noncapital Financing Activities	8,002,369	10,518,777
CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES:		
Proceeds From Sale of Property and Equipment	51,048	-
Capital Contributions	3,212,376	7,498,113
Payments for the acquisition of Capital Assets	(3,174,593)	(10,112,026)
Gain on Sale of Property and Equipment	372,870	-
Net Cash Provided (Used) in Capital and Related Financing Activities	461,701	(2,613,913)
CASH FLOWS FROM INVESTING ACTIVITIES:		
Interest Received	17,339	15,820
Net Increase (Decrease) in Cash and Investments in County Treasury	(1,154,696)	1,821,454
Cash and Investments in County Treasury at Beginning of Year	2,912,589	1,091,135
Cash and Investments in County Treasury at End of Year	$ 1,757,893	$ 2,912,589
RECONCILIATION OF OPERATING LOSS TO NET CASH PROVIDED BY OPERATING ACTIVITIES:		
Operating Loss	$ (10,194,056)	$ (8,890,510)
Adjustments to Reconcile Net Operating Loss to Net Cash Used in Operating Activities:		
Depreciation	1,850,138	1,210,769
Changes in Assets and Liabilities:		
(Increase) in Inventory	(39,142)	(26,536)
(Increase) Decrease in Unearned Revenue	(155,803)	342,071
Increase in Prepaid Expenses	(2,887)	(139,190)
(Increase) Decrease in Accounts Payable and Accrued Expenses	(1,094,355)	1,404,166
Net Cash Used in Operating Activities	$ (9,636,105)	$ (6,099,230)

The accompanying notes are an integral part of these financial statements.

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
STATEMENTS OF FIDUCIARY NET POSITION
FIDUCIARY FUNDS
JUNE 30, 2014 AND 2013

	2014	2013
ASSETS		
Current Assets		
Cash and Investments in County Treasury	$ 541,088	$ 545,236
Due from Other Government Agencies	122,773	98,759
Total Current Assets	663,861	643,995
Total Assets	$ 663,861	$ 643,995
LIABILITIES		
Current Liabilities		
Accounts Payable	$ 17,477	$ 67,340
Due to Other Governments	-	100,026
Total Current Liabilities	17,477	167,366
Total Liabilities	17,477	167,366
NET POSITION		
Net Position Held in Trust for Other Purposes	646,384	476,629
Total Net Position	646,384	476,629
Total Liabilities and Net Position	$ 663,861	$ 643,995

The accompanying notes are an integral part of these financial statements.

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
STATEMENTS OF CHANGES IN FIDUCIARY NET POSITION
FIDUCIARY FUNDS
FOR THE YEARS ENDED JUNE 30, 2014 AND 2013

	2014	2013
ADDITIONS		
Aid from Other Governmental Agencies	$ 351,596	$ 321,813
Interest Income	2,022	3,063
Total Additions	353,618	324,876
DEDUCTIONS		
Program Expenses	183,863	665,051
Total Deductions	183,863	665,051
CHANGE IN NET POSITION	169,755	(340,175)
Net Position, Beginning of Year	476,629	816,804
Net Position, End of Year	$ 646,384	$ 476,629

The accompanying notes are an integral part of these financial statements.

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

A. Reporting Entity

Napa County Transportation and Planning Agency (NCTPA), formerly known as the Napa County Congestion Management Agency, was formed on September 3, 1991, under a Joint Powers Agreement to provide coordinated, continuous and comprehensive transportation planning for the County of Napa (the County) and the cities of the County. NCTPA consists of six member agencies with the voting power of each in parenthesis; the Cities of American Canyon (2), Calistoga (2), Napa (10), St. Helena (2), the Town of Yountville (2), and the County (4).

The work program for the activities of the NCTPA is defined by the Board of Directors (the Board) made up of elected officials from the respective member agencies and a member of the Paratransit Coordinating Council (PCC). The PCC member is ex-officio and does not have a vote.

The NCTPA was formed to serve as the countywide transportation planning body for the incorporated and unincorporated areas of the County. NCTPA is charged with coordinating short and long-term planning and funding within an intermodal policy framework in the areas of highways, streets and roads, transit and paratransit, and bicycle improvements.

NCTPA's Joint Powers Agreement was amended effective January 1, 2001, to facilitate the consolidation of transit planning and to allow transfer of Transportation Development Act (TDA) funds directly to NCTPA as claimant for transit use to the extent allowed by TDA regulations. The amendment enables NCTPA to claim all TDA funds under Articles 4, 4.5 and/or 8 of Chapter 4 of the Public Utilities Code apportioned within the County by the Metropolitan Transportation Commission. NCTPA is authorized to claim all apportionments to transit services on behalf of the jurisdictions of the County. In January 2007, the agreement was amended further to change NCTPA's name from Napa County Transportation Planning Agency to Napa County Transportation and Planning Agency. Voting powers were also amended.

Beginning July 1, 2001, NCTPA began administering all transit-related activities on behalf of the Cities of Calistoga, Napa, St. Helena, the Town of Yountville, and the County. The City of American Canyon receives funding from NCTPA for American Canyon Transit (ACT). Until June 30, 2006, American Canyon administered ACT directly. Effective July 1, 2006, the NCTPA assumed direct management of ACT.

B. Basis of Presentation

The financial statements of the NCTPA are prepared in accordance with accounting principles generally accepted in the United States of America.

Government-Wide Financial Statements

The Statement of Net Position and Statement of Activities display information about the primary government (NCTPA). These statements include the financial activities of the overall government, except for fiduciary activities. Eliminations have been made to minimize the double counting of internal activities. These statements distinguish between the *governmental* and *business-type* activities of the NCTPA. Governmental activities, which normally are supported by taxes and intergovernmental revenues, are reported separately from business-type activities, which rely to a significant extent on fees charged to external parties.

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

B. Basis of Presentation (Continued)

The Statement of Activities demonstrates the degree to which the program expenses of a given function are offset by program revenues. Program expenses include direct expenses, which are clearly identifiable with a specific function, and allocated indirect expenses. Program revenues include 1) charges paid by the recipients of goods or services offered by the programs and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular program. Revenues that are not classified as program revenues, including taxes and unrestricted interest earnings, are presented instead as general revenues.

When both restricted and unrestricted Net Position are available, restricted resources are used for non-restricted purposes only after unrestricted resources are depleted.

Fund Financial Statements

The fund financial statements provide information about NCTPA's funds, including fiduciary funds. Separate statements for each fund category – *governmental, proprietary, and fiduciary* – are presented. The emphasis of fund financial statements is on major governmental and enterprise funds, each displayed in a separate column. All remaining governmental and enterprise funds are separately aggregated and reported as nonmajor funds. For the years ended June 30, 2014 and June 30, 2013, NCTPA did not have any nonmajor funds.

Proprietary funds distinguish operating revenues and expenses from nonoperating items. Proprietary fund *operating* revenues result from exchange transactions. Exchange transactions are those in which each party receives and gives up essentially equal values. Operating revenues generally result from charges to passengers for public transit services. Operating expenses include the cost of transit service, administrative expenses and depreciation on capital assets. All revenues and expenses not meeting the definition of operating revenues and expenses are reported as nonoperating.

NCTPA reports the following major governmental fund:

Planning Fund is used as the general fund for NCTPA and all planning and administrative activities are accounted for in this fund.

NCTPA reports the following major enterprise fund:

Transit Fund is used to account for the revenues and expenses necessary to provide public transit services. Transit operations include the VINE, VINE GO, American Canyon Transit, the Yountville Trolley, the St. Helena Shuttle, the Calistoga Shuttle, and the Taxi Scrip program.

NCTPA reports the following additional fund types:

Private Purpose Trust Funds account for assets, primarily cash and investments, held by NCTPA in a trustee capacity for other governmental agencies. NCTPA is responsible for the administration of two private purpose trust funds. They are used to account for activities of the Abandoned Vehicle Abatement Authority trust fund and the Bay Area Air Quality Management trust fund.

C. Basis of Accounting

The government-wide, proprietary, and fiduciary fund financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded at the time liabilities are incurred, regardless of when the related cash flows take place.

Nonexchange transactions, in which NCTPA gives (or receives) value without directly receiving (or giving) equal value in exchange, include grants, entitlements and donations. Revenues from grants, entitlements and donations are recognized in the fiscal year in which all eligible requirements have been satisfied.

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

C. Basis of Accounting (Continued)

Governmental funds are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Under this method, revenues are recognized when measurable and available. Interest, state, federal and local grants and charges for services are accrued when their receipt occurs within one year after the end of the accounting period so as to be measurable and available. Expenditures are generally recorded when a liability is incurred, as under accrual accounting.

D. Cash and Investments

NCTPA maintains nearly all of its cash and investments with the County Treasurer in a cash and investment pool. A small independent bank account is used to pay some employee benefits. On a quarterly basis, the Treasurer allocates interest to participants based upon their average daily balances. For purposes of the accompanying Statement of Cash Flows, the enterprise fund considers all highly liquid investments with a maturity of three months or less when purchased, and their equity in the County Treasurer's investment pool, to be cash equivalents. The fair value of investments is obtained by using quotations obtained from independent published sources.

Required disclosure information regarding the categorization of investments and other deposit and investment risk disclosures can be found in the County's financial statements. The County of Napa's financial statements may be obtained by contacting the County of Napa's Auditor-Controller's office at 1195 Third Street, Room B-10, Napa, California 94559. The County Treasury Oversight Committee oversees the Treasurer's investments and policies.

E. Receivables

NCTPA's receivables are mostly related to grants and vehicle registration fees. Management has determined NCTPA's receivables to be fully collectable. Accordingly, no allowance for doubtful accounts has been made.

F. Inventories

On August 31, 2009, NCTPA's multiyear agreement (the Agreement) with the purchased transportation contractor (the Contractor) provided the Contractor with an initial inventory of equipment, tools, and other property to be used to provide services. The Contractor shall be responsible for returning to NCTPA, at the termination of the Agreement, property, and equipment of equivalent type and value (as of date acquired) and conditions as that identified in the updated initial inventory list, subject to normal wear and tear.

During the last month of the Agreement, NCTPA shall conduct a final inventory. The Contractor will be responsible for either replacing property of equipment determined from the inventory list to be missing, damaged, or otherwise unavailable for use, or in a condition that is in excess of ordinary wear and tear or compensating NCTPA for its replacement value. NCTPA procured inventory parts for fareboxes in June 2013. These parts are not included in the multiyear agreement with the purchased transportation provider. Farebox inventory parts will be tracked separately.

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

G. Capital Assets

Capital assets are recorded at historical cost or estimated historical cost if actual historical cost is not available. Contributed capital assets are valued at their estimated fair market value on the date contributed. NCTPA defines capital assets as assets with an initial, individual cost of more than $5,000 and an estimated useful life in excess of one year. Capital assets used in operations are depreciated using the straight-line method over their estimated useful lives in the government-wide statements and proprietary funds.

The estimated useful lives are as follows:

Structures	20 years
Vehicles	1-12 years
Equipment	5 years

NCTPA has acquired certain assets with funding provided by federal assistance from various grant programs. NCTPA holds title to these assets; however, the federal government retains an interest in these assets should the assets no longer be used for transit purposes.

H. Compensated Absences

NCTPA has adopted Governmental Accounting Standards Board (GASB) Statement No. 16, *Accounting for Compensated Absences*. The earned vacation payable upon termination is reported at the current balance of the liability, and may be accumulated up to a maximum of 600 hours by personnel.

I. Interfund Transactions

Interfund transactions are reflected as either loans, services provided, reimbursements or transfers. Loans are reported as receivables and payables as appropriate, are subject to elimination upon consolidation and are referred to as either "due to/from other funds" (i.e., the current portion of interfund loans) or "advances to/from other funds" (i.e., the noncurrent portion of interfund loans). Any residual balances outstanding between the governmental activities and the business-type activities are reported in the government-wide financial statements as "internal balances". Advances between funds, as reported in the fund financial statements, are offset by a fund balance reserve account in applicable governmental funds to indicate that they are not available for appropriation and are not available financial resources.

Services provided, deemed to be at market or near market rates, are treated as revenues and expenditures/expenses. Reimbursements are when one fund incurs a cost, charges the appropriate benefiting fund and reduces its related cost as a reimbursement. All other interfund transactions are treated as transfers. Transfers between governmental or proprietary funds are netted as part of the reconciliation to the government-wide presentation.

J. Advances

Advances arise when resources are received by NCTPA before it has a legal claim to them, e.g. when grant monies are received prior to the incurrence of qualifying expenses. In subsequent periods, when both revenue recognition criteria are met, or when NCTPA has a legal claim to the resources, the liability is removed from the balance sheet and revenue is recognized.

K. Use of Estimates

The preparation of the financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities at the date of the financial statements and the reported amount of revenue and expenditures/expenses during the reporting period. Actual results could differ from these estimates.

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

L. Reclassifications

Certain amounts in the prior-year financial statements have been reclassified for comparative purposes to conform with the presentation in the current-year financial statements.

M. Net Position

The government-wide financial statements utilize a Net Position presentation. Net Position is categorized as net investment in capital assets, restricted, and unrestricted.

Net Investment in Capital Assets – This amount consists of capital assets net of accumulated depreciation and reduced by outstanding debt that is attributed to the acquisition, construction, or improvement of the asset.

Restricted Net Position – This amount is restricted by external creditors, grantors, contributors, or laws or regulations of other governments, of which there is none.

Unrestricted Net Position – This amount is all net position that does not meet the definition of "net investment in capital assets" or "restricted net position".

N. Fund Balance

In the fund financial statements, governmental funds report fund balance as nonspendable, restricted, committed, assigned, or unassigned based primarily on the extent to which NCTPA is bound to honor constraints on how specific amounts can be spent.

- *Nonspendable fund balance* – amounts that cannot be spent because they are either (a) not spendable in form or (b) legally or contractually required to be maintained intact.

- *Restricted fund balance* – amounts with constraints placed on their use that are either (a) externally imposed by creditors, grantors, contributors, or laws or regulations of other governments; or (b) imposed by law through constitutional provisions or enabling legislation.

- *Committed fund balance* – amounts that can only be used for specific purposes determined by formal action of NCTPA's highest level of decision-making authority (the Board) and that remain binding unless removed in the same manner. Committed fund balance does not lapse at year-end. The formal action must occur prior to the end of the reporting period. However, the amount which will be subject to the constraint may be determined in the subsequent period. The formal action required to commit fund balance shall be Board resolution.

- *Assigned fund balance* – amounts that are constrained by NCTPA's *intent* to be used for specific purposes. The intent can be established at either the highest level of decision making, or by a body or an official designated for that purpose. The Board delegated authority to assign fund balance for a specific purpose to the Manager of Finance.

- *Unassigned fund balance* – the residual classification for NCTPA's General Fund that includes amounts not contained in the other classifications. In other funds, the unassigned classification is used only if expenditures incurred for specific purposes exceed the amounts restricted, committed, or assigned to those purposes.

When both restricted and unrestricted resources are available for use, it is NCTPA's policy to use restricted resources first, followed by the unrestricted committed, assigned, and unassigned resources as they are needed.

Minimum Fund Balance Policy:

NCTPA has not adopted and does not maintain a minimum fund balance policy.

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

O. New Accounting Pronouncements – Implemented

GASB Statement No. 65 – *Items Previously Reported as Assets and Liabilities*. The statement establishes accounting and financial reporting standards that reclassify, as deferred outflows of resources or deferred inflows of resources, certain items that were previously reported as assets and liabilities and recognizes, as outflows of resources or inflows of resources, certain items that were previously reported as assets and liabilities. There was no effect on NCTPA's accounting or financial reporting as a result of implementing this standard.

GASB Statement No. 66 – *Technical Corrections—2012—an Amendment of GASB Statements No. 10 and No. 62*. The statement is improves accounting and financial reporting for a governmental financial reporting entity by resolving conflicting guidance that resulted from the issuance of two pronouncements. There was no effect on NCTPA's accounting or financial reporting as a result of implementing this standard.

GASB Statement No. 67 – *Financial Reporting for Pension Plans—an Amendment of GASB Statement No. 25*. The statement improves financial reporting by state and local governmental pension plans. There was no effect on NCTPA's accounting or financial reporting as a result of implementing this standard.

GASB Statement No. 70 – *Accounting and Financial Reporting for Nonexchange Financial Guarantees*. This statement enhances comparability of financial statements among governments by requiring consistent reporting by those governments that extend nonexchange financial guarantees and by those governments that receive nonexchange financial guarantees. There was no effect on NCTPA's accounting or financial reporting as a result of implementing this standard.

P. Future GASB Statements

GASB Statement No. 68 – *Accounting and financial Reporting for Pensions—an Amendment of GASB Statement No. 27* will improve the decision-usefulness of information in employer and governmental nonemployer contributing entity financial reports and will enhance its value for assessing accountability and interperiod equity by requiring recognition of the entire net pension liability and a more comprehensive measure of pension expense. Decision-usefulness and accountability also will be enhanced through new note disclosures and required supplementary information. The requirements of this statement are effective for financial statements for periods beginning after June 15, 2014. NCTPA is assessing, but has not yet determined the effects of the implementation of this statement on its financial statements.

GASB Statement No. 69 – *Government Combinations and Disposals of Government Operations* provides specific accounting and financial reporting guidance for combinations in the governmental environment. This statement also improves the decision usefulness of financial reporting by requiring that disclosures be made by governments about combination arrangements in which they engage and for disposals of government operations. The requirements of this statement are effective for financial statements for periods beginning after December 15, 2013. NCTPA is assessing, but has not yet determined the effects of the implementation of this statement on its financial statements.

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

P. Future GASB Statements (Continued)

GASB Statement No. 71 – *Pension Transition for Contributions Made Subsequent to the Measurement Date* amends paragraph 137 of GASB Statement No. 68 to require that, at transition, a government recognize a beginning deferred outflow of resources for its pension contributions, if any, made subsequent to the measurement date of the beginning net pension liability. This Statement will eliminate the source of a potential significant understatement of restated beginning net position and expense in the first year of implementation of GASB Statement No. 68 in the accrual basis financial statements of employers and nonemployer contributing entities. The provisions of this statement should be applied simultaneously with the provisions of GASB Statement No. 68 and therefore are effective for financial periods beginning after June 15, 2014. NCTPA is assessing, but has not yet determined the effects of the implementation of this statement on its financial statements.

NOTE 2 – CASH AND INVESTMENTS IN COUNTY TREASURY/IMPREST CASH

General

NCTPA has adopted GASB Statement No. 31 which requires investments of governmental agencies to be reported at fair value. However, investment pools, such as a state or county treasury, may report the value of short-term investments with remaining maturities of less than 90 days at amortized cost. The majority of the County Treasury investments have a remaining maturity of less than 90 days. In addition, GASB Statement No. 31 does not apply to immaterial cost/value differences.

NCTPA has adopted GASB Statement No. 40, *Deposit and Investment Risk Disclosures*. GASB Statement No. 40 requires governmental entities to assess categories of risk associated with their deposits and disclose these risks.

Cash and investments consisted of the following at June 30, 2014 and 2013:

	June 30, 2014			
	Governmental Activities	Business-Type Activities	Government-Wide Totals	Fiduciary Funds
Cash on Hand and in Banks	$ 14,530	$ -	$ 14,530	$ -
Pooled Investments	572,695	1,757,893	2,330,588	541,088
	$ 587,225	$ 1,757,893	$ 2,345,118	$ 541,088

	June 30, 2013			
	Governmental Activities	Business-Type Activities	Government-Wide Totals	Fiduciary Funds
Cash on Hand and in Banks	$ 9,001	$ -	$ 9,001	$ -
Pooled Investments	611,669	2,912,589	3,524,258	545,236
	$ 620,670	$ 2,912,589	$ 3,533,259	$ 545,236

All deposits are fully collateralized in accordance with Section 53652 of the California Government Code. The California Government Code requires California banks and savings and loan associations to secure NCTPA's deposits by pledging government securities as collateral.

The market value of pledged securities must equal at least 110% of NCTPA's deposits. California law also allows financial institutions to secure NCTPA's deposits by pledging first trust deed mortgage notes having a value of 150% of NCTPA's total deposits.

NOTE 2 – CASH AND INVESTMENTS IN COUNTY TREASURY/IMPREST CASH (Continued)

General (Continued)

Collateral is held by the pledging financial institution's trust department and is considered held in NCTPA's name. NCTPA may waive collateral requirements for deposits that are fully insured up to $250,000 by federal depository insurance. NCTPA has $250,000 that is covered by federal depository insurance as of June 30, 2014 and 2013.

NCTPA had no deposit or investment policy that addressed a specific type of risk. Required disclosures for NCTPA's deposit and investment risks held in the County's Investment Pool at June 30, 2014 and 2013, were as follows:

Credit risk

State law and the County's Investment Policy limit investments in commercial paper to the rating of A1 by Standards & Poor's or P-1 by Moody's Investors Service. State law and the County's Investment Policy also limit investments in corporate bonds to the rating of A by Standard & Poor's and Moody's Investment Service. NCTPA establishes their credit limits based on the County's Investment Policy.

Custodial risk

For investments and deposits held with fiscal agents, custodial credit risk is the risk that, in the event of the failure of the counterparty, NCTPA will not be able to recover the value of its investments or deposits that are in the possession of an outside party. At year-end, NCTPA's funds in the County's investment pool and cash with fiscal agents had no securities exposed to custodial credit risk.

Concentration of credit risk

At June 30, 2014 and 2013, in accordance with State law and the County's Investment Policy, NCTPA did not have 5% or more of its net investment in commercial paper, corporate bonds or medium-term notes of a single organization, nor did it have 10% or more of its net investment in any one money market mutual fund within the County's Investment Pool. Investments in obligations of the U.S. government, U.S. government agencies, or government-sponsored enterprises are exempt from these limitations.

Interest rate risk

The County manages NCTPA's exposure to declines in fair values by limiting the weighted average maturity of its investment portfolio to five years or less in accordance with the County's Investment Policy.

Investments held in the County's investment pool are available on demand and are stated at cost plus accrued interest, which approximates fair value.

Investment in the County of Napa Investment Pool

NCTPA maintains all of its cash and investments with the County Treasurer in a cash and investment pool. NCTPA is considered to be an involuntary participant in the external investment pool. On a quarterly basis, the Treasurer allocates interest to participants based upon their average daily balances. For purposes of the accompanying statement of cash flows, the enterprise fund considers all highly liquid investments with a maturity of three months or less when purchased, and their equity in the County Treasurer's investment pool, to be cash equivalents. The fair value of investments is obtained by using quotations obtained from independent published sources.

NOTE 2 – CASH AND INVESTMENTS IN COUNTY TREASURY/IMPREST CASH (Continued)

Investments Authorized by the California Government Code and the County's Investment Policy

The table below identifies the **investment types** that are authorized for NCTPA by the California Government Code (or the County's investment policy, where more restrictive). The table also identifies certain provisions of the California Government Code (or NCTPA's investment policy, where more restrictive) that address **interest rate risk**, **credit risk**, and **concentration of credit risk**.

Authorized Investment Type	Maximum Maturity	Maximum Percentage of Portfolio	Maximum Investment in One Issuer
Local Agency Bonds	5 years	None	None
U.S. Treasury Obligations	5 years	None	None
U.S. Agency Obligations	5 years	None	None
State of California Obligations	5 years	None	None
Bankers' Acceptances	180 days	40%	30%
Commercial Paper - Select Agencies	180 days	25%	10%
Commercial Paper - Other Agencies	180 days	40%	10%
Negotiable Certificates of Deposit	5 years	30%	None
Repurchase Agreements	30 days	5%	None
Reverse Repurchase Agreements	92 days	20% of base value	None
Medium-Term Notes	5 years	30%	None
Mutual Funds/Money Market Mutual Funds	N/A	20%	10%
Collateralized Bank Deposits	5 years	None	None
Mortgage Pass-Through Securities	5 years	20%	None
Time Deposits	5 years	None	None
County Pooled Investment Funds	N/A	None	None
Joint Powers Agreement (JPA) Pools (other investment pools)	N/A	None	None
Local Agency Investment Fund (LAIF)	N/A	None	None

NOTE 3 – DUE FROM OTHER GOVERNMENTAL AGENCIES

Amounts due from other governmental agencies consisted of the following at June 30, 2014 and 2013:

	2014	2013
Federal (FTA)		
Capital	$ 170,991	$ 318,265
Operating	2,242,117	2,504,783
State		
STA	157,460	193,211
Grants - Capital	78,803	1,391,678
Grants - Operating	35,431	120,000
State - Other	-	21,750
Local		
Local Transportation Fund (LTF)	18,085	-
Cities and Country	166,361	275,178
Local - Other	125,457	108,823
Total	$ 2,994,705	$ 4,933,688

NOTE 3 – DUE FROM OTHER GOVERNMENTAL AGENCIES (Continued)

Reconciliation to Financial Statements		2014	2013
Planning Fund	Grants Receivable	$ 333,222	$ 375,558
Planning Fund	Due from Other Gov Agencies	20,184	250,226
Transit Fund	Grants Receivable	2,184,317	2,523,240
Transit Fund	Due from Other Gov Agencies	334,209	1,685,905
Total per Statement of Net Position		2,871,932	4,834,929
Fiduciary Fund	Due from Other Gov Agencies	122,773	98,759
Total including Fiduciary Fund		$ 2,994,705	$ 4,933,688

NOTE 4 – CAPITAL ASSETS

Capital asset activity for the year ended June 30, 2014, was as follows:

	Balance July 1, 2013	Additions	Disposals	Balance June 30, 2014
Governmental Activities:				
Capital Assets, Being Depreciated				
Vehicles and Equipment	$ 224,814	$ -	$ -	$ 224,814
Less Accumulated Depreciation for:				
Vehicles and Equipment	(40,600)	(41,600)	-	(82,200)
Governmental Activities Capital Assets, Net	$ 184,214	$ (41,600)	$ -	$ 142,614
Business-Type Activities:				
Capital Assets, Not Being Depreciated				
Land	$ 1,353,692	$ -	$ -	$ 1,353,692
Construction in Progress	1,221,645	308,578	(1,195,151)	335,072
Total Capital Assets, Not Being Depreciated	2,575,337	308,578	(1,195,151)	1,688,764
Capital Assets, Being Depreciated:				
Vehicles and Equipment	26,265,712	4,061,166	(2,752,034)	27,574,844
Less Accumulated Depreciation for:				
Vehicles and Equipment	(6,535,093)	(1,850,138)	2,328,116	(6,057,115)
Total Capital Assets, Being Depreciated, Net	19,730,619	2,211,028	(423,918)	21,517,729
Business-Type Activities, Capital Assets, Net	$ 22,305,956	$ 2,519,606	$ (1,619,069)	$ 23,206,493
Total Government Wide Capital Assets, Net	$ 22,490,170	$ 2,478,006	$ (1,619,069)	$ 23,349,107

Government-wide depreciation expense for the year ended June 30, 2014, was $1,891,738.

NOTE 4 – CAPITAL ASSETS (Continued)

Capital asset activity for the year ended June 30, 2013, was as follows:

	Balance July 1, 2012	Additions	Disposals	Balance June 30, 2013
Governmental Activities:				
Capital Assets, Being Depreciated				
Vehicles and Equipment	$ 27,214	$ 207,297	$ (9,697)	$ 224,814
Less Accumulated Depreciation for:				
Vehicles and Equipment	(20,719)	(29,578)	9,697	(40,600)
Governmental Activities Capital Assets, Net	$ 6,495	$ 177,719	$ -	$ 184,214
Business-Type Activities:				
Capital Assets, Not Being Depreciated				
Land	$ 1,190,000	$ 163,692	$ -	$ 1,353,692
Construction in Progress	5,221,609	4,966,471	(8,966,435)	1,221,645
Total Capital Assets, Not Being Depreciated	6,411,609	5,130,163	(8,966,435)	2,575,337
Capital Assets, Being Depreciated:				
Vehicles and Equipment	12,317,414	13,948,298	-	26,265,712
Less Accumulated Depreciation for:				
Vehicles and Equipment	(5,324,324)	(1,210,769)	-	(6,535,093)
Total Capital Assets, Being Depreciated, Net	6,993,090	12,737,529	-	19,730,619
Business-Type Activities, Capital Assets, Net	$ 13,404,699	$ 17,867,692	$ (8,966,435)	$ 22,305,956
Total Government Wide Capital Assets, Net	$ 13,411,194	$ 18,045,411	$ (8,966,435)	$ 22,490,170

Government wide depreciation expense for the year ended June 30, 2013, was $1,240,347.

NOTE 5 – COMPENSATED ABSENCES

The following is a summary of current and long-term compensated absences for the years ended June 30:

	2014	2013
Beginning Balance July 1	$ 73,778	$ 41,990
Additions	35,073	34,142
Reductions	(67,888)	(2,354)
Ending Balance June 30	$ 40,963	$ 73,778
Amounts Due Within 1 Year	$ 40,963	$ 73,778

NOTE 6 – DUE TO OTHER GOVERNMENTAL AGENCIES

Business-Type Activities – Due to LTF

TDA funds are apportioned, allocated and disbursed in accordance with allocation instructions from the Metropolitan Transportation Commission (MTC) for specific transportation purposes. The LTF allocates monies to the transit system to support operations. The TDA, which governs the use of these funds, requires that any funds not used must be returned to their sources. LTF allocations are considered earned when they are properly spent for operations by the transit system.

It is the current practice of the MTC to have excess revenue returned to the funding agency. There were excess revenues of $1,534,634 and $3,517,107 at June 30, 2014 and 2013, respectively. NCTPA returned $3,517,107 and $1,674,164 of excess capital funds not used for its intended purpose during the years ended June 30, 2014 and 2013, respectively. Money returned to LTF will be reallocated for future capital purchases.

Allocations received but not earned were recorded as due to Other Governmental Agencies as follows:

	2014	2013
Balance - Beginning of Year	$ 3,517,107	$ 1,674,164
LTF - Operating	6,763,066	7,152,784
LTF - Capital	882,484	3,885,814
Total Local Transportation Funds	7,645,550	11,038,598
Operating Expenses	11,408,133	9,856,939
Adjustments:		
Add Back Depreciation	(1,850,138)	(1,210,769)
Farebox Revenues	(1,214,077)	(966,429)
State Transit Assistance	(1,070,766)	(1,240,123)
Other Revenues	(632,521)	(4,421,006)
Interest Income	(17,339)	(15,820)
FTA Grant Revenues	(1,977,895)	(2,204,290)
Other Federal Grants	(2,132,992)	(2,495,660)
Capital Asset Purchases	3,174,593	10,218,649
Real Property Disposal	423,918	-
Net Operating Expenses	6,110,916	7,521,491
Net Increase	1,534,634	3,517,107
Return of LTF Capital	(3,517,107)	(1,674,164)
Balance - End of Year	$ 1,534,634	$ 3,517,107

NOTE 7 – PUBLIC TRANSPORTATION MODERNIZATION, IMPROVEMENT, AND SERVICE ENHANCEMENT ACCOUNT (PTMISEA)

In November 2006, California voters passed a bond measure enacting the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006. Of the $19.925 billion of State general obligation bonds authorized, $4 billion was set aside by the State as instructed by the statute as the Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA). These funds are available to the California Department of Transportation for intercity rail projects and to transit operators in California for rehabilitation, safety, or modernization improvements; capital service enhancements or expansions; new capital projects; bus rapid transit improvements; or for rolling stock procurement, rehabilitation, or replacement.

NOTE 7 – PUBLIC TRANSPORTATION MODERNIZATION, IMPROVEMENT, AND SERVICE ENHANCEMENT ACCOUNT (PTMISEA) (Continued)

As of June 30, 2014 and 2013, PTMISEA funds received and expended were verified in the course of our audit as follows:

	2014	2013
Balance - Beginning of Year	$ 597,859	$ 242,331
Receipts:		
Receipts Deposited	-	1,348,072
Interest Accrued	2,486	1,233
Expenses:		
Transit Capital	(161,470)	(993,777)
Balance - End of Year	$ 438,875	$ 597,859

NOTE 8 – UNEARNED REVENUE

Advances associated with multi-year projects, capital projects, and operating grants were reported in the following fund at June 30, 2014 and 2013, as follows:

	2014	2013
Proprietary Fund		
Proposition 1B - Capital Funds	$ 438,875	$ 597,859
Other Advances	7,106	3,925
Total Advances - Proprietary Fund	$ 445,981	$ 601,784

NCTPA received grants from various sources. At June 30, 2014 and 2013, eligibility requirements for recognizing the revenue had not been met. Therefore, the unexpended balance has been deferred to the next fiscal year.

NOTE 9 – AGREEMENTS AND COMMITMENTS

Bay Area Air Quality Management District Agreement

The NCTPA entered into an agreement with the Bay Area Air Quality Management District (the District) to implement specified measures to improve air quality in the County. The funding for this agreement comes from Assembly Bill (AB) 434 allowing the District to levy a surcharge on motor vehicle registration fees. Quarterly, the District must transfer 40% of the surcharge, less management fees and audit costs, to the NCTPA, as the selected Program Manager. However, the agreement may be terminated at any time by either party and there are no assurances of annual renewal. As program manager, NCTPA allocates 5% of these funds to itself to administer the program.

NOTE 9 – AGREEMENTS AND COMMITMENTS (Continued)

Abandoned Vehicle Abatement Program

The California legislature has enacted legislation to allow local governments to assess a fee on vehicle registration for the purpose of aiding local governments in the recovery of costs associated with the disposition of abandoned vehicles. The NCTPA is the designated agency to manage and distribute abandoned vehicle fees to participating jurisdictions within the County. These fees are collected by NCTPA and distributed to the jurisdictions based on a formula.

Metropolitan Transportation Commission

The NCTPA received a federal highway administration planning grant from the MTC. The purpose of the grant was to implement congestion planning and programming activities for the County and its surrounding cities. Amounts received or receivable from the MTC are subject to audit and adjustment by the MTC. Any disallowed claims including amounts already collected, may constitute a liability of the NCTPA. The amount, if any, of expenditures which may be disallowed by MTC cannot be determined at this time although the NCTPA expects such amounts, if any, to be immaterial.

NOTE 10 – EMPLOYEES RETIREMENT PLAN (DEFINED BENEFIT PENSION PLAN)

A. Plan Description

NCTPA contributes to the California Public Employees Retirement System (CalPERS), an agent multiple-employer public employee retirement system that acts as a common investment and administrative agent for participating public entities within the State of California. CalPERS provides retirement and disability benefits, annual cost-of-living adjustments and death benefits to plan members and beneficiaries. Benefit provisions and other requirements are established by statute. Copies of CalPERS annual financial report may be obtained from their Executive Office – 400 P Street, Sacramento, California 95814.

On May 18, 2011, NCTPA Resolution 11-12 approved an amendment to the contract between the Board of Administration of CalPERS and the NCTPA's Board to provide Section 20475 (Different Level of Benefits), Section 21353 (2% at 60 full formula) effective May 21, 2011. The NCTPA established two tiers, which determine both employer and employee contribution rates. Employees joining the plan after May 21, 2011, will join into Tier 2, while all existing employees remain in Tier 1.

B. Funding Policy

Per NCTPA's draft Personnel Policies accepted by the Board on June 18, 2008, NCTPA contributes a portion of the employee share of retirement contributions for local miscellaneous members. For Tier 1, the employee's contribution rate was 8% and NCTPA's contribution rates were 14.083% and 13.307% at June 30, 2014 and 2013, respectively. For Tier 2, the employee's contribution rate was 7% and NCTPA's contribution rates were 8.049% and 7.846% at June 30, 2014 and 2013, respectively.

The contract also provides for final compensation to be determined in accordance with Section 21354.4 of Retirement Law (2.5% at age 55).

The contribution requirements of the plan members are established by State statutes and the employer contribution rate is established and may be amended by CalPERS.

NOTE 10 – EMPLOYEES RETIREMENT PLAN (DEFINED BENEFIT PENSION PLAN) (Continued)

C. Annual Pension Cost

For the fiscal years ended June 30, 2014 and 2013, NCTPA's annual pension cost of $157,802 and $114,863, respectively, for CalPERS was equal to NCTPA's required and actual contributions. The required contributions were determined as part of the June 30, 2014 and 2013, actuarial valuations using the entry age normal actuarial cost method. The actuarial assumptions included (a) 7.75% investment rate of return (net of administrative expenses), (b) projected annual salary increases that vary by duration of service, and (c) 2% per year cost-of-living adjustments. Both (a) and (b) included an inflation component of 3.00%. The actuarial value of CalPERS assets was determined using techniques that smooth the effects of short-term volatility in the market value of investments over a 15 year period (smoothed market value). CalPERS unfunded actuarial accrued liability is being amortized as a level percentage of projected payroll on a closed basis. Initial plan unfunded liabilities are amortized over a closed period equal to the average amortization period at the plan's date of entry into the CalPERS Risk Pool. Subsequent plan amendments are amortized as a level percentage of pay over a closed 20-year period. Gains and losses that occur in the operation of the risk pool are amortized over a rolling 30-year period. If the plan's accrued liability exceeds the actuarial value of plan assets, then the amortization payment on the total unfunded liability may not be lower than the payment calculated over a 30-year amortization period.

Year Ended	Annual Pension Cost (APC)	Percentage of APC Contributed	Net Pension Obligation
6/30/2014	$ 157,802	0%	$ -
6/30/2013	$ 114,863	100%	$ -
6/30/2012	$ 108,131	100%	$ -

Effective with the June 30, 2003, valuation, risk pools were established by CalPERS for plans containing less than 100 active members as of the valuation date. In general, plans satisfying this criterion were lumped into pools based on their benefit formula and membership category (safety/miscellaneous). NCTPA is participating in the Miscellaneous 2.5% at 55 Risk Pool plan. The plan actuarial valuation as of June 30, 2004, no longer provides the plan members' stand-alone valuation; instead it provides the valuation for the plan's Risk Pool. The June 30, 2012, actuarial valuation was the most recent valuation at the time of issuance. Information about the pool is as follows:

Actuarial Valuation Date	Actuarial Value of Assets (a)	Actuarial Accrued Liability (AAL) Entry Age (b)	Unfunded AAL (UAAL) (b - a)	Funded Ratio (a/b)	Covered Payroll (c)	UAAL as a Percentage of Covered Payroll (b - a)/c
6/30/2012	$ 1,837,489,422	$ 2,254,622,362	$ 417,132,940	81.5%	$ 339,228,272	123.0%
6/30/2011	$ 1,724,200,585	$ 2,135,350,204	$ 411,149,619	80.7%	$ 350,121,750	117.4%

NOTE 11 – POST-EMPLOYMENT BENEFITS OTHER THAN PENSIONS

In addition to the pension benefits described on the previous page, NCTPA provides postretirement health care benefits to all employees meeting certain selected criteria. Employees on the payroll as of June 30, 2014, who retire from the NCTPA with 3 years of Agency service and 25 years of CalPERS service will receive 1.3 times the Public Employees' Medical and Hospital Care Act (PEMHCA) minimum dollar amounts who retire from NCTPA at or after age 50.

The GASB issued Statement No. 43, *Financial Reporting for Post-Employment Benefit Plans Other than Pension Plans,* and Statement No. 45, *Accounting and Financial Reporting by Employers for Post-Employment Benefits.* The basic premise of the statement is that Other Post-Employment Benefits (OPEB) are earned by employees and should be recognized by the employer as the employee provides services. GASB Statement No. 45 requires employers to account for and report the annual cost of OPEB and the outstanding obligations and commitments related to them in the same manner as they currently do for pensions. NCTPA implemented the provisions of GASB Statement No. 45 in the fiscal year beginning July 1, 2009, on a one-year retroactive basis.

For the GASB Statement No. 45 actuarial valuation dated June 30, 2013, NCTPA chose a new allocation strategy. In March 2011, CalPERS Board approved changes to the California Employers' Retiree Benefit Trust (CERBT) to allow a choice between three different asset allocations strategies with different equity vs. fixed income and base the prescribed discount rate on the asset allocation. NCTPA chose Option 3, a 6.39% discount limit based upon the 50th percentile return.

In accordance with GASB Statement No. 43, CalPERS issues a publicly available financial report that includes financial statements and required supplementary information for the plan. That annual financial report may be obtained by writing to the Napa County Transportation and Planning Agency's Finance Department at 707 Randolph Street, Napa, California 94553.

Plan Description: NCTPA participates in the CERBT, a trust established by Chapter 331 of the 1988 Statutes and initially funded in 2007. The purpose of the trust is to receive contributions from participating employers and establish separate employer prefunding accounts to pay for health care postemployment benefits. The CERBT is an agent multiple-employer plan as defined in GASB Statement No. 43 and is administered by the CalPERS. The Plan has 1 retirees receiving benefits and a total of 12 active participants, all of which are not currently eligible to receive benefits.

The following is a description of the current retiree benefit plan:

Benefit Types Provided	Medical only
Duration of Benefits	Lifetime
Required Service	CalPERS retirement and 5 years Agency
Minimum Age	50
Dependent Coverage	Family eligible
NCTPA Contribution %	Up to 100%
NCTPA Cap Highest	1.3 times PEMCHA minimum dollar amounts

NOTE 11 – POST-EMPLOYMENT BENEFITS OTHER THAN PENSIONS (Continued)

Annual OPEB Cost and Net OPEB Obligation: NCTPA's annual OPEB cost (expense) is calculated based on the annual required contribution (ARC) of the employer, an amount actuarially determined in accordance with the parameters of GASB Statement No. 45. The ARC represents a level of funding that, if paid on an ongoing basis, is projected to cover the normal cost each year and amortize any unfunded actuarial liabilities (of funding excess) over a period not to exceed thirty years. For fiscal years 2012-2013 and 2013-2014, the net OPEB obligation (asset) was determined as follows:

	2014	2013
Annual required contribution	$ 39,000	$ 22,000
Contributions made	(39,000)	(22,000)
Change in net OPEB obligation	-	-
Net OPEB asset, beginning of year	-	-
Net OPEB asset, end of year	$ -	$ -

Year Ended	Annual OPEB Cost	Actual Employer Contribution	Percentage Contributed	Net OPEB Obligation (Asset)
6/30/2014	$ 39,000	$ 39,000	100%	$ -
6/30/2013	$ 22,000	$ 22,000	100%	$ -
6/30/2012	$ 22,000	$ -	0%	$ -

Funded Status and Funding Progress: The funded status of the plan as of June 30, 2014, was as follows:

Actuarial Valuation Date	Actuarial Value of Assets (a)	Actuarial Accrued Liability (AAL) Entry Age (b)	Unfunded AAL (UAAL) (b - a)	Funded Ratio (a/b)	Covered Payroll (c)	UAAL as a Percentage of Covered Payroll (b - a)/c
June 30, 2013	$ 109,000	$ 218,000	$ 109,000	50.0%	$ 1,031,000	10.6%
June 30, 2011	$ 77,000	$ 78,000	$ 1,000	98.7%	$ 993,000	0.1%
June 30, 2009	$ -	$ 44,000	$ 44,000	0.0%	$ 988,000	4.5%

NCTPA's ARC is based on the pre-funding method. For fiscal year 2013-2014, NCTPA contributed $39,000 to the plan.

As of June 30, 2013, the most recent actuarial valuation date, the actuarial accrued liability for benefits was $218,000, and the actuarial value of assets was $109,000 resulting in an unfunded actuarial accrued liability of $109,000. The covered payroll (annual payroll of active employees covered) was $1,031,000.

Actuarial valuations of an ongoing plan involve estimates of the value of reported amounts and assumptions about the probability of occurrence of events far into the future. Examples include assumptions about future employment, mortality, and the healthcare cost trend. Amounts determined regarding the funded status of the plan and the ARC of NCTPA are subject to continual revision as actual results are compared with past expectations and new estimates are made about the future. The schedule of funding progress, presented as required supplementary information following the notes to the financial statements, will present multiyear trend information that shows whether the actuarial value of plan assets is increasing or decreasing over time relative to the actuarial accrued liability for benefits.

NOTE 11 – POST-EMPLOYMENT BENEFITS OTHER THAN PENSIONS (Continued)

Actuarial Methods and Assumptions: Actuarial valuations for an ongoing plan involve estimates of the value of reported amounts and assumptions about the probability of occurrence of events far into the future. Actuarially determined amounts are subject to continuous revision as actual results are compared to past expectations and new estimates are made about the future. Although the valuation results are based on values NCTPA's actuarial consultant believes are reasonable assumptions, the valuation result is only an estimate of what future costs may actually be and reflect a long-term perspective.

Deviations in any of several factors, such as future interest rate discounts, medical cost inflation, Medicare coverage risk, and changes in marital status, could result in actual costs being greater or less than estimated.

In the actuarial valuation for the Plan as of June 30, 2014, the entry age normal cost method was used. The allocation of OPEB cost is based on years of service. NCTPA used the level percentage of payroll method to allocate OPEB cost over years of service. Entry age is based on the average age at hire for eligible employees. The attribution period is determined as the difference between the average retirement age and the average age at hire. The present value of future benefits and present value of future normal costs are determined on an employee by employee basis and then aggregated. To the extent that different benefit formulas apply to different employees of the same class, the normal cost is based on the benefit plan applicable to the most recently hired employees (including future hires if a new benefit formula has been agreed to and communicated to employees).

The actuarial assumptions included a 6.25% discount rate (net of administrative expenses), which is based on an assumed long-term return on plan assets and 100% funding through the CalPERS CERBT program, and an annual healthcare cost trend rate of 4.5% including a 3% inflation assumption. The actuarial value of assets were determined using fair value (as provided by CalPERS). The UAAL will be amortized as a level percentage of projected payroll assuming a 3.25% increase per year and no increases in staff or merit increases. The remaining amortization period is 30 years.

Funding Policy: The contribution requirements of Plan members and NCTPA are established and may be amended by NCTPA Board. These contributions are neither mandated nor guaranteed. NCTPA has retained the right to unilaterally modify its payment for retiree health care benefits.

NOTE 12 – EMPLOYEE BENEFITS – DEFERRED COMPENSATION PLAN

Employees of NCTPA may participate in a deferred compensation plan adopted under the provisions of the Internal Revenue Code (IRC) Section 457 (Deferred Compensation Plans with Respect to Service for State and Local Governments).

The deferred compensation plan is available to all employees of NCTPA. Under the plan, employees may elect to defer a portion of their salaries and avoid paying taxes on the deferred portion until the withdrawal date. The deferred compensation amount is not available for withdrawal by employees until termination, retirement, death or unforeseeable emergency.

The deferred compensation plan is administered by an unrelated financial institution through CalPERS. Under the terms of the IRC Section 457 deferred compensation plan, all deferred compensation and income attributable to the investment of the deferred compensation amounts held by the financial institution, until paid or made available to the employees or beneficiaries, are the property of the employee.

NOTE 13 – INSURANCE AND RISK OF LOSS

NCTPA is exposed to various risks of loss related to torts, theft or damage to and destruction of assets, errors and omissions, injuries to employees and natural disasters. NCTPA maintains various insurance policies for directors and officers, property and liability, commercial liability and workers compensation against potential risk of loss through private insurance carriers. NCTPA secures vehicular and liability coverage for business-type activities of up to $5,000,000 per incident through its purchased transportation contractor.

NOTE 14 – RELATED PARTY TRANSACTIONS

The County personnel provides administration services to NCTPA. The County also provides legal counsel. During the fiscal years ended June 30, 2014 and 2013, NCTPA paid to the County, a related party, the following amounts:

	2014	2013
Accounting and Legal Services	$ 44,270	$ 56,056
Other Services and Supplies	112,986	109,311
Total Related Party Transactions	$ 157,256	$ 165,367

NOTE 15 – FAREBOX RATIO

Article 4

Article 4 transit operations include VINE and ACT. As agreed to by MTC, the combined farebox ratio requirement is 16%. The farebox ratios for the years ended June 30, 2014 and 2013, were 15.13% and 15.27%, respectively, as follows:

June 30, 2014			
Article 4	Total Article 4 Services	VINE	ACT
Farebox Subject to Farebox Ratio	$ 999,092	$ 963,534	$ 35,558
Operating Cost, Net of Depreciation and Insurance	$ 6,604,170	$ 6,239,644	$ 364,526
Farebox Ratio	15.13%		

June 30, 2013			
Article 4	Total Article 4 Services	VINE	ACT
Farebox Subject to Farebox Ratio	$ 737,288	$ 700,377	$ 36,911
Operating Cost, Net of Depreciation and Insurance	$ 4,828,663	$ 4,459,933	$ 368,730
Farebox Ratio	15.27%		

NOTE 15 – FAREBOX RATIO (Continued)

Article 4 (Continued)

Farebox revenue and operating cost used for farebox ratio calculation will not agree to the Statement of Revenues, Expenses, and Changes in Fund Net Position for the Proprietary Fund (see page 17). Transportation Development Act Statute 99268.8 allows for extension of service to be excluded from farebox ratio calculations in determining a claimant's compliance with the launch of redesigned services commencing on December 3, 2012, and the expansion into mid-day service for VINE 29 Express. The farebox ratio calculation is exclusive of these costs services until two years after the end of the fiscal year in which the new service was put into operation.

For the fiscal years ended June 30, 2014 and 2013, NCTPA was not in compliance with the minimum farebox ratio required of 16% for Article 4 transit operations.

Article 8

Article 8 transit operations include VINE GO, Calistoga Shuttle, St. Helena Shuttle, Yountville Trolley, and the Taxi Scrip program. TDA Section 6633.2 requires NCTPA to meet a 10% farebox revenue to total operating expenses ratio. The farebox revenue ratio for the years ended June 30, 2014 and 2013, for Article 8 transit operations were 11.56% and 10.89%, respectively, as follows:

	June 30, 2014		
Article 8	Total Article 8 Services	Taxi Scrip and VINE GO	Calistoga, Yountville, and St. Helena
Farebox Subject to Farebox Ratio	$ 241,094	$ 112,398	$ 128,696
Operating Cost, Net of Depreciation and Insurance	$ 2,085,556	$ 1,138,980	$ 946,576
Farebox Ratio	11.56%		

	June 30, 2013		
Article 8	Total Article 8 Services	Taxi Scrip and VINE GO	Calistoga, Yountville, and St. Helena
Farebox Subject to Farebox Ratio	$ 199,757	$ 97,422	$ 102,335
Operating Cost, Net of Depreciation and Insurance	$ 1,834,940	$ 1,114,441	$ 720,499
Farebox Ratio	10.89%		

For the fiscal years ended June 30, 2014 and 2013, NCTPA was in compliance with the minimum farebox ratio required for Article 8 transit operations.

NOTE 16 – EXCESS OF EXPENDITURES OVER APPROPRIATIONS

For the years ended June 30, 2014 and 2013, expenditures exceeded appropriations in the Planning fund as follows:

Appropriations Category		Excess Expenditures 2014	Excess Expenditures 2013
Planning Fund:	Communications	$ 3,119	$ -
	Miscellaneous Expense	-	15,834

NOTE 17 – SUBSEQUENT EVENTS

Subsequent events have been evaluated through December 29, 2014, which is the date the financial statements were available to be issued.

REQUIRED SUPPLEMENTARY INFORMATION

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
SCHEDULE OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCE – BUDGET AND ACTUAL
GOVERNMENTAL FUND – PLANNING FUND
FOR THE YEAR ENDED JUNE 30, 2014

	Budgeted Amounts		Actual	Variance with
	Original	Final	Amounts	Final Budget
Revenues:				
Local Transportation Fund Allocation	$ 1,064,000	$ 1,064,000	$ 1,085,900	$ 21,900
Federal Highway Allocations	998,000	998,000	1,338,550	340,550
Programming, Planning, and Monitoring	117,000	117,000	222,660	105,660
Other Grants	2,296,400	2,296,400	94,478	(2,201,922)
Local Support	236,300	236,300	92,718	(143,582)
Interest	8,000	8,000	4,200	(3,800)
Other Revenues	10,000	10,000	133,832	123,832
Total Revenues	4,729,700	4,729,700	2,972,338	(1,757,362)
Expenditures				
Communications	6,000	6,000	9,119	(3,119)
Insurance	55,000	55,000	38,090	16,910
Office Expense	73,500	73,500	42,982	30,518
Rents and Leases	9,600	9,600	8,007	1,593
Transportation	10,000	10,000	8,263	1,737
Salary and Benefits	1,321,600	1,321,600	1,290,483	31,117
Miscellaneous Expense	176,200	176,200	160,421	15,779
Professional Services	3,077,800	3,077,800	1,591,771	1,486,029
Total Expenditures	4,729,700	4,729,700	3,149,136	1,580,564
Net Change in Fund Balance	-	-	(176,798)	(176,798)
Fund Balance, Beginning of Fiscal Year	938,194	938,194	938,194	-
Fund Balance, End of Fiscal Year	$ 938,194	$ 938,194	$ 761,396	$ (176,798)

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
SCHEDULE OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCE – BUDGET AND ACTUAL
GOVERNMENTAL FUND – PLANNING FUND
FOR THE YEAR ENDED JUNE 30, 2013

	Budgeted Amounts		Actual	Variance with
	Original	Final	Amounts	Final Budget
Revenues:				
Local Transportation Fund Allocation	$ 746,300	$ 746,300	$ 746,300	$ -
Programming, Planning, and Monitoring	24,000	24,000	363,324	339,324
Federal Highway Allocations	2,087,000	2,087,000	825,594	(1,261,406)
Other Grants	1,015,800	1,090,800	46,858	(1,043,942)
Local Support	211,000	211,000	298,954	87,954
Interest	4,000	4,000	4,619	619
Other Revenues	-	-	29,620	29,620
Total Revenues	4,088,100	4,163,100	2,315,269	(1,847,831)
Expenditures				
Communications	24,000	24,000	10,023	13,977
Insurance	35,000	35,000	27,871	7,129
Office Expense	44,000	44,000	24,549	19,451
Rents and Leases	54,700	54,700	44,733	9,967
Transportation	14,000	14,000	11,151	2,849
Salary and Benefits	1,391,000	1,441,000	1,113,059	327,941
Miscellaneous Expense	43,400	68,400	84,234	(15,834)
Professional Services	2,482,000	2,482,000	1,147,371	1,334,629
Total Expenditures	4,088,100	4,163,100	2,462,991	1,700,109
Net Change in Fund Balance	-	-	(147,722)	(147,722)
Fund Balance, Beginning of Fiscal Year	1,085,916	1,085,916	1,085,916	-
Fund Balance, End of Fiscal Year	$ 1,085,916	$ 1,085,916	$ 938,194	$ (147,722)

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
SCHEDULE OF FUNDING PROGRESS
OTHER POSTEMPLOYMENT BENEFITS
JUNE 30, 2014

Actuarial Valuation Date	Actuarial Value of Assets (a)	Actuarial Accrued Liability (AAL) Entry Age (b)	Unfunded AAL (UAAL) (b - a)	Funded Ratio (a/b)	Covered Payroll (c)	UAAL as a Percentage of Covered Payroll (b - a)/c
June 30, 2013	$ 109,000	$ 218,000	$ 109,000	50.0%	$ 1,031,000	10.6%
June 30, 2011	$ 77,000	$ 78,000	$ 1,000	98.7%	$ 993,000	0.1%
June 30, 2009	$ -	$ 44,000	$ 44,000	0.0%	$ 988,000	4.5%

BUDGETS AND BUDGETARY ACCOUNTING

Formal budgetary accounting is employed as a management control by Napa County Transportation and Planning Agency (NCTPA). An annual budget is adopted each fiscal year by the Board of Directors (the Board). The accounting method used to prepare the budget is consistent with accounting principles generally accepted in the United States of America. All changes or amendments to the budget require prior approval of the Board. Unused appropriations lapse at the end of the fiscal year.

SUPPLEMENTARY INFORMATION

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
COMBINING STATEMENT OF FIDUCIARY NET POSITION
PRIVATE PURPOSE TRUST FUNDS
JUNE 30, 2014

	Abandoned Vehicle Abatement	Air Quality Management	Total
ASSETS			
Current Assets			
Cash and Investments in County Treasury	$ 85,057	$ 456,031	$ 541,088
Due from Other Government Agencies	-	122,773	122,773
Total Current Assets	85,057	578,804	663,861
Total Assets	$ 85,057	$ 578,804	$ 663,861
LIABILITIES			
Current Liabilities			
Accounts Payable	$ -	$ 17,477	$ 17,477
Due to Other Governments	-	-	-
Total Current Liabilities	-	17,477	17,477
Total Liabilities	-	17,477	17,477
NET POSITION			
Net Position Held in Trust for Other Purposes	85,057	561,327	646,384
Total Net Position	85,057	561,327	646,384
Total Liabilities and Net Position	$ 85,057	$ 578,804	$ 663,861

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
COMBINING STATEMENT OF FIDUCIARY NET POSITION
PRIVATE PURPOSE TRUST FUNDS
JUNE 30, 2013

	Abandoned Vehicle Abatement	Air Quality Management	Total
ASSETS			
Current Assets			
Cash and Investments in County Treasury	$ 45,515	$ 499,721	$ 545,236
Due from Other Government Agencies	-	98,759	98,759
Total Current Assets	45,515	598,480	643,995
Total Assets	$ 45,515	$ 598,480	$ 643,995
LIABILITIES			
Current Liabilities			
Accounts Payable	$ -	$ 67,340	$ 67,340
Due to Other Governments	-	100,026	100,026
Total Current Liabilities	-	167,366	167,366
Total Liabilities	-	167,366	167,366
NET POSITION			
Net Position Held in Trust for Other Purposes	45,515	431,114	476,629
Total Net Position	45,515	431,114	476,629
Total Liabilities and Net Position	$ 45,515	$ 598,480	$ 643,995

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
COMBINING STATEMENT OF CHANGES IN FIDUCIARY NET POSITION
PRIVATE PURPOSE TRUST FUNDS
FOR THE YEAR ENDED JUNE 30, 2014

	Abandoned Vehicle Abatement	Air Quality Management	Total
ADDITIONS			
Aid from Other Governmental Agencies	$ 134,758	$ 216,838	$ 351,596
Interest Income	368	1,654	2,022
Total Additions	135,126	218,492	353,618
DEDUCTIONS			
Program Expenses	95,584	88,279	183,863
Total Deductions	95,584	88,279	183,863
CHANGE IN NET POSITION	39,542	130,213	169,755
Net Position, Beginning of Year	45,515	431,114	476,629
Net Position, End of Year	$ 85,057	$ 561,327	$ 646,384

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
COMBINING STATEMENT OF CHANGES IN FIDUCIARY NET POSITION
PRIVATE PURPOSE TRUST FUNDS
FOR THE YEAR ENDED JUNE 30, 2013

	Abandoned Vehicle Abatement	Air Quality Management	Total
ADDITIONS			
Aid from Other Governmental Agencies	$ 130,619	$ 191,194	$ 321,813
Interest Income	268	2,795	3,063
Total Additions	130,887	193,989	324,876
DEDUCTIONS			
Program Expenses	128,776	536,275	665,051
Total Deductions	128,776	536,275	665,051
CHANGE IN NET POSITION	2,111	(342,286)	(340,175)
Net Position, Beginning of Year	43,404	773,400	816,804
Net Position, End of Year	$ 45,515	$ 431,114	$ 476,629

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
STATEMENT OF REVENUES, EXPENSES, AND
CHANGES IN FUND NET POSITION
ENTERPRISE FUND – TRANSIT RELATED
BY OPERATION
FOR THE YEAR ENDED JUNE 30, 2014

	VINE Go	VINE	Taxi	American Canyon	Yountville
Operating Revenues:					
Farebox Revenues	$ 68,282	$ 946,819	$ 38,689	$ 35,558	$ 32,906
Operating Expenses:					
Marketing	-	175,613	-	16	869
Vehicle Maintenance	-	23,224	-	-	-
Other Maintenance	1,838	29,568	247	745	559
Fuel and Lubricants	139,548	1,115,267	-	64,257	20,694
Insurance	29,027	247,444	166	13,756	11,294
Planning and Administration	-	-	-	-	-
Security	-	10,126	-	-	-
Services	5,184	41,019	1,537	1,506	1,209
Supplies	902	43,276	3,247	205	473
Purchased Transportation	885,191	5,143,700	63,255	291,082	301,411
Rents and Leases	-	24,000	-	-	-
Utilities	-	10,318	-	-	-
Miscellaneous Expense	687	8,367	962	278	209
Depreciation	87,069	1,705,596	-	-	16,445
Personnel Costs	33,421	158,459	2,962	6,437	4,691
Total Operating Expenses	1,182,867	8,735,977	72,376	378,282	357,854
Operating Loss	(1,114,585)	(7,789,158)	(33,687)	(342,724)	(324,948)
Nonoperating Revenues (Expenses):					
Local Transportation Funds	551,571	5,469,166	10,000	308,200	87,390
State Transit Assistance	384,003	629,303	-	-	-
FTA Grant Revenues - Operating	300,000	1,365,054	-	60,000	84,280
Other Federal Grants	-	-	-	-	-
Other Operating Grants	-	390,000	-	-	-
Interest Income	1,018	10,395	376	2,100	1,526
Other Revenues	5,427	(382,264)	-	-	-
Returned LTF Allocations	(145,353)	(1,193,659)	(2,635)	(81,219)	(23,029)
Total Nonoperating Revenues	1,096,666	6,287,995	7,741	289,081	150,167
Change in Net Position Before Contributions	(17,919)	(1,501,163)	(25,946)	(53,643)	(174,781)
Capital Contributions:					
Federal Transit Assistance	-	2,132,992	-	-	-
Other Capital	161,469	35,431	-	-	-
Local Transportation Funds	3,987	874,566	-	-	-
Change in Net Position	147,537	1,541,826	(25,946)	(53,643)	(174,781)
Net Position, Beginning of Year	197,874	22,926,511	(21,800)	(210,558)	69,621
Net Position, End of the Year	$ 345,411	$ 24,468,337	$ (47,746)	$ (264,201)	$ (105,160)

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
STATEMENT OF REVENUES, EXPENSES, AND
CHANGES IN FUND NET POSITION (Continued)
ENTERPRISE FUND – TRANSIT RELATED
BY OPERATION
FOR THE YEAR ENDED JUNE 30, 2014

	St. Helena	Calistoga	Totals
Operating Revenues:			
Farebox Revenues	$ 31,951	$ 59,872	$ 1,214,077
Operating Expenses:			
Marketing	5,989	8,267	190,754
Vehicle Maintenance	-	-	23,224
Other Maintenance	491	581	34,029
Fuel and Lubricants	21,457	17,920	1,379,143
Insurance	10,588	12,700	324,975
Planning and Administration	-	-	-
Security	-	-	10,126
Services	1,508	1,156	53,119
Supplies	1,323	2,351	51,777
Purchased Transportation	269,842	271,544	7,226,025
Rents and Leases	-	-	24,000
Utilities	-	-	10,318
Miscellaneous Expense	184	216	10,903
Depreciation	20,514	20,514	1,850,138
Personnel Costs	8,126	5,506	219,602
Total Operating Expenses	340,022	340,755	11,408,133
Operating Loss	(308,071)	(280,883)	(10,194,056)
Nonoperating Revenues (Expenses):			
Local Transportation Funds	130,000	206,739	6,763,066
State Transit Assistance	25,000	32,460	1,070,766
FTA Grant Revenues - Operating	84,280	84,281	1,977,895
Other Federal Grants	-	-	-
Other Operating Grants	-	-	390,000
Interest Income	905	1,019	17,339
Other Revenues	1,192	2,775	(372,870)
Returned LTF Allocations	(34,258)	(54,481)	(1,534,634)
Total Nonoperating Revenues	207,119	272,793	8,311,562
Change in Net Position Before Contributions	(100,952)	(8,090)	(1,882,494)
Capital Contributions:			
Federal Transit Assistance	-	-	2,132,992
Other Capital	-	-	196,900
Local Transportation Funds	-	3,931	882,484
Change in Net Position	(100,952)	(4,159)	1,329,882
Net Position, Beginning of Year	-	-	22,961,648
Net Position, End of the Year	$ (100,952)	$ (4,159)	$ 24,291,530

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
STATEMENT OF REVENUES, EXPENSES, AND
CHANGES IN FUND NET POSITION
ENTERPRISE FUND – TRANSIT RELATED
BY OPERATION
FOR THE YEAR ENDED JUNE 30, 2013

	VINE Go	VINE	Taxi	American Canyon	Yountville
Operating Revenues:					
Farebox Revenues	$ 57,654	$ 729,762	$ 39,768	$ 36,911	$ 25,602
Operating Expenses:					
Marketing	614	230,485	-	-	1,098
Vehicle Maintenance	-	81,600	-	-	-
Other Maintenance	-	173,302	-	-	-
Fuel and Lubricants	169,455	973,569	-	67,387	19,179
Insurance	991	19,332	159	377	272
Planning and Administration	-	4,691	-	-	-
Security	-	16,954	-	-	-
Services	7,893	50,961	1,499	2,533	2,918
Supplies	866	50,288	1,179	131	553
Purchased Transportation	843,072	4,485,178	81,219	290,332	228,639
Rents and Leases	4,363	32,193	1,658	2,468	1,364
Utilities	-	3,611	-	-	-
Miscellaneous Expense	1,317	10,786	156	370	267
Depreciation	89,400	1,066,734	-	-	13,607
Personnel Costs	37,829	263,224	7,381	5,509	5,875
Total Operating Expenses	1,155,800	7,462,908	93,251	369,107	273,772
Operating Loss	(1,098,146)	(6,733,146)	(53,483)	(332,196)	(248,170)
Nonoperating Revenues (Expenses):					
Local Transportation Funds	679,311	6,071,373	58,500	200,000	77,100
State Transit Assistance	161,890	651,699	-	110,000	-
FTA Grant Revenues - Operating	300,000	1,166,724	-	60,000	101,143
Other Federal Grants	-	373,239	-	-	-
Other Operating Grants	-	3,407,835	-	-	-
Interest Income	1,598	10,545	612	797	1,153
Other Revenues	-	-	-	-	-
Returned LTF Allocations	(291,784)	(3,052,610)	(25,127)	(85,906)	(33,117)
Total Nonoperating Revenues	851,015	8,628,805	33,985	284,891	146,279
Change in Net Position Before Contributions	(247,131)	1,895,659	(19,498)	(47,305)	(101,891)
Capital Contributions:					
Federal Transit Assistance	-	2,488,464	-	-	110,663
Other Capital	-	1,013,172	-	-	-
Local Transportation Funds	-	3,885,814	-	-	-
Change in Net Position	(247,131)	9,283,109	(19,498)	(47,305)	8,772
Net Position, Beginning of Year	445,005	13,643,402	(2,302)	(163,253)	60,849
Net Position, End of the Year	$ 197,874	$ 22,926,511	$ (21,800)	$ (210,558)	$ 69,621

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
STATEMENT OF REVENUES, EXPENSES, AND
CHANGES IN FUND NET POSITION (Continued)
ENTERPRISE FUND – TRANSIT RELATED
BY OPERATION
FOR THE YEAR ENDED JUNE 30, 2013

	St. Helena	Calistoga	Totals
Operating Revenues:			
Farebox Revenues	$ 20,188	$ 56,544	$ 966,429
Operating Expenses:			
Marketing	1,541	1,229	234,967
Vehicle Maintenance	-	-	81,600
Other Maintenance	-	-	173,302
Fuel and Lubricants	26,643	19,434	1,275,667
Insurance	184	283	21,598
Planning and Administration	-	-	4,691
Security	-	-	16,954
Services	1,438	2,092	69,334
Supplies	64	98	53,179
Purchased Transportation	141,168	250,058	6,319,666
Rents and Leases	1,226	1,381	44,653
Utilities	-	-	3,611
Miscellaneous Expense	180	278	13,354
Depreciation	20,514	20,514	1,210,769
Personnel Costs	8,801	4,975	333,594
Total Operating Expenses	201,759	300,342	9,856,939
Operating Loss	(181,571)	(243,798)	(8,890,510)
Nonoperating Revenues (Expenses):			
Local Transportation Funds	10,000	56,500	7,152,784
State Transit Assistance	156,929	159,605	1,240,123
FTA Grant Revenues - Operating	101,142	101,142	1,830,151
Other Federal Grants	-	-	373,239
Other Operating Grants	-	-	3,407,835
Interest Income	647	468	15,820
Other Revenues	-	-	-
Returned LTF Allocations	(4,295)	(24,268)	(3,517,107)
Total Nonoperating Revenues	264,423	293,447	10,502,845
Change in Net Position Before Contributions	82,852	49,649	1,612,335
Capital Contributions:			
Federal Transit Assistance	-	-	2,599,127
Other Capital	-	-	1,013,172
Local Transportation Funds	-	-	196,900
Change in Net Position	82,852	49,649	9,110,448
Net Position, Beginning of Year	86,590	248,006	14,318,297
Net Position, End of the Year	$ 169,442	$ 297,655	$ 23,428,745

OTHER REPORTS

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INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE OVER FINANCIAL REPORTING BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH THE STATUTES, RULES, AND REGULATIONS OF THE CALIFORNIA TRANSPORTATION DEVELOPMENT ACT AND THE ALLOCATION INSTRUCTIONS AND RESOLUTIONS OF THE METROPOLITAN TRANSPORTATION COMMISSION

To the Honorable Members
of the Board of Directors
Napa County Transportation and Planning Agency
Napa, California

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, the financial statements of the Napa County Transportation and Planning Agency (NCTPA) as of and for the year ended June 30, 2014, and have issued our report thereon dated December 29, 2014.

Compliance

As part of obtaining reasonable assurance about whether the NCTPA's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grants, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. Additionally, we performed tests to determine that allocations made and expenditures paid by NCTPA were made in accordance with the allocation instructions and resolutions of the Transportation Commission and in conformance with the California Transportation Development Act. Specifically, we performed each of the specific tasks identified in the California Code of Regulations Sections 6666 and 6667 that are applicable to NCTPA. As noted in Note 15 to the financial statements for the fiscal year ended June 30, 2014, NCTPA's farebox ratio for Article 4 transit operations was 15% while the requirement was at least 16%. Therefore, NCTPA was not in compliance with this requirement for the year ended June 30, 2014. Based on our procedures, no other instances of noncompliance with applicable statutes, rules, and regulations of the Transportation Development Act and the allocation instructions and resolutions of the Metropolitan Transportation Commission were noted. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion.

Also as part of our audit, we performed tests of compliance to determine whether certain state funds were received and expended in accordance with the applicable bond act and state accounting requirements.

Other Matters

In November 2006, California voters passed a bond measure enacting the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 (Proposition 1B). Of the $19.925 billion of state general obligation bonds authorized, $4 billion was set aside by the State as instructed by statute as the Public

Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA). These funds are available to the California Department of Transportation for intercity rail projects and to transit operators in California for rehabilitation, safety, or modernization improvements; capital service enhancements or expansions; new capital projects; bus rapid transit improvements; or for rolling stock procurement, rehabilitation, or replacement.

During the fiscal year ended June 30, 2014, NCTPA received $0 from the State's PTMISEA funds. As of June 30, 2014, PTMISEA interest received and funds expended were verified in the course of our audit as follows:

Schedule of PTMISEA Proposition 1B Grants
For the Year Ended June 30, 2014

	2014
Balance - beginning of the year	$ 597,859
Receipts:	
Interest accrued 7/1/2013 through 6/30/2014	2,486
Expenses:	
Transit Capital	(161,470)
Balance - end of year	$ 438,875

The results of our tests indicated that, with respect to the items tested, NCTPA complied, in all material respects, with the provisions referred to in the preceding paragraph. With respect to items not tested, nothing came to our attention that caused us to believe that NCTPA had not complied, in all material respects, with those provisions.

Purpose of this Report

The purpose of this report is solely to describe the scope of our internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of NCTPA's internal control or on compliance. Accordingly, this report is not suitable for any other purpose.

This report is intended solely for the information and use of management, the Board of Directors, the California Department of Transportation, and the State Controller's Office, and officials of applicable grantor agencies. However, this report is a matter of public record and its distribution is not limited.

BROWN ARMSTRONG
ACCOUNTANCY CORPORATION

Brown Armstrong
Accountancy Corporation

Bakersfield, California
December 29, 2014

Napa County Transportation & Planning Agency

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY

SINGLE AUDIT REPORT

FOR THE FISCAL YEARS ENDED JUNE 30, 2014 AND 2013

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
JUNE 30, 2014 AND 2013

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BROWN ARMSTRONG

Certified Public Accountants

INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS*

Board of Directors
Napa County Transportation and Planning Agency
Napa, California

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the Napa County Transportation and Planning Agency (NCTPA), as of and for the years ended June 30, 2014 and 2013, and the related notes to the financial statements, which collectively comprise the NCTPA's basic financial statements, and have issued our report thereon dated December 29, 2014.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the NCTPA's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the NCTPA's internal control. Accordingly, we do not express an opinion on the effectiveness of the NCTPA's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of NCTPA's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the NCTPA's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. For the fiscal year ended June 30, 2014, NCTPA's farebox ratio for Article 4 transit operations was 15.13%, while the requirement was at least 16%. Therefore, NCTPA was not in compliance with this requirement for the year ended June 30, 2014.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the NCTPA's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the NCTPA's internal control and compliance. Accordingly, this report is not suitable for any other purpose.

BROWN ARMSTRONG
ACCOUNTANCY CORPORATION

Brown Armstrong
Accountancy Corporation

Bakersfield, California
December 29, 2014

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Certified Public Accountants

INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE FOR EACH MAJOR PROGRAM AND ON INTERNAL CONTROL OVER COMPLIANCE REQUIRED BY OMB CIRCULAR A-133

Board of Directors
Napa County Transportation and Planning Agency
Napa, California

Report on Compliance for Each Major Federal Program

We have audited the Napa County Transportation and Planning Agency's (NCTPA) compliance with the types of compliance requirements described in the OMB Circular A-133 *Compliance Supplement* that could have a direct and material effect on each of the NCTPA's major federal programs for the year ended June 30, 2014. The NCTPA's major federal programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs.

Management's Responsibility

Management is responsible for compliance with the requirements of laws, regulations, contracts, and grants applicable to its federal programs.

Auditor's Responsibility

Our responsibility is to express an opinion on compliance for each of the NCTPA's major federal programs based on our audit of the types of compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*. Those standards and OMB Circular A-133 require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about the NCTPA's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion on compliance for each major federal program. However, our audit does not provide a legal determination of the NCTPA's compliance.

Opinion on Each Major Federal Program

In our opinion, the NCTPA complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended June 30, 2014.

Report on Internal Control Over Compliance

Management of the NCTPA is responsible for establishing and maintaining effective internal control over compliance with the types of compliance requirements referred to above. In planning and performing our audit of compliance, we considered the NCTPA's internal control over compliance with the types of requirements that could have a direct and material effect on each major federal program to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance for each major federal program and to test and report on internal control over compliance in accordance with OMB Circular A-133, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the NCTPA's internal control over compliance.

A *deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. A *material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Report on the Schedule of Expenditures of Federal Awards Required by OMB Circular A-133

We have audited the financial statements of the NCTPA as of and for the year ended June 30, 2014 and 2013, and the related notes to the financial statements, which collectively comprise the NCTPA's basic financial statements. We issued our report thereon dated December 29, 2014, which contained unmodified opinions on those financial statements. Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the basic financial statements. The accompanying schedule of expenditures of federal awards is presented for purposes of additional analysis as required by OMB Circular A-133 and is not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures we applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the schedule of expenditures of federal awards is fairly stated in all material respects in relation to the basic financial statements as a whole.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of OMB Circular A-133. Accordingly, this report is not suitable for any other purpose.

BROWN ARMSTRONG
ACCOUNTANCY CORPORATION

Brown Armstrong
Accountancy Corporation

Bakersfield, California
December 29, 2014

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
FOR THE YEAR ENDED JUNE 30, 2014

Federal Grantor/Pass-Through Grantor/Program Title	Federal CFDA Number	Pass-Through Grantor's Number	Disbursements/ Expenditures
U.S. Department of Transportation			
Direct Programs:			
Federal Transit Administration	20.525	CA-04-0217	$ 2,132,992
Federal Transit Administration	20.507	CA-90-Z220	1,456,078
Federal Transit Administration	20.205	CA-95-X290	18,684
Federal Transit Administration	20.507	CA-90-Y927	2,887
Total Direct Programs			3,610,641
Passed through Metropolitan Transportation Commission			
Highway Planning and Construction	20.205	--	823,227
Total Metropolitan Transportation Commission			823,227
Passed through State Department of Transportation (Caltrans)			
Highway Planning and Construction	20.205	CML-6429(008)	474,472
Federal Transit Administration	20.509	6414156	252,841
Federal Transit Administration	20.509	641486	184,321
Federal Transit Administration	20.509	642413	84,655
Federal Transit Administration	20.205	04-6429R	22,167
Total State Department of Transportation (Caltrans)			1,018,456
Total U.S. Department of Transportation			5,452,324
Total Expenditures of Federal Awards			$ 5,452,324

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
NOTE TO SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
FOR THE YEAR ENDED JUNE 30, 2014

NOTE 1 – BASIS OF ACCOUNTING

The accompanying Schedule of Expenditures of Federal Awards is presented using the accrual basis of accounting. The information in this schedule is presented in accordance with the requirements of U.S. Office of Management and Budget (OMB) Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations.* Therefore, some amounts presented in this schedule may differ from amounts presented in, or used in the preparation of, the financial statements.

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE YEAR ENDED JUNE 30, 2014

SECTION I

Summary of Auditor's Results

Financial Statements

1. Type of auditor's report issued:	Unmodified
2. Internal control over financial reporting:	
a. Material weaknesses identified?	No
b. Significant deficiencies identified not considered to be material weaknesses?	No
3. Noncompliance material to financial statements noted?	No

Federal Awards

1. Internal controls over major program:	
a. Material weaknesses identified?	No
b. Significant deficiencies identified not considered to be material weaknesses	No
2. Type of auditor's report issued on compliance for major program:	Unmodified
3. Any audit findings disclosed that are required to be reported in accordance with Circular OMB A-133, Section 510(a)?	No
4. Identification of major program:	

CFDA Number	Name of Federal Program
20.507/20.525	Federal Transit Cluster
20.205	Highway Planning and Construction

5. Dollar threshold used to distinguish between type A and Type B programs:	$300,000
6. Auditee qualified as a low-risk auditee under OMB Circular A-133, Section 530?	Yes

SECTION II

Financial Statement Findings

No matters were reported.

SECTION III

Federal Award Findings and Questioned Costs

No matters were reported.

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
SUMMARY SCHEDULE OF PRIOR AUDIT FINDINGS
FOR THE YEAR ENDED JUNE 30, 2014

No matters were reported.

January 21, 2015
NCTPA Agenda Item 11.2
Continued From: New
Action Requested: APPROVE

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
Board Agenda Letter

TO: Board of Directors

FROM: Kate Miller, Executive Director

REPORT BY: Herb Fredricksen, Program Manager - Engineer
(707) 259-5951 / Email: hfredricksen@nctpa.net

SUBJECT: Approval of Resolution No. 15-02 Approving and Certifying the California Environmental Quality Act (CEQA) Mitigated Negative Declaration and Adopting the Mitigation Monitoring and Reporting Program, and Adopting the National Environmental Policy Act (NEPA) Categorical Exclusion Determination for the Vine Trail Oak Knoll District Project

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RECOMMENDATION

That the Napa County Transportation and Planning Agency (NCTPA) Board (1) approve Resolution No. 15-02 (Attachment 1) adopting the Napa Valley Vine Trail Project – Oak Knoll District Project - California Environmental Quality Act (CEQA) document for the Mitigated Negative Declaration (Exhibit A), the CEQA Mitigation Monitoring and Reporting Program (Exhibit B), and the California Department of Transportation Determination of Categorical Exclusion under 23 CFR 771.117 (c) (3) for the Napa Valley Vine Trail Project – Oak Knoll District, in accordance with the requirements of the National Environmental Policy Act (Exhibit C) and, (2) direct staff to file a Notice of Determination for the CEQA document.

COMMITTEE RECOMMENDATION

None

EXECUTIVE SUMMARY

Staff has completed the environmental documentation for the Napa Valley Vine Trail Project – Oak Knoll District (Project). Caltrans made a NEPA Categorical Exclusion determination for the Project and a final CEQA Mitigated Negative Declaration has been prepared for the Board's approval and certification.

PROCEDURAL REQUIREMENTS

1. Staff Report
2. Public Comment
3. Motion, Second, Discussion and Vote

FISCAL IMPACT

Is there a fiscal impact? No

CEQA REQUIREMENTS

ENVIRONMENTAL DETERMINATION: Mitigated Negative Declaration Prepared. According to the Mitigated Negative Declaration, the proposed project would have, if mitigation measures are not included, potentially significant environmental impacts in the following areas: Biological Resources. This project site is not on any of the lists of hazardous waste sites enumerated under Government code section 65962.5.

NEPA REQUIREMENTS

The California Department of Transportation approved conformance with the National Environmental Policy Act with a determination of a Categorical Exclusion under 23 CFR 771.117 (c) (3) for the Napa Valley Vine Trail Project – Oak Knoll District.

BACKGROUND AND DISCUSSION

The Vine Trail is envisioned as a 47-mile Class I bicycle and pedestrian trail from the Vallejo Ferry Terminal to the City of Calistoga. The Oak Knoll District alignment was identified from Redwood Road in the City of Napa to California Drive in the Town of Yountville, between the Napa Valley Wine Train and Solano Avenue.

The Oak Knoll District Vine Trail segment is funded with a $2,500,000 federal Transportation, Community, and System Preservation (TCSP) grant, $3.6 million in Active Transportation Program (ATP) funds, with matching funds and staff time contributed by the County of Napa, Town of Yountville the City of Napa, NCTPA as well as a roughly $1 million private sector contribution from the Vine Trail Coalition.

Preliminary studies were first conducted on the Project in 2011 by the County of Napa Public Works Department funded an allocation of Congestion Mitigation and Air Quality funds in May of 2011 and the aforementioned TCSP funds. A Field Review was conducted with Caltrans for the Project in February of 2013.

After the Caltrans Field Review in February of 2013 staff worked with Caltrans and the design firm of Riechers Spence and Associates to design the project in compliance with

federal, state and local standards. The proposed path will be an asphalt concrete path, 10 feet in width with 2-foot shoulders. The proposed project further includes prefabricated truss bridges to span two manmade drainage channels and modifications to the existing Solano Avenue bridge to span Dry Creek. Proposed improvements further include: ADA compliance curb ramps, two traffic signals, stop signs, fencing, and pavement markings.

A public meeting was conducted for the Project at NCTPA offices on February 27, 2014.

A National Environmental Policy Act (NEPA) determination of Categorical Exclusion under 23 CFR 771.117 (c) (3), construction of bicycle and pedestrian lanes, paths and facilities was secured for the Project on June 30, 2014. This determination and the findings that support it were used as the basis for the CEQA Initial Study.

The Public Review Draft of the CEQA Initial Study/Mitigated Negative Declaration was prepared by LSA Associates, Inc. in November 2014 and a Public Notice of Intent to Adopt CEQA findings was published on November 14, 2014 with a public comment period closing on December 23, 2014. The Initial Study/Mitigated Negative Declaration was prepared pursuant to CEQA Guidelines Sections 15070 – 15073. The Initial Study/Mitigated Negative Declaration determined that the proposed project would result in “potentially significant” or “potentially significant unless mitigated” environmental impacts related to aesthetics, air quality, biological resources, cultural resources, hazards and hazardous materials, noise, and recreation. Although the proposed project could have a significant effect on the environment without mitigation, implementation of feasible mitigation measures would either avoid or reduce to a level of insignificance identified environmental impacts.

Comments on the Initial Study/Mitigated Negative Declaration were received from the Napa County Flood Control District, the Town of Yountville and an unidentified walk-in member of the public at NCTPA offices. Staff and Riechers Spence and Associates have worked closely with all the municipalities and affected agencies on the design of the project and these comments were addressed in the Final Notice of Determination with minor changes made to the Initial Study/Mitigated Negative Declaration to clarify several design issues. A Mitigation Monitoring and Reporting Program has been prepared to insure CEQA compliance during project implementation.

Following the approval of the Initial Study/Mitigated Negative Declaration staff will send the adopting Resolution to the California Transportation Commission along with a request for the allocation of ATP funds. Staff anticipates that the project will be advertised for construction in February/March 2015 and that the Project will be substantially completed within 2015.

SUPPORTING DOCUMENTS

Attachment: (1) Resolution No. 15-02

The following documents are available for review on the NCTPA website at http://www.nctpa.net/current-projects-caltrans-projects

(1) CEQA Initial Study/Mitigated Negative Declaration Napa Valley Vine Trail Project
(2) Draft Responses to Comments - Vine Trail, Oak Knoll District Initial Study/Mitigated Negative Declaration
(3) Mitigation Monitoring and Reporting Program
(4) NEPA Categorical Exclusion Determination

RESOLUTION No. 15-02

RESOLUTION OF THE NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY (NCTPA) APPROVING AND CERTIFYING THE CALIFORNIA ENVIRONMENTAL QUALITY ACT MITIGATED NEGATIAVE DECLARATION AND ADOPTING THE MITIGATION MONITORING AND REPORTING PROGRAM, AND ADOPTING THE NATIONAL ENVIRONMENTAL POLICY ACT CATEGORICAL EXCLUSION DETERMINATION FOR THE NAPA VALLEY VINE TRAIL PROJECT – OAK KNOLL DISTRICT

WHEREAS, the subject project is known as the Napa Valley Vine Trail Project – Oak Knoll District; and

WHEREAS, the Napa Valley Vine Trail Project – Oak Knoll District will construct a Class I bicycle and pedestrian trail from Redwood Road in the City of Napa to California Drive in the Town of Yountville; and

WHEREAS, an Initial Study was prepared for the Napa Valley Vine Trail Project – Oak Knoll District pursuant to California Environmental Quality Act (CEQA) and it was determined that a Mitigated Negative Declaration should be prepared; and

WHEREAS, the Initial Study/Mitigated Negative Declaration concluded that implementation of the Napa Valley Vine Trail Project – Oak Knoll District would result in a number of potentially significant effects on the environment and identified mitigation measures that would reduce the significant effects to less-than-significant levels; and

WHEREAS, a Notice of Intent to adopt a mitigated negative declaration was prepared and circulated for public review per CEQA guidelines on November 14, 2014, and the NCTPA independently reviewed the mitigated negative declaration and considered written and public comments on the proposed Napa Valley Vine Trail Project – Oak Knoll District received through December 23, 2014; and

WHEREAS, the Initial Study/Final Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the Napa Valley Vine Trail Project – Oak Knoll District, together with public comments and the response, and are, by this reference, incorporated into this Resolution and adopted by this Board as Exhibits A and B as if fully set forth herein; and

WHEREAS, the NCTPA held a duly noticed public meeting for the Napa Valley Vine Trail Project – Oak Knoll District on February 27, 2014 , heard public input, the findings of which guided the Initial Study and Final Mitigated Negative Declaration; and

WHEREAS, after receiving public comments, minor revisions were made to the Mitigated Negative Declaration which do not require recirculation pursuant to CEQA Guidelines 15073.5(c)4; and

WHERAS, on June 30, 2014 the California Department of Transportation approved conformance with the National Environmental Policy Act with a determination of a Categorical Exclusion under 23 CFR 771.117 (c) (3) for the Napa Valley Vine Trail Project – Oak Knoll District; and

WHEREAS, on August 19, 2014 the California Department of Transportation revalidated the National Environmental Policy Act determination due to a right of way alignment change for the Napa Valley Vine Trail Project – Oak Knoll District; and

WHEREAS, on January 21, 2015, the Board held a duly noticed public hearing during which it received and considered public testimony:

NOW, THEREFORE, BE IT RESOLVED that in accordance with the provisions of the California Environmental Quality Act and the National Environmental Policy Act, the Board makes the following findings and takes the following actions:

1. The foregoing recitals are true and correct.

2. The Initial Study/ Final Mitigated Negative Declaration (MND) for the Napa Valley Vine Trail Project – Oak Knoll District, attached as Exhibit A, has been completed in accordance with the requirements of the California Environmental Quality Act, Public Resources Code sections 21000 *et seq.* ("CEQA") and California Code of Regulations, Title 14, sections 15000 *et seq.* ("CEQA Guidelines").

3. Certifies that the Initial Study/ Final MND was prepared, published, circulated, and reviewed in accordance with the requirements of CEQA and the CEQA Guidelines, that the Initial Study and Final MND is adequate, accurate, objective, and complete; and has been independently analyzed by the Board, and the final report together with the comments and the response to comments reflects the Board's own independent judgment (Pub. Res. Code 21082.1).

4. Pursuant to CEQA Guidelines sections 15074, and consistent with the findings set forth above and in the Final MND in support of its approval of the Napa Valley Vine Trail Project – Oak Knoll District, the Board finds on the basis of the whole record before it, that there is no substantial evidence in the record that the project will have a significant impact on the environment. The implementation of feasible mitigation measures would either avoid or reduce to a level of insignificance the identified environmental impacts.

5. Adopts the Mitigation Monitoring and Reporting Program, as set forth in the attached Exhibit B of this Resolution pursuant to CEQA section 21081.6 and CEQA Guideline section 15074, and in support of approval of the Napa Valley Vine Trail Project – Oak Knoll District, to ensure implementation of all reasonably feasible mitigation and other measures identified in the MND.

NCTPA finds that these mitigation measures are fully enforceable conditions of the Napa Valley Vine Trail Project – Oak Knoll District and shall be binding on NCTPA and all other affected parties; and the Board finds that these mitigation measures reduce all environmental impacts of the project to less than significant levels.

6. The Board directs that, pursuant to CEQA Guideline section 15075, staff immediately file a Notice of Determination with the County Clerk of Napa County and with the State Office of Planning and Research.

7. Pursuant to CEQA Guidelines section 15074(c), the custodian of the documents and other materials that constitute the record of proceedings upon which NCTPA has based its decision is NCTPA Executive Director, Kate Miller, and the documents and materials are located in and may be obtained from offices of the NCTPA, 625 Burnell Street, Napa, CA 94559.

8. The Board adopts the California Department of Transportation determination of Categorical Exclusion under 23 CFR 771.117 (c) (3) for the Napa Valley Vine Trail Project – Oak Knoll District, attached as Exhibit C, in accordance with the requirements of the National Environmental Policy Act.

Passed and Adopted the 21st day of January, 2015.

_____
John F. Dunbar, NCTPA Chair

Ayes:

Noes:

Absent:

ATTEST:

_____
Karalyn E. Sanderlin, NCTPA Board Secretary

APPROVED:

_____
Janice Killion, NCTPA Legal Counsel

EXHIBIT "A"

CEQA INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

NAPA VALLEY VINE TRAIL PROJECT

NAPA, CALIFORNIA

Prepared for:

Napa County Transportation and Planning Agency/
Napa Valley Transportation Authority
625 Burnell Street
Napa, California 94559

Prepared by:

LSA Associates, Inc.
157 Park Place
Point Richmond, California 94801
(510) 236-6810

LSA Project No.RSA1303

LSA

January 2015

MITIGATED NEGATIVE DECLARATION

Project Name. Napa Valley Vine Trail Project – Oak Knoll District

Project Location. The project site extends from the Napa Valley Wine Train right-of-way to Solano Avenue, just south of Redwood Road in the City of Napa to California Drive in the Town of Yountville in Napa County, California (Figures 1 and 2). The proposed path would be located west of and run parallel to State Highway 29.

Project Description. The Napa County Transportation & Planning Agency (NCTPA) proposes to construct a new 6-mile section of the Napa Valley Vine Trail (Vine Trail) between Napa and Yountville. The project, the Vine Trail's Oak Knoll District, would connect two existing segments of the Vine Trail, the Commuter Bike Path in Napa and the Yountville Mile. The proposed Class I bicycle/pedestrian path would be located between the Napa Valley Wine Train right-of-way and Solano Avenue, all within public right-of-way. The path would be constructed in accordance with local, State, and federal requirements and will be an asphalt concrete path 10 feet in width with 2-foot shoulders. Prefabricated truss bridges would be needed to span two manmade drainage channels and modifications made to the existing Solano Avenue bridge to span Dry Creek. Proposed improvements include: ADA compliance curb ramps, two traffic signals, stop signs, fencing, and pavement markings.

Findings. It is hereby determined that, based on the information contained in the attached Initial Study, the project would not have a significant adverse effect on the environment.

Mitigation measures, necessary to avoid potentially significant effects on the environment, are included in the attached Initial Study, which is hereby incorporated and fully made part of this Mitigated Negative Declaration. The Napa County Transportation & Planning Agency has hereby agreed to implement each of the identified mitigation measures, which would be adopted as part of the Mitigation Monitoring and Reporting Program.

1/13/15
Date

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1. **Project title:**
   Napa Valley Vine Trail Project – Oak Knoll District

2. **Lead agency name and address:**
   Napa County Transportation & Planning Agency
   625 Burnell Street
   Napa, CA 94559

3. **Contact person and phone number:**
   Herb Fredricksen, Manager of Engineering
   (707) 259-5951

4. **Project location:**
   The project site extends from the Napa Valley Wine Train right-of-way to Solano Avenue, just south of Redwood Road in the City of Napa to California Lane in the Town of Yountville in Napa County, California (Figures 1 and 2). The proposed path would be located west of and run parallel to State Highway 29.

5. **Project sponsor's name and address:**
   Napa County Transportation & Planning Agency
   625 Burnell Street
   Napa, CA 94559

6. **General plan designation:**
   Napa County: Agricultural Resource, Cities

   City of Napa: Single Family Infill (SFI-1, SFI-6, SFI-10), Multifamily Residential (MFR-11, MFR-14), Single Family Residential (SFR-2), Tourist Commercial (TC-401, TC-402), Local Commercial (LC-400), Public Serving (PS-801)

   Town of Yountville: Public Facilities

7. **Zoning:**
   Napa County: AP (Agricultural Preserve), AW (Agricultural Watershed), CL (Commercial Limited)

   City of Napa: Single-Family Infill (RI-4, RI-5); Single Family Residential (RS-5); Multifamily Residential (MR); Local Commercial (CL); Tourist Commercial (CT); Public, Quasi-Public Schools, and Health Facilities (PQ)

   Town of Yountville: Public Facilities

8. **Description of project:**
   The Vine Trail Oak Knoll District Project (proposed project) is a 6-mile Class I bicycle/pedestrian trail within the public right-of-way from south of Redwood Road in the City of Napa (City) to the Town of Yountville (Figure 3). The project would connect two existing segments of the Vine Trail, the Commuter Bike Path in Napa and the Yountville Mile.

Connecting these two existing Class I paths would create an 8.6-mile bike trail and provide a readily accessible safe walking and biking path for 60 percent of Napa County's population. The proposed project would encourage alternative modes of transportation (e.g., bicycling, walking), thereby reducing the use of motorized vehicles resulting in a beneficial effect on the environment.

The path would be located between the Napa Valley Wine Train right-of-way and Solano Avenue, predominantly within public right-of-way. The path is west of and runs parallel to State Highway 29. The project would connect Park and Ride facilities in the City of Napa and Town of Yountville. The path would cross seven local streets and roads and all safety improvements and signing would conform to local and California Manual on Uniform Traffic Control Devices (California MUTCD) standards.

The proposed trail alignment would consist primarily of a 10-foot wide paved path, and 2-foot wide shoulders for a total width of 14 feet. Disturbed areas would extend beyond the edges of the path at a 2:1 maximum slope in order to conform to existing grade and provide minimal alteration of existing drainage conditions. Where constrained by property lines, easements or a change in grade such that a built up slope is not feasible, short retaining structures would be built, typically in locations where the east edge of the trail would align horizontally within an existing drainage feature. The proposed trail would cross three (3) separate drainage channels (Yountville Collector, Dry Creek and Salvador Channel). Trees would be removed with mitigated plantings within the project limits.

Construction of the proposed project would result in approximately 15,000 cubic yards of off-haul for disposal (1,000 cubic yards from the Town of Yountville, 8,500 cubic yards from Napa County, and 5,500 cubic yards from the City of Napa). Off-haul would be stockpiled, stabilized and covered in a pre-determined location within the project boundary, or removed from the site after grading and excavation activities are completed.

Staging areas would be finalized in coordination with the construction contractor. Potential staging areas to be considered include a wide gravel area to the south of Trower Avenue, and the Park and Ride location at California Avenue in the Town of Yountville. After completion of construction activities, staging areas would be returned to their previous condition or improved.

Construction access would primarily occur via established access routes used for maintenance of the drainage channels and the railroad. These access points are located at the intersections of Solano Avenue with its cross streets. Active access points would vary with the portion of the trail under construction. The access points would continue to be used for trail maintenance activities after completion of construction activities.

Existing underground utilities would remain in place, including gas and water pipelines and fiber-optic cables. Utility poles and overhead utility lines that would conflict with the proposed project would be relocated in coordination with the utility provider prior to construction of the proposed trail. Where needed, inlets or other means would be provided to convey stormwater into existing stormdrain systems and channels with minimal alteration to the existing drainage system.

No detours are anticipated for this project. Streets and roads affected by trail construction would be appropriately signed with temporary traffic control measures per Caltrans standards and the California MUTCD. After completion of the proposed trail and associated intersection improvements, temporary signage and traffic control measures would be removed.

Two drainage channels are located parallel to the proposed trail alignment: the Yountville Collector in unincorporated Napa County and the Salvador Collector in the City of Napa. The only work within these channels would include replacement of the existing culvert south of Wine Country Avenue. The proposed trail alignment would cross these channels south of Hoffman Lane and south of Wine Country Avenue. Proposed crossings would consist of pre-fabricated steel truss bridges with cast-in-drilled-hole piles located outside the top of bank to completely span the channels without impacting their beds or banks. Bridge elevation (bottom of deck) would be designed above the 100-year floodplain[1] to avoid impacting existing flows within the channels. To cross Dry Creek, the NCTPA proposes to widen the existing Solano Avenue bridge.

A detailed description of each trail segment by station number is provided below.

California Drive from Terminus of Yountville Mile to Station 0+00 (California Drive Overpass Area). To accommodate the proposed path, widening of the existing sidewalk and street crossings along California Drive would be conducted to connect the proposed trail to the Yountville Mile. Work in this area would include demolition of the existing curb, gutter, and sidewalk and installation of a new curb, gutter and sidewalk to increase the overall width of the walkway on the north side of California Drive from 10 to 14 feet. New curb ramps would be installed and crosswalks would be restriped, as needed.

Stations 0+00 to 16+00 – California Drive to Southern Limit of Yountville (1,600 feet). The trail in this segment would require approximately 1,500 feet of retaining wall along its eastern side, parallel to the existing Wine Train right-of-way. The wall is not anticipated to exceed 5 feet in height. Along the western edge of the trail, a curb is proposed to provide a barrier between automobile and bicycle traffic. Re-striping and additional paving along the western edge of Solano Avenue would be necessary to accommodate the trail and buffer zone. Approximately seven (7) trees of varying species and size would be removed in this segment to accommodate the proposed alignment. The disturbed area for this segment would be approximately 30,400 square feet (sf).

Stations 16+00 to 112+00 – Southern Limit of Yountville to Hillview Lane (9,600 feet). The trail in this segment would be located between the Wine Train right-of-way to the east and the Yountville Collector stormwater channel to the west. No permanent structures or grading would occur within 5 feet of the top of the channel bank. The trail crosses Hoffman Lane around Station 52+00. Two single-span bridges are proposed across the Yountville Collector from Stations 63+00 to 64+00. Approximately 30 trees of varying species and size would be

[1] The southernmost bridge over the Salvador Channel would be designed above the 100-year floodplain. The widening across Dry Creek would be at the same elevation as the existing bridge. No base flood elevations are mapped by the Federal Emergency Management Agency at this location. For the northernmost bridge at Hinman Creek, the bridge deck would be constructed one-foot higher than the existing railroad bridge deck to the east, well above the 100-year floodplain.

removed to accommodate the proposed alignment. The disturbed area would be approximately 134,400 sf.

Stations 112+00 to 132+00 – Hillview Lane to Darms Lane (2,000 feet). This segment would be located directly adjacent to Solano Avenue and a buffer strip approximately 5 feet wide would be provided to separate automobile and bicycle traffic. A row of approximately 23 large eucalyptus (*Eucalyptus* sp.) trees north of the Washington Street Connector (Station 127+00), several of which are diseased, would likely need to be removed to accommodate the proposed trail,. The disturbed area for this segment would be approximately 38,000 sf.

Stations 133+00 to 134+00 – Darms Lane/Dry Creek. The trail would cross Dry Creek at Darms Lane by widening the existing Solano Avenue bridge by approximately 2 feet to accommodate the required automobile lane shifting. The bridge widening would be accomplished by removing and replacing a portion of the bridge exterior barrier walls for a net increase in width of 2 feet to accommodate a reduced path width of 5 feet at this location. All work would be conducted from the existing bridge deck. The addition of concrete would not require the extension of any existing bridge piers and no work would impact or occur in the channel or bed of Dry Creek.

Stations 134+00 to 181+00 – Darms Lane to Oak Knoll Avenue (4,700 feet). South of Dry Creek, the trail alignment would be located between the Wine Train right-of-way to the east and Solano Ditch, a concrete drainage ditch to the west. Approximately 17 trees of varying species and size would need to be removed in this segment. The disturbed area would be approximately 65,800 sf.

Stations 181+00 to 219+00 – Oak Knoll Avenue to Luke Drive (3,800 feet). This segment would be located directly adjacent to Solano Avenue and a safety buffer strip approximately 5 feet wide would be provided to separate automobile and bicycle traffic. A curb and gutter would be installed between the buffer and Solano Avenue to capture stormwater runoff and convey it into the existing storm drain system on the western side of Solano Avenue. On the east side of the trail, existing grade elevations would require installation of a short retaining wall to stabilize the eastern edge of the trail. The proposed retaining wall would extend from Station 183+00 to 218+51. Approximately 14 trees, mostly non-native, would need to be removed in this segment. The disturbed area for this segment would be approximately 72,200 sf.

Stations 219+00 to 274+00 – Luke Drive to Trower Avenue (5,500 feet). The trail in this segment would run between the Wine Train right-of-way to the east and the Salvador Collector stormwater channel to the west. Several trees would likely need to be removed. At Wine Country Avenue, an existing box culvert would be extended to the south to accommodate the additional width of the trail at this intersection. An existing 155-sf concrete outfall apron south of the culvert would be removed and replaced with a culvert section of the same footprint. No temporary or permanent fill of the channel is expected. Two single-span bridges are proposed across the Salvador Collector south of Wine Country Avenue from Stations 260+00 to 261+00. Approximately nine (9) trees, including five valley oaks, would need to be removed in this segment. The disturbed area for this segment would be approximately 77,000 sf.

Stations 274+00 to 300+00 – Trower Avenue to Park and Ride at Redwood Road (3,100 feet). This segment would be located directly adjacent to Solano Avenue and a buffer strip approximately 5 feet wide would be provided to separate automobile and bicycle traffic. A short retaining wall would extend from Station 287+68 to 305+84. A curb and gutter would be installed between the buffer and Solano Avenue to capture stormwater runoff and convey it into the existing storm drain system on the western side of Solano Avenue. Several large trees immediately south of Trower Avenue, including three cottonwoods, may need to be removed. The disturbed area for this segment would be approximately 58,900 sf.

Stations 305+00 to 315+00 – Eastern Edge of Park and Ride at Redwood Road (1,000 feet). The last 1,000 feet of the trail would be constructed along the eastern edge of the existing Park and Ride facility at Redwood Road within the Wine Train right-of-way. The disturbed area at this location would be approximately 14,000 sf.

9. Surrounding land uses and setting:

The project site extends from the Napa Valley Wine Train right-of-way to Solano Avenue, just south of Redwood Road in the City of Napa to California Lane in the Town of Yountville in Napa County, California. The proposed path would be located west of and run parallel to State Highway 29. Surrounding land uses include agricultural lands within unincorporated Napa County and developed lands within the City of Napa. In Napa County and the Town of Yountville, adjacent land uses include vacant land, agricultural uses, rural residential development, vineyard/winery, golf course, and fire station. Adjacent land uses in the City of Napa include: single family and multifamily (apartments) residential uses; mobile home park; light industrial/warehouse uses; commercial development; motel/hotel; and a high school.

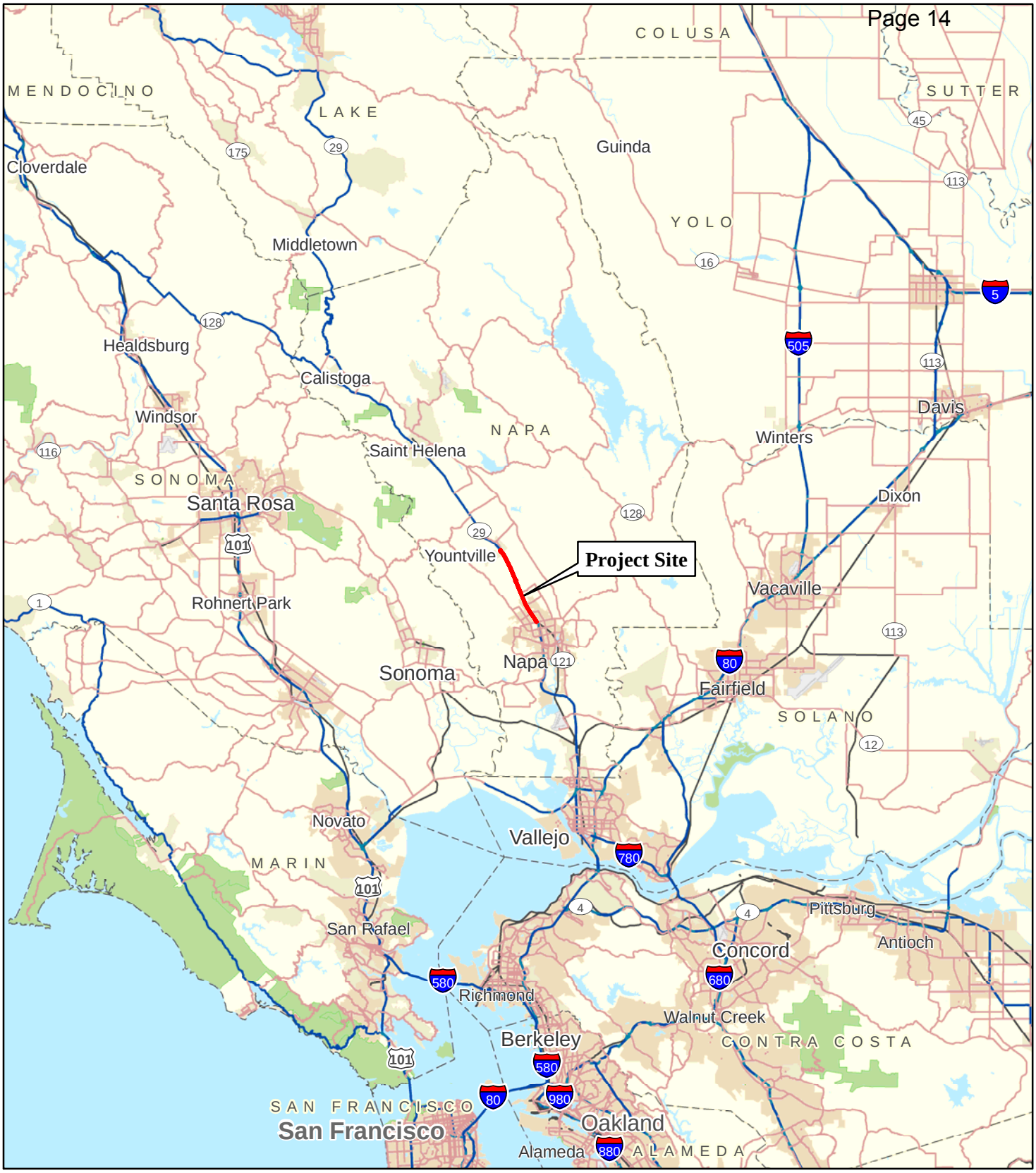
Topography along the project corridor is generally flat with a gentle slope eastward. The elevation profile along the project alignment varies slightly from approximately 70 to 105 feet above mean sea level (amsl), with an average elevation of approximately 95 feet amsl. Two drainage channels used for conveying stormwater runoff and seasonal flows are located parallel to and east of Solano Avenue. The Yountville Collector, in the northern portion of the proposed alignment, stretches approximately 1.7 miles from Vineyard Drive to Hillview Lane. The Salvador Collector runs approximately 1.0 mile from Luke Drive to Trower Avenue in the City of Napa. Both drainage channels along with Hinman Creek and Dry Creek, tributaries to the Napa River, flow east before discharging into the Napa River. Approximately 2 miles of the path is located within a Federal Emergency Management Agency (FEMA)-designated floodplain.

Vegetation communities within the project site include non-native annual grassland, creeping ryegrass turfs/native grassland, non-native woodland, deciduous oak woodland, riparian woodland, and freshwater wetlands. The project area also contains developed and landscaped areas. Developed areas consist of pavement, gravel, bare ground, railroad tracks or other features constructed by humans. Landscaped areas are dominated by ornamental tree plantings and are primarily associated with the southern end of the alignment within the Napa city limits. The project alignment is located within a predominantly rural agricultural setting between State Route 29 (SR 29) and Solano Avenue and is highly disturbed. Native oak trees are present throughout the project area, occurring primarily as widely spaced individuals rather than woodland stands. Several valley oaks are very large and likely constitute remnants of the

extensive valley oak savannah that historically covered the Napa Valley floor. Native oak woodland stands are often mixed with a variety of non-native escaped ornamental trees and the understory is dominated by annual grasses or dense patches of ruderal forbs.

10. **Other public agencies whose approval may be required (e.g., permits, financing approval, or participation agreement):**

- U.S. Army Corps of Engineers
- California Department of Fish and Wildlife
- San Francisco Bay Regional Water Quality Control Board
- California Department of Transportation (Caltrans)
- City of Napa
- Town of Yountville
- Napa County
- Napa County Flood Control and Water Conservation District



LSA

FIGURE 1

N

0 5 10
MILES

SOURCE: StreetMap North America (2009)

Napa Valley Vine Trail Project
Napa County, California

Regional Location

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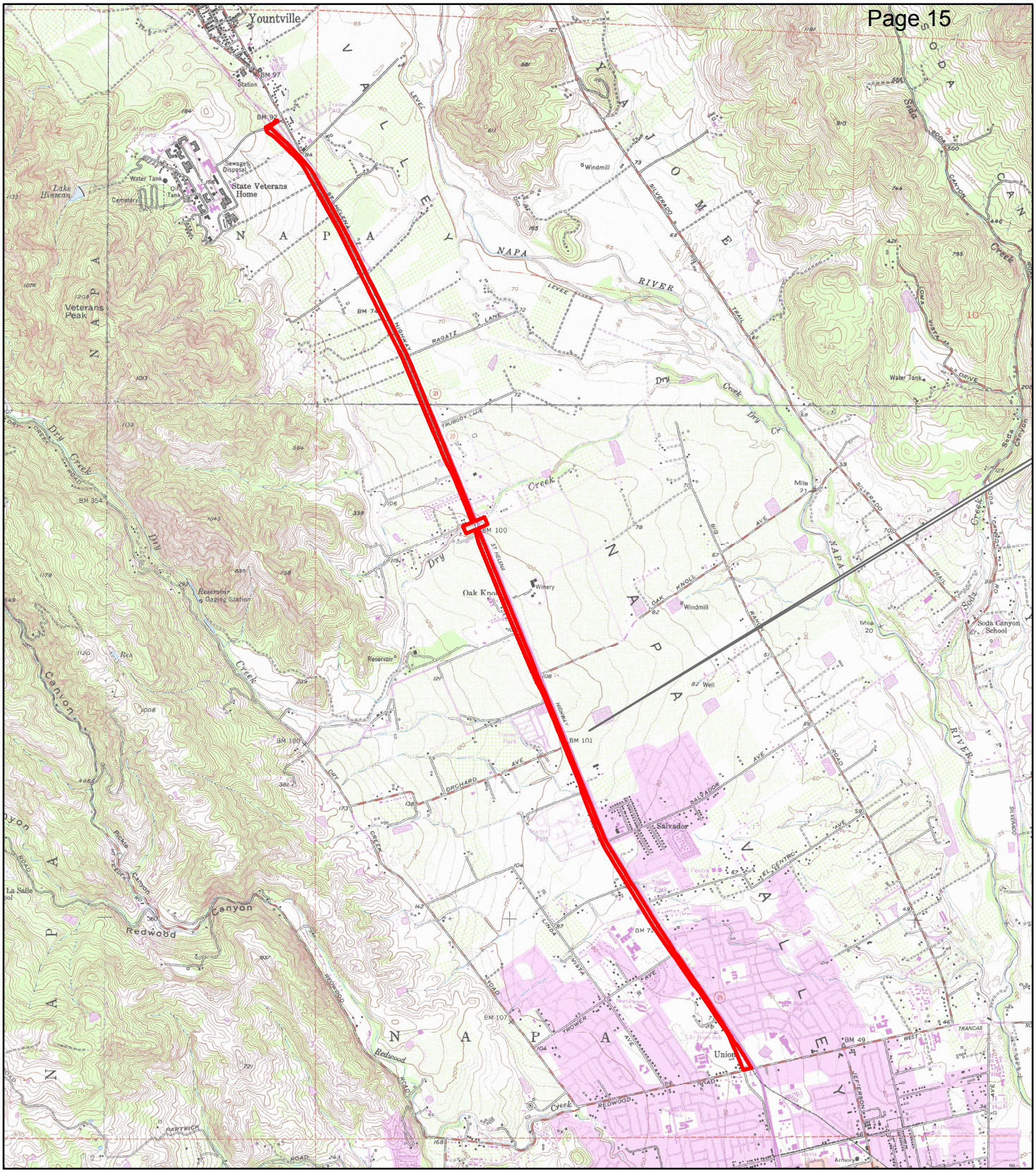


LSA

LEGEND

Project Site

FIGURE 2

N

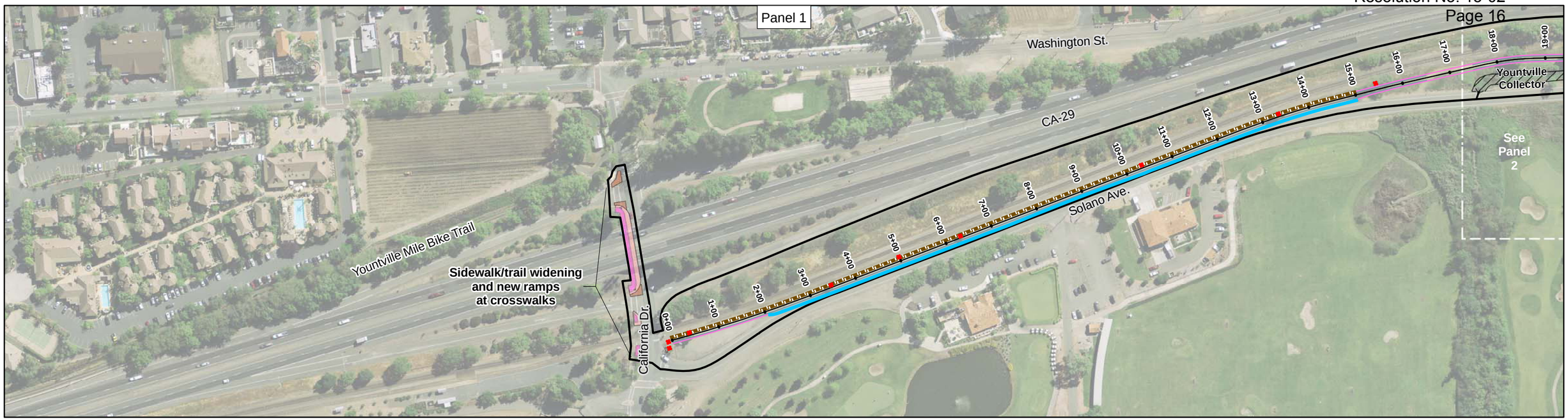
0 2000 4000
FEET

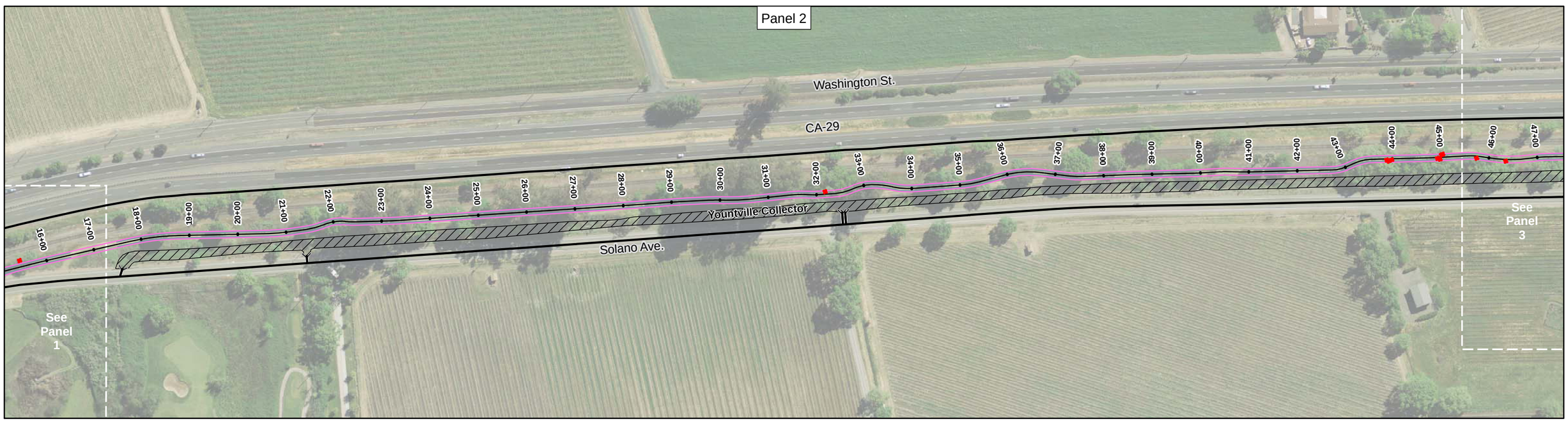
Napa Valley Vine Trail Project
Napa County, California

Site Location

SOURCE: USGS 7.5-minute Topo Quads - *Rutherford, Calif.* (1968), *Yountville, Calif.* (1968), *Sonoma, Calif.* (1980), *Napa, Calif.* (1980).

I:\RSA1303\GIS\Maps\IS-MND\Figure 2_Site Location.mxd (11/11/2014)





LEGEND

- Project Site
- Trail Shoulder
- New Retaining Wall
- New Curb and Gutter
- Tree to be Removed
- Wetland or Other Waters
- Jurisdictional Culvert

0 100 200
FEET

SOURCE: RSA (10/2014); USGS Orthoimagery (04/2011).

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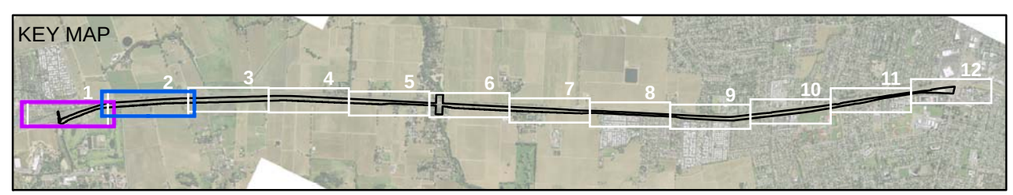
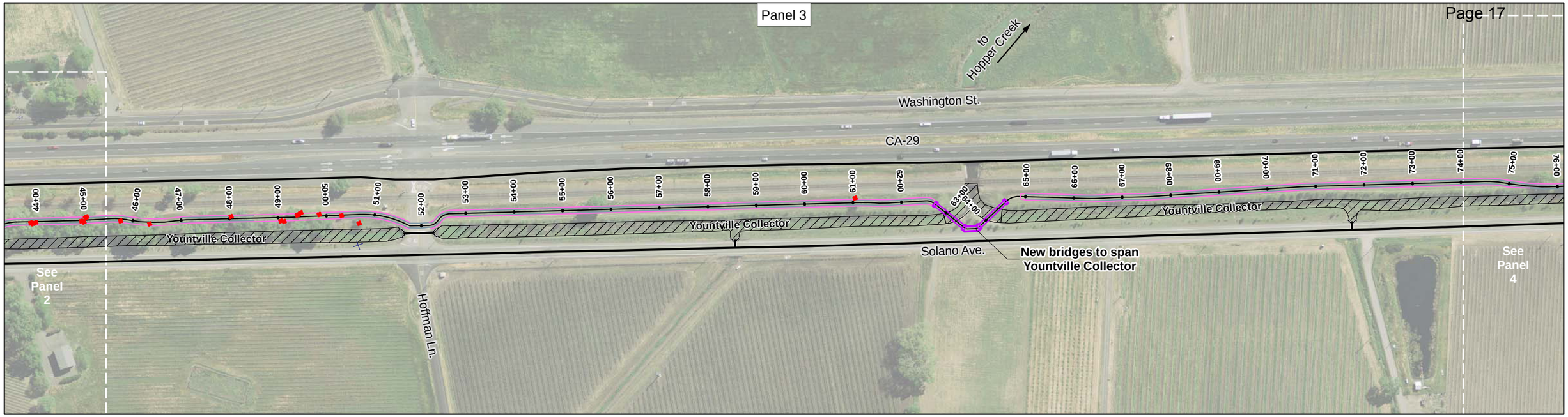
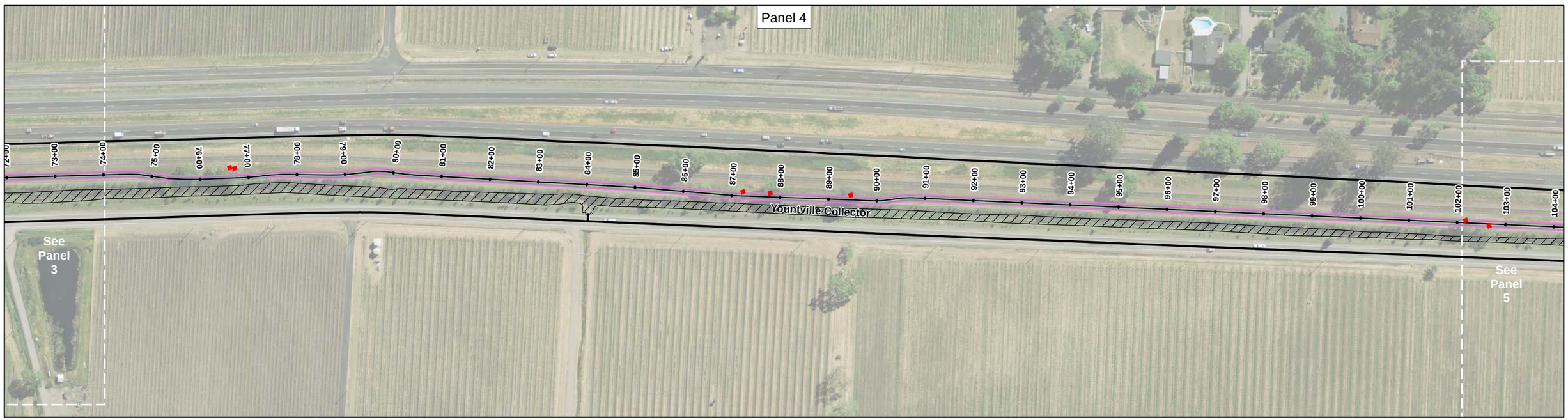


FIGURE 3A

Napa Valley Vine Trail Project
Napa County, California

Proposed Project





LEGEND

- Project Site
- Trail Shoulder
- New Retaining Wall
- New Curb and Gutter
- Tree to be Removed
- Wetland or Other Waters
- Jurisdictional Culvert

0 100 200 FEET

SOURCE: RSA (10/2014); USGS Orthoimagery (04/2011).

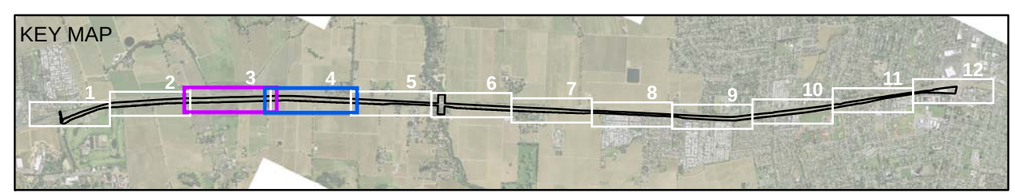


FIGURE 3B

Napa Valley Vine Trail Project
Napa County, California

Proposed Project

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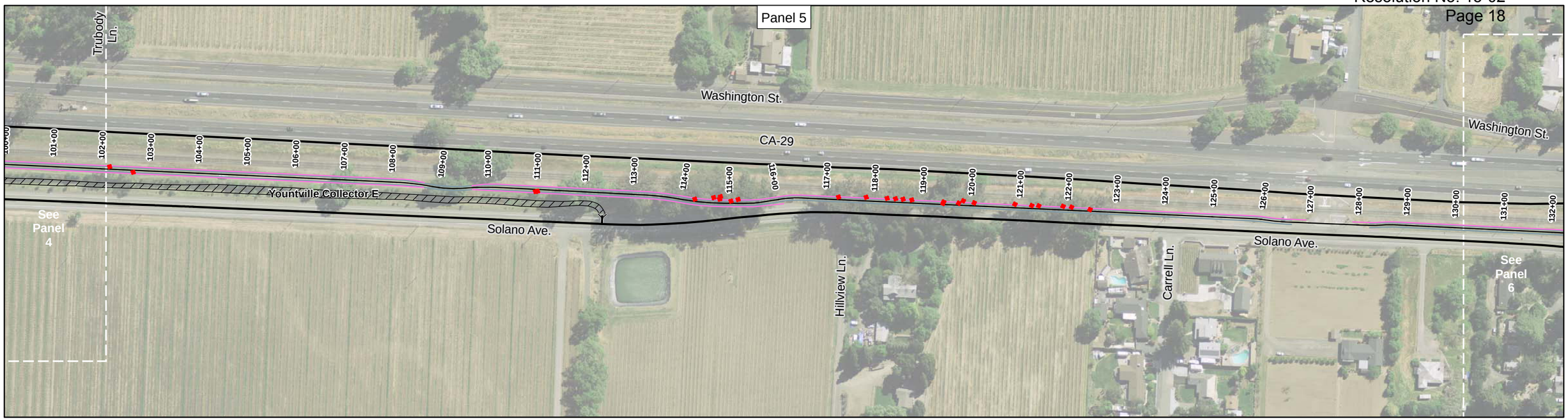

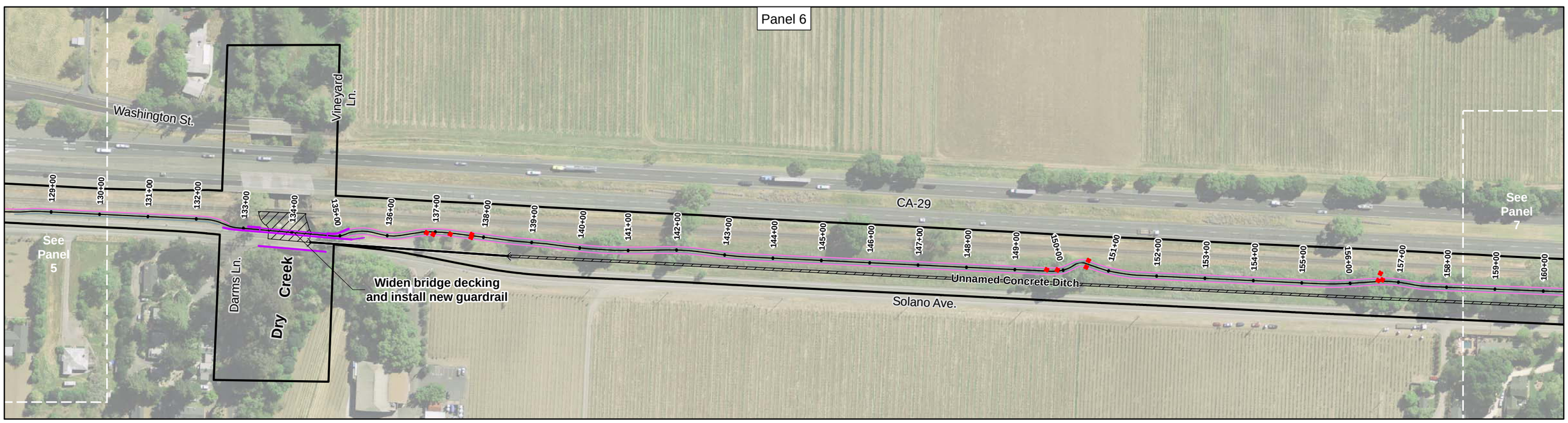

LEGEND

- Project Site
- Trail Shoulder
- New Retaining Wall
- New Curb and Gutter
- Tree to be Removed
- Wetland or Other Waters
- Jurisdictional Culvert

0 100 200
FEET

SOURCE: RSA (10/2014); USGS Orthoimagery (04/2011).

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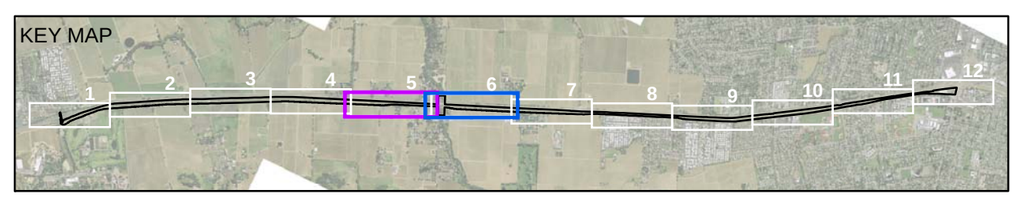
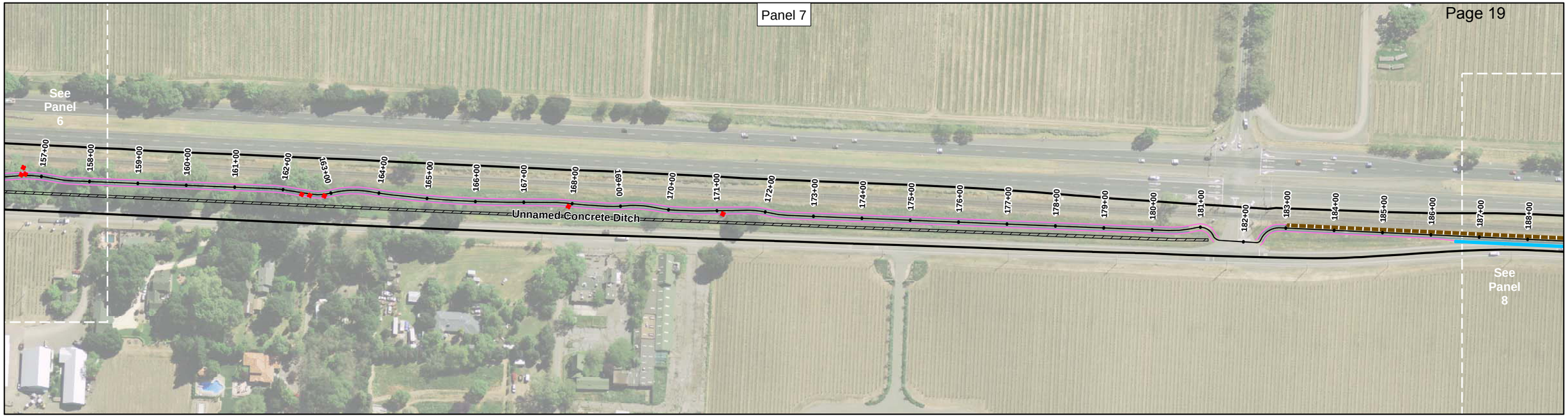
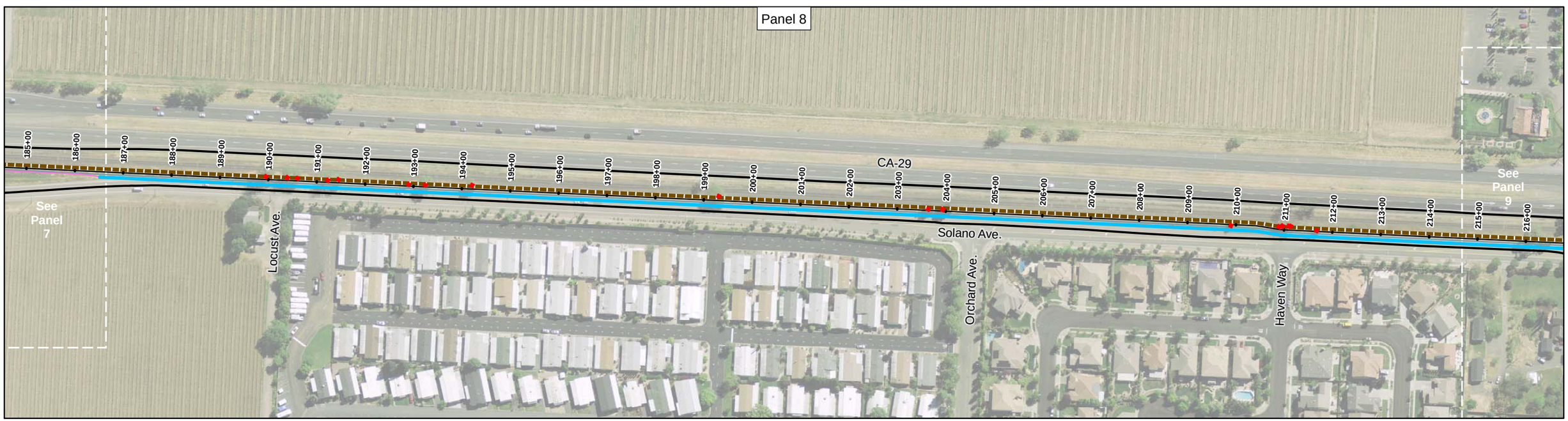


FIGURE 3C

Napa Valley Vine Trail Project
Napa County, California

Proposed Project





LEGEND

- Project Site
- Trail Shoulder
- New Retaining Wall
- New Curb and Gutter
- Tree to be Removed
- Wetland or Other Waters
- Jurisdictional Culvert

0 100 200
FEET

SOURCE: RSA (10/2014); USGS Orthoimagery (04/2011).

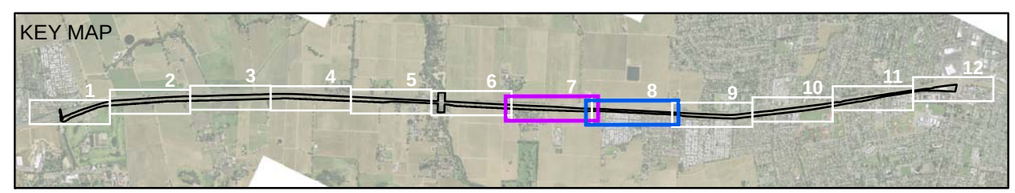


FIGURE 3D

Napa Valley Vine Trail Project
Napa County, California

Proposed Project

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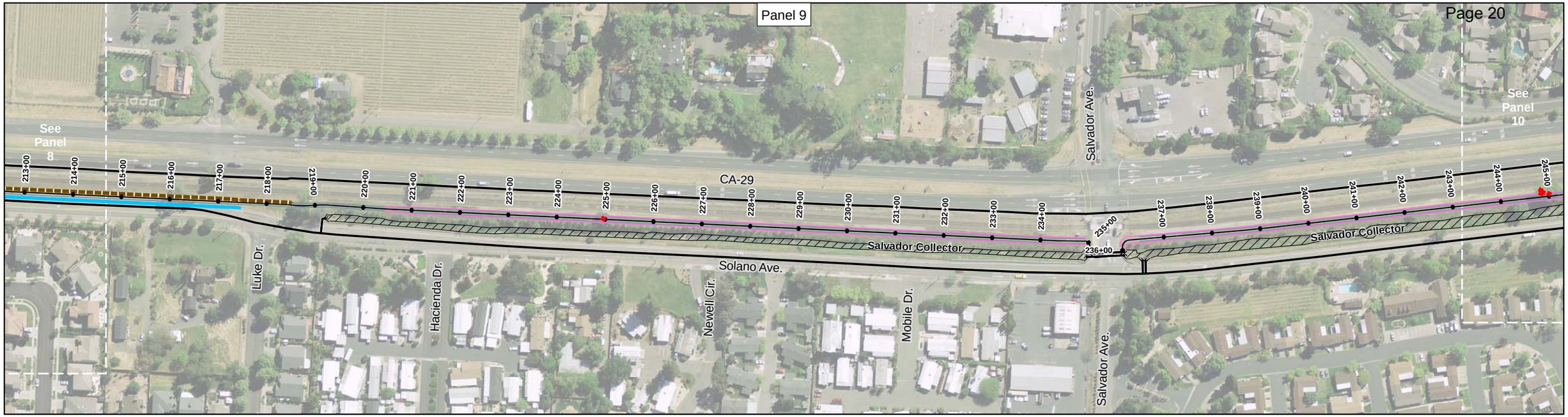

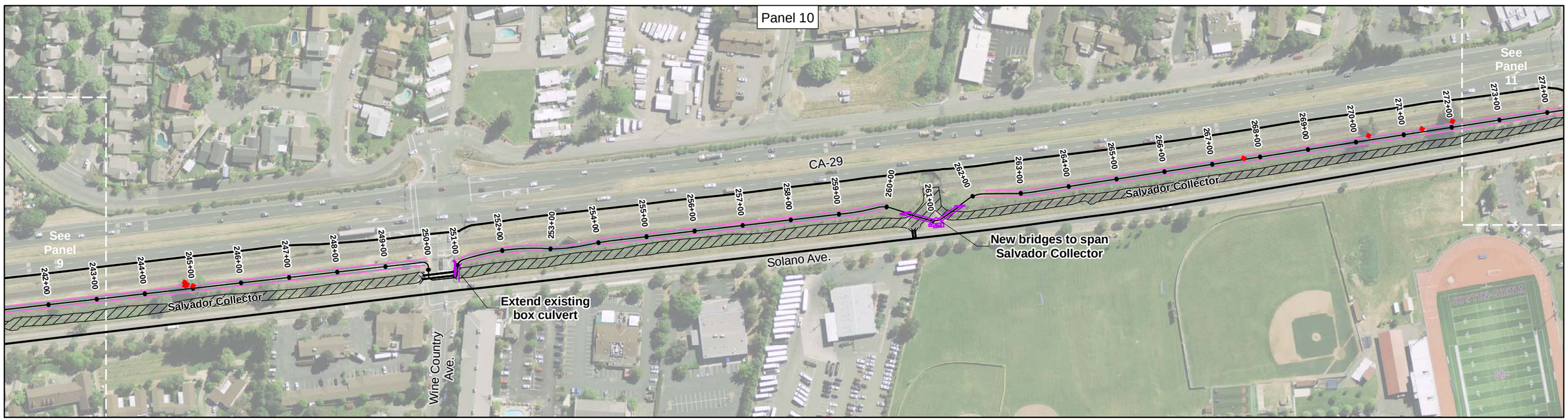

LEGEND

- Project Site
- Trail Shoulder
- New Retaining Wall
- New Curb and Gutter
- Tree to be Removed
- Wetland or Other Waters
- Jurisdictional Culvert

0 100 200
FEET

SOURCE: RSA (10/2014); USGS Orthoimagery (04/2011).

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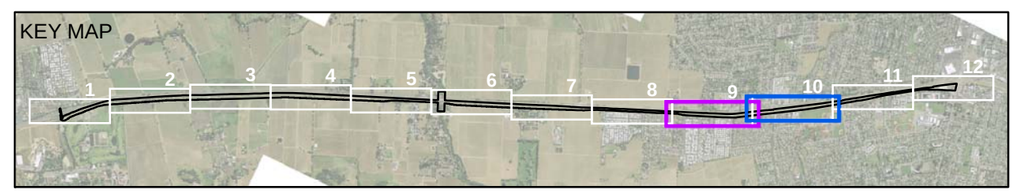
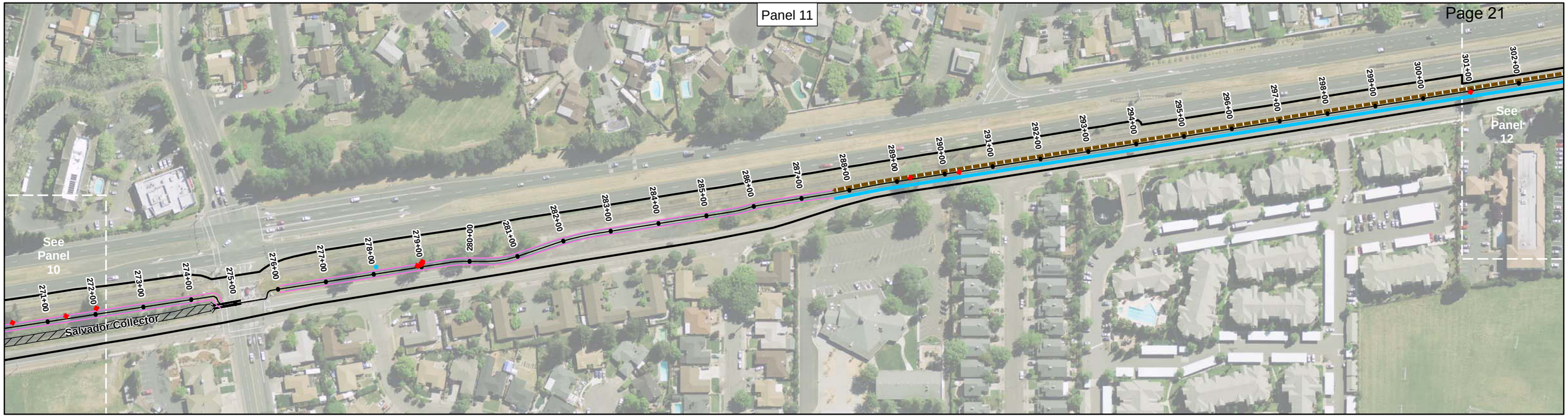


FIGURE 3E

Napa Valley Vine Trail Project
Napa County, California

Proposed Project



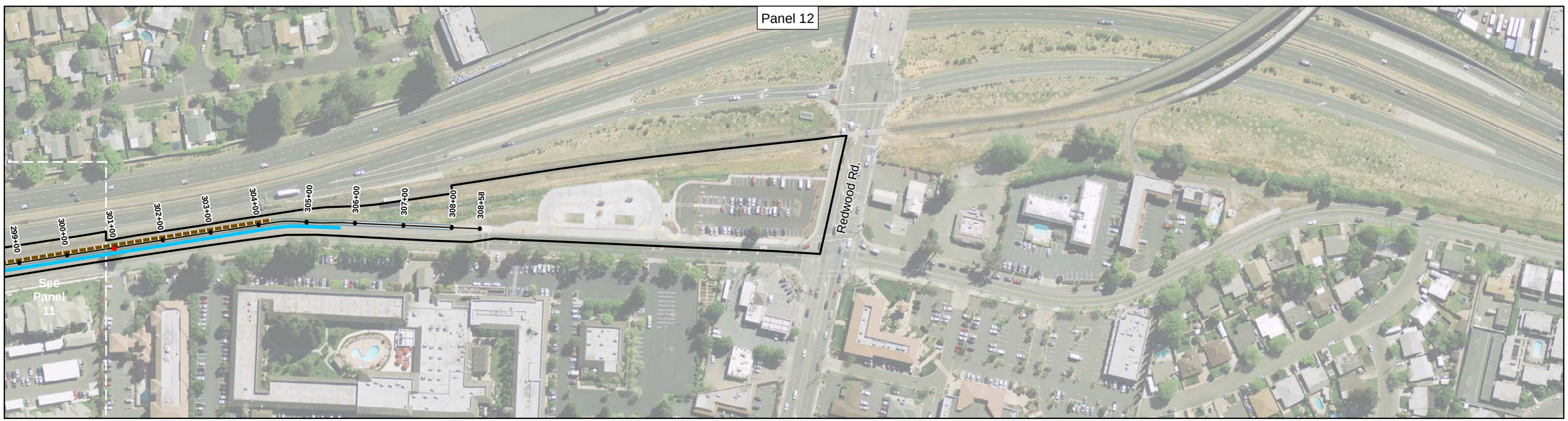
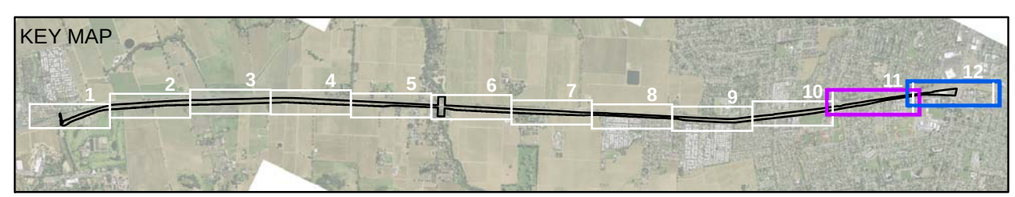


FIGURE 3F

LEGEND

- Project Site
- Trail Shoulder
- New Retaining Wall
- New Curb and Gutter
- Tree to be Removed
- Wetland or Other Waters
- Jurisdictional Culvert

0 100 200
FEET



Napa Valley Vine Trail Project
Napa County, California

Proposed Project

SOURCE: RSA (10/2014); USGS Orthoimagery (04/2011).

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ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or "Potentially Significant Unless Mitigated" as indicated by the checklist on the following pages.

■ Aesthetics	❑ Agricultural/Forest Resources	■ Air Quality
■ Biological Resources	■ Cultural Resources	❑ Geology/Soils
❑ Greenhouse Gas Emissions	■ Hazards	❑ Hydrology/Water Quality
❑ Land Use/Planning	❑ Mineral Resources	■ Noise
❑ Population/Housing	❑ Public Services	■ Recreation
❑ Transportation/Traffic	❑ Utilities/Service Systems	■ Mandatory Findings of Significance

Determination. (To be completed by the Lead Agency.)

On the basis of this initial evaluation:

❑ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

■ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

❑ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

❑ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

❑ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Kate Miller, Executive Director
Napa County Transportation & Planning Agency

1/13/15
Date

EVALUATION OF ENVIRONMENTAL IMPACTS

This section identifies the environmental impacts of this project by answering questions from Appendix G of the CEQA Guidelines, the Environmental Checklist Form. The environmental issues evaluated in this chapter include:

- Aesthetics
- Agricultural and Forest Resources
- Air Quality
- Biology
- Cultural Resources
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation/Traffic
- Utilities and Services Systems
- Mandatory Findings of Significance

All analyses take account the entire action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts. Impacts are categorized as follows:

Potentially Significant Impact is appropriate if there is substantial evidence that an effect is significant, or where the established threshold has been exceeded. If there are one or more "Potentially Significant Impact" entries when the determination is made, an Environmental Impact Report (EIR) may be required.

Less Than Significant with Mitigation Incorporated applies where the incorporation of mitigation measures would reduce an effect from Potentially Significant Impact to a Less Than Significant Impact. Mitigation measures are prescribed to reduce the effect to a less than significant level.

Less Than Significant applies when the project will affect or is affected by the environment, but based on sources cited in the report, the impact will not have an adverse effect. For the purpose of this report, beneficial impacts are also identified as less than significant. The benefit is identified in the discussion of impacts, which follows each checklist category.

A **No Impact** answer is adequately supported if referenced information sources show that the impact simply does not apply to projects like the one involved. A No Impact Answer is explained where it is based on project-specific factors as well as general standards.

ENVIRONMENTAL CHECKLIST

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS. Would the project:				
a) Have a substantial adverse effect on a scenic vista?	❑	❑	■	❑
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?	❑	■	❑	❑
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	❑	❑	■	❑
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	❑	❑	❑	■

Affected Environment

The project site consists of public right-of-way between Solano Avenue and the Wine Train right-of-way. The proposed trail alignment extends from Redwood Road in the City of Napa through unincorporated Napa County to the Town of Yountville. The southernmost portion of the alignment (beginning at Redwood Road and continuing about 700 feet north) is currently developed with sidewalks, a bus depot, and asphalt-paved Park-n-Ride along the east side of Solano Avenue. Much of the remainder of the project site consists of a relatively narrow strip of undeveloped land bounded to the east by the Napa Valley Wine Train tracks and to the east by a shallow drainage ditch which parallels the east side of Solano Avenue. The majority of the project site is unimproved and vegetated with low grasses and ground cover, with sporadic clusters of mature trees in the central and northern areas of the site. Existing improvements within the project area are generally limited to underground utilities and box culverts that carry runoff in the Solano Avenue drainage ditch beneath Salvador and Wine Country Avenues. Topography along the project corridor is generally flat with a gentle slope eastward. The elevation profile along the project alignment varies slightly from approximately 70 to 105 feet above mean sea level (amsl), with an average elevation of approximately 95 feet amsl.

The existing visual setting reflects a combination of both manmade and natural conditions. Manmade conditions include single family and multifamily (apartments) residential uses; mobile home park; light industrial/warehouse uses; commercial development; motel/hotel; a high school; golf course; fire station; roadway infrastructure (e.g., Solano Avenue, SR 29, Park-n-Ride lot); and the Wine Train tracks. Undeveloped agricultural and vineyard lands surround the project site in the unincorporated area of Napa County. As described above, the majority of the project corridor is vegetated and some areas support clusters of mature trees of varying species and size. Views to and from the project

corridor vary widely depending on location (e.g., in unincorporated Napa County or the City of Napa).

The path would be constructed in accordance with local, State, and federal requirements and would consist of an asphalt concrete path 10 feet in width with shoulders within the public right-of-way. Vegetation would need to be grubbed within the proposed trail alignment and approximately 107 trees of various species, size and condition would need to be removed. Mitigation planting would follow local requirements.

Discussion

a) Have a substantial adverse effect on a scenic vista?

Less Than Significant Impact. No scenic vistas are identified in the Napa County General Plan[2] to or from the project site. However SR 29 between the City of Napa city limits and the Town of Yountville is designated as County scenic roadway subject to the Viewshed Protection Program. The County's 2001 Viewshed Protection Ordinance[3] is intended to preserve the unique scenic quality of Napa County and protect the ridgelines and hillsides of the County from insensitive development. The proposed trail alignment is not located along the ridgelines or hillsides of the County; therefore, implementation of the proposed project would not conflict with the County's Viewshed Protection Ordinance.

The City of Napa General Plan[4] also designates SR 29 as a scenic corridor. The southernmost portion of the project alignment within the City of Napa is designated as a visual gateway. Per Policy LU-1.5 in the Napa General Plan, the City shall establish gateway and scenic corridor design guidelines for both public and private development to ensure attractive entrances to the city. Greenways, open space, riparian corridors, wetland areas and agricultural land shall be considered as important visual components in gateway locations.

Limited scenic vistas are possible along the project corridor due to the relatively flat topography and the surrounding urban development. Visible elements of the proposed project would include the proposed trail, retaining walls, and bridges over the two unnamed drainage channels, drainage improvements, and associated intersection improvements (e.g., crosswalks, signals). The majority of the project elements would be at-grade and are not expected to impair surrounding views. Proposed retaining walls would be a maximum of five feet high and are proposed within the developed area of Napa where scenic vistas are impeded by surrounding development. Implementation of the proposed project would require trimming and/or removal of vegetation and trees (approximately 107 trees) within the project corridor, including

[2] Napa County, 2009. Napa County General Plan. 23 June. Available online at: http://www.countyofnapa.org/generalplan/ (Accessed October 8, 2014).
[3] Napa County, 2014. Napa County Code, Chapter 18.106. Available online at: https://www.municode.com/library/ca/napa_county/codes/code_of_ordinances?searchRequest=%7B%22searchText%22:%22viewshed%22,%22pageNum%22:1,%22resultsPerPage%22:25,%22booleanSearch%22:false,%22stemming%22:true,%22fuzzy%22:false,%22synonym%22:false,%22contentTypes%22:%5B%22CODES%22%5D,%22productIds%22:%5B%5D%7D&nodeId=TIT18ZO_CH18.106VIPRPR (accessed October 22, 2014).
[4] City of Napa, 2010 (as amended). Envision Napa 2020, City of Napa General Plan. May. Available online at: http://www.cityofnapa.org/index.php?option=com_content&view=article&id=417&Itemid=531 (Accessed October 8, 2014).

approximately 73 trees identified as significant or protected trees by the City of Napa, Napa County or Town of Yountville. As outlined in the project description, mitigation planting would be installed as part of the proposed project. These activities would not result in substantial adverse impacts to scenic views, given the limited extent of tree removal over the length of the proposed alignment. Removal/trimming of trees associated with project construction would not substantially degrade scenic vistas along the project alignment. Therefore, the impact of the project on scenic vistas would be less than significant.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State Scenic Highway?

Potentially Significant Unless Mitigation Incorporated. A scenic corridor is associated with a road that has been designated by either Caltrans or a local agency, such as Napa County, as being a scenic highway or road or determined to be eligible for such a designation. Scenic highways are recognized as having exceptional scenic qualities or as affording panoramic views. According to the Napa County General Plan[5], approximately 280 miles of county-designated scenic roadways are located in Napa County, including SR 29 in the vicinity of the proposed project. Although none of these roads are officially designated as Scenic Highways by the State of California, segments of SR 29, SR 121, and SR 221 are eligible for scenic highway designation.

As described above, the proposed project would construct a new trail facility (e.g., asphalt path, bridges over the drainage channels, drainage improvements, and retaining walls) and associated intersection improvements (e.g., crosswalks, signage) within the public right-of-way between Solano Avenue and the Wine Train right-of-way, just west of SR 29. The proposed project would not be located near any rock outcroppings or historic buildings and, therefore, would not impact such resources.

The proposed project would result in tree removal and trimming in order to accommodate the proposed trail alignment. As described further in Section IV (e), the proposed project would require the removal of approximately 73 trees identified as “significant” or protected trees by the City of Napa, Napa County, or Town of Yountville. Implementation of Mitigation Measures BIO-13 through BIO-16, described in Section IV (e) would reduce potential impacts associated with removal of significant or protected trees within a scenic highway to less than significant.

c) Substantially degrade the existing visual character or quality of the site and its surroundings?

Less Than Significant Impact. As described above, the proposed project is a multi-use trail with associated improvements. The project corridor is largely disturbed and bounded by existing infrastructure (e.g., Solano Avenue, Napa Wine Train tracks). Surrounding land uses vary from urban development (e.g., residential, commercial, public uses) to undeveloped land (e.g., rural residential, viticulture, agriculture). The project site is visible from surrounding public sites, including local roadways, adjacent development, and public facilities (e.g., school, golf course).

[5] Napa County, 2009.

Implementation of the proposed project would result in the installation of a multi-use trail and associated improvements, including bridges over the unnamed drainage channels, drainage improvements, retaining walls, crosswalks, signage and culvert widening. As described in Section I (a), the majority of the project elements would be at-grade and proposed retaining walls would be a maximum of five feet high. As described previously, project construction would require the removal of approximately 107 trees within the project alignment, including 73 trees designated as significant or protected trees by the City of Napa, Napa County or Town of Yountville. Mitigation planting would be installed as part of the proposed project. Due to the limited extent of tree removal over the entire length of the proposed alignment and the visual character of the project alignment (e.g., right-of-way between railroad tracks and Solano Avenue), these activities would not substantially degrade the visual quality of the site. Therefore, the impact of the proposed project on the existing visual character or quality of the site and its surroundings would be less than significant.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

No Impact. Streetlights, vehicle head and tail lights, and lighting associated with existing development provide the existing sources of light and glare in the project area. The proposed project would include construction of a new multi-use trail and associated intersection improvements. No light standards would be installed as part of the proposed project. Therefore, the proposed project would not create a new source of light or glare, which would adversely affect day or nighttime views.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
II. AGRICULTURAL AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to a non-agricultural use?	❑	❑	■	❑
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	❑	❑	■	❑
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	❑	❑	❑	■
d) Result in the loss of forest land or conversion of forest land to non-forest use?	❑	❑	❑	■
e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forestland to non-forest use?	❑	❑	❑	■

Affected Environment

Approximately 47.33 acres of the project area are mapped as Prime Farmland by the California Department of Conservation Farmland Mapping and Monitoring Program (FMMP).[6] The remaining

[6] California Department of Conservation, Division of Land Resource Protection, 2011. *Napa County Important Farmland 2010.* May. Available online at: ftp://ftp.consrv.ca.gov/pub/dlrp/fmmp/pdf/2010/nap10.pdf (accessed October 9, 2014).

45.42 acres of the project area are mapped as Urban and Built-Up Land. As defined in the FMMP, Prime Farmland has the best combination of physical and chemical features able to sustain long-term agricultural production. These lands must have been used for irrigated agricultural production at some time during the four years prior to mapping. Urban and Built-Up Land is occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10 acre parcel.

According to the Napa County Zoning Ordinance[7], the City of Napa Zoning Ordinance[8], and the Town of Yountville Zoning Ordinance[9], portions of the project alignment are zoned for agricultural use.

The California Land Conservation Act of 1965, commonly referred to as the Williamson Act, enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. A total of three parcels, adjacent to the project alignment, are under a Williamson Act contract.[10] One parcel is designated as Williamson Act – Prime Agricultural Land. Two parcels are designated as Williamson Act – Non-Prime Agricultural Land, which includes land enrolled under California Land Conservation Act contract but does not meet any of the criteria for classification as Prime Agricultural Land. Most Non-Prime Land is in agricultural use such as grazing or non-irrigated crops or other open space uses which are compatible with agriculture and consistent with local general plans.

No forest land or timberland is identified on or near the project site, and the project site is not zoned for forest or timber uses.

Discussion

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to a non-agricultural use?

Less Than Significant Impact. As described above, portions of the project alignment are mapped as Prime Farmland. However, the proposed trail alignment would be constructed between the Napa Valley Wine Train right-of-way and Solano Avenue, within public right-of-way. Implementation of the proposed project would convert some land designated as Prime Farmland to a Class I trail facility. The project corridor is not currently in agricultural use and is designated as public right-of-way. Therefore, this impact would be less than significant.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

Less Than Significant Impact. Portions of the project site are zoned for agricultural use. However, implementation of the proposed project would not convert the site to a non-agricultural use. The proposed project would not interfere with surrounding agricultural

[7] Napa County, 2014. Napa County Code, Title 18 Zoning. Available online at: https://library.municode.com/HTML/16513/level1/TIT18ZO.html (accessed October 9, 2014).
[8] City of Napa, 2014. Napa Municipal Code, Title 17. September. Available online at: http://qcode.us/codes/napa/ (accessed October 9, 2014).
[9] Town of Yountville, 2014. Town of Yountville Municipal Code, Title 17. Available online at: http://www.townofyountville.com/index.aspx?page=61 (accessed October 9, 2014).
[10] California Department of Conservation, Division of Land Resource Protection, 2013. *Napa County Williamson Act FY 2013/2014.* Available online at: ftp://ftp.consrv.ca.gov/pub/dlrp/wa/Napa_13_14_WA.pdf (accessed October 9, 2014).

activities after project completion or during construction. As described above, the proposed project would entail construction of a Class I trail facility and associated intersection improvements. The proposed project would be constructed within public right-of-way that is not currently in agricultural use. Therefore, the proposed project would not conflict with existing agricultural production or existing zoning for agricultural use. Three parcels adjacent to the proposed alignment are under Williamson Act contract. However, the proposed project would be constructed within the existing public right-of-way, which is not under Williamson Act contract. This impact would be less than significant.

c) *Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?*

No Impact. The project area contains no forest or timberland and is not zoned for forest land, timberland, or timberland production.

d) *Result in the loss of forest land or conversion of forest land to non-forest use?*

No Impact. See response II(c) above.

e) *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?*

No Impact. The proposed project would not involve other changes in the existing environment, which could result in the conversion of farmland to non-agricultural use. See responses II (a) and II (c) above.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	❑	❑	■	❑
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	❑	■	❑	❑
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	❑	■	❑	❑
d) Expose sensitive receptors to substantial pollutant concentrations?	❑	■	❑	❑
e) Create objectionable odors affecting a substantial number of people?	❑	❑	❑	■

Affected Environment

The proposed project is located in Napa County within the jurisdiction of the Bay Area Air Quality Management District (BAAQMD), which regulates air quality in the San Francisco Bay Area. Air quality conditions in the San Francisco Bay Area have improved significantly since the BAAQMD was created in 1955. Ambient concentrations of air pollutants and the number of days during which the region exceeds air quality standards have fallen substantially. In Napa and the rest of the air basin, exceedances of air quality standards occur primarily during meteorological conditions conducive to high pollution levels, such as cold, windless winter nights or hot, sunny summer afternoons.

The Air Monitoring Program of the BAAQMD operates a 28-station monitoring network which provides the data required to determine whether the Bay Area is in compliance with State and federal air quality standards. Pollutant monitoring results for the years 2011 to 2013 at the Napa County ambient air quality monitoring station is described below.

Ozone levels, as measured by peak concentrations and the number of days over the State 1-hour standard, have declined substantially as a result of aggressive programs by the BAAQMD and other regional, State and federal agencies. The reduction of peak concentrations represents progress in improving public health; however the Bay Area still exceeds the State standard for 1-hour and 8-hour ozone levels. In addition, the Bay Area was designated as a nonattainment area for the federal 8-hour ozone level. Exceedances of the State's 1-hour standard have not been recorded at the Napa air monitoring station from 2011 to 2013. In addition, there has been one exceedance of the State

standard over the 3-year period and no exceedances of the federal 8-hour standard during the 3-year period.[11]

National and State standards have also been established for fine particulate matter (diameter 2.5 microns or less, $PM_{2.5}$), over 24-hour and yearly averaging periods. Fine particulate matter, because of the small size of individual particles, can be especially harmful to human health. Fine particulate matter is emitted by common combustion sources such as cars, trucks, buses and power plants, in addition to ground-disturbing activities. $PM_{2.5}$ levels exceeded the federal 24-hour standards six times in 2011 and 2013 and one time in 2012.

The Bay Area is an unclassified area for the federal PM_{10} standard and a nonattainment area at the State level. An "unclassified" designation signifies that data does not support either an attainment or nonattainment status. One exceedance of the state PM_{10} standard was recorded in 2011. No exceedances of the federal PM_{10} standards have been recorded at the monitoring station 2011 to 2013. Furthermore, no exceedances of the State or federal carbon monoxide (CO) standards have been recorded at the monitoring stations during the 3-year period. The Bay Area is currently considered an attainment area for State and federal CO standards.[12]

Discussion

a) Conflict with or obstruct implementation of the applicable air quality plan?

Less Than Significant Impact. The air quality plan applicable to the project area is the Bay Area Air Quality Management District's (BAAQMD) Bay Area 2010 Clean Air Plan (Clean Air Plan), which was adopted on September 15, 2010.[13] The Clean Air Plan is a comprehensive plan to improve Bay Area air quality and protect public health. The Clean Air Plan defines control strategies to reduce emissions and ambient concentrations of air pollutants; safeguard public health by reducing exposure to air pollutants that pose the greatest heath risk, with an emphasis on protecting the communities most heavily affected by air pollution; and reduce greenhouse gas emissions to protect the climate. Consistency with the Clean Air Plan can be determined if the project: 1) supports the goals of the Clean Air Plan; 2) includes applicable control measures from the Clean Air Plan; and 3) would not disrupt or hinder implementation of any control measures from the Clean Air Plan. An evaluation of the project's consistency with each of these criteria is provided below. As described below, the proposed project would not conflict with or obstruct implementation of the Clean Air Plan and this impact would be less than significant.

Napa and the project site are located in the San Francisco Bay air basin and are within the jurisdiction of the BAAQMD. The proposed project would construct a 6 mile Class I bicycle/pedestrian path in Napa County which would connect two existing segments of the Vine Trail. The project would be consistent with applicable Clean Air Plan measures, including the Transportation Control Measure (TCM) D-1 Bicycle Access and Facility Improvements, and TCM D-2, Pedestrian Access and Facilities Improvements, which includes the expansion of

[11] California Air Resources Board, 2014. iADAM Air Quality Data Statistics. Available at http://www.arb.ca.gov/adam/. (accessed October 22, 2014)
[12] Ibid.
[13] Bay Area Air Quality Management District, 2010. *Bay Area 2010 Clean Air Plan*. September 15.

bicycle and pedestrian facilities serving employment sites, educational and cultural facilities, residential areas, shopping districts, and other activity centers. As such, the project would not conflict with the strategies outlined in the Clean Air Plan for bringing the area into compliance, therefore; this impact is considered less-than-significant.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Potentially Significant Unless Mitigation Incorporated. Air pollutant emissions associated with the proposed project would occur over the short-term in association with construction activities, such as vehicle and equipment use. The project would not generate long-term regional emissions as described below.

Short-Term (Construction) Emissions. Construction activities could generate exhaust emissions from utility engines, on-site heavy duty construction vehicles, equipment hauling materials to and from the site, and motor vehicles transporting construction crews. Exhaust emissions during construction would vary daily as construction activity levels change. The use of construction equipment would result in localized exhaust emissions.

Project construction emissions were estimated using the Sacramento Metropolitan Air Quality Management District's Road Construction Emissions Model (RoadMod) which provides a methodology specifically for quantifying the emission impacts of linear construction projects and is approved for use on projects within the BAAQMD. The model was used to estimate vehicle exhaust and fugitive dust emissions from the proposed project construction. Construction-related emissions are presented in Table A.

Results indicate project construction would result in average daily emissions of 5 pounds per day of ROG, 49 pounds per day NO_x, 24 pounds per day PM_{10}, and 22 pounds per day of $PM_{2.5}$. Due to the limited extent of the proposed project construction duration, the estimated short-term emissions of criteria pollutants as a result of project construction are expected to be below emissions thresholds established by the BAAQMD, as shown in Table A.

Table A: Project Construction Emissions in Pounds/Day

Project Construction Phase	ROG	NO_x	Exhaust PM_{10}	Exhaust $PM_{2.5}$
Unmitigated Construction Emission Estimates	5	49	24	22
BAAQMD Daily Thresholds	54	54	82	54
Exceed Threshold?	**No**	**No**	**No**	**No**

Source: LSA Associates, Inc., September 2014.

Fugitive dust emissions are associated with excavation, land clearing, exposure, and cut-and-fill operations. Dust generated daily during construction would vary substantially, depending on the level of activity, the specific operations, and weather conditions. On a limited basis, sensitive receptors in the vicinity and on-site workers may be exposed to blowing dust, depending on the prevailing wind. BAAQMD specifies mitigation measures for dust control related to construction projects. These mitigation measures are intended to reduce PM_{10}

emissions to less-than-significant levels during the construction period. Implementation of Mitigation Measure AIR-1, described below would reduce this short-term construction period air quality impact to a less than significant level.

Mitigation Measure AIR-1: Consistent with guidance from the Bay Area Air Quality Management District, the following controls shall be implemented at the construction site to control construction emissions:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping shall be 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 Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points regarding maximum idling time.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- The contractor shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Napa County Transportation and Planning Agency phone number shall also be visible to ensure compliance with applicable regulations.

Long-Term (Operational) Emissions. Long-term air emissions impacts are associated with any change in permanent use of the project site by on-site stationary and off-site mobile sources that substantially increase vehicle trip emissions. No stationary sources of emissions are proposed as part of the project. Once completed, the proposed project would not generate significant vehicle or other emissions. Therefore, long-term operation of the proposed project would not contribute substantially to an existing or projected air quality violation.

c) *Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?*

Potentially Significant Unless Mitigation Incorporated. As discussed in Section III.b, with implementation of Mitigation Measure AIR-1, construction of the proposed project would not be expected to result in significant levels of criteria air pollutants or pollutant precursors, while operation of the project would not generate air emissions. Therefore, construction and operation of the project would not significantly contribute cumulatively to pollution levels in the air basin. This impact is considered less than significant.

d) Expose sensitive receptors to substantial pollutant concentrations?

Potentially Significant Unless Mitigation Incorporated. Construction of the proposed project may expose surrounding land uses to airborne particulates and fugitive dust, as well as a small quantity of pollutants associated with the use of construction equipment (e.g., diesel-fueled vehicles and equipment). Implementation of Mitigation Measure AIR-1, described above, would reduce construction-related emissions to a less than significant level. As discussed in Section III.b, the proposed project would not result in any long-term air quality impacts. Therefore, nearby sensitive receptors would not be exposed to substantial pollutant concentrations.

e) Create objectionable odors affecting a substantial number of people?

No Impact. The *BAAQMD CEQA Guidelines* lists potential odor sources that could cause significant environmental impacts. The types of operations that would occur on the project site are not included in this list and would not generate objectionable odors.

Some objectionable odors could be generated from the operation of diesel-powered construction equipment during the project construction period. However, these odors would be short-term in nature and would not result in permanent impacts to surrounding land uses, including sensitive receptors in the vicinity of the project site. Implementation of the proposed project would not create objectionable odors affecting a substantial number of people or subject persons to objectionable odors. Therefore, this impact would be less than significant.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES.				
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	❑	■	❑	❑
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	❑	■	❑	❑
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) Through direct removal, filling, hydrological interruption, or other means?	❑	■	❑	❑
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	❑	❑	■	❑
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	❑	■	❑	❑
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional, or State habitat conservation plan?	❑	❑	❑	■

Affected Environment:

The following section is summarized from the Natural Environmental Study[14] prepared for the proposed project. Vegetation communities within the project area include non-native annual grassland, creeping ryegrass turfs/native grassland, non-native woodland, deciduous oak woodland, riparian woodland, and freshwater wetlands. The project area is located within a predominantly rural

[14] LSA Associates, Inc. 2014. Natural Environmental Study Vine Trail's Oak Knoll District Project, California Blvd., Town of Yountville to Redwood Road, City of Napa. June.

agricultural setting between SR 29 and Solano Avenue and is highly disturbed. Native oak trees are present throughout the project area, but occur primarily as widely spaced individuals rather than woodland stands. The project area also includes two other cover types, developed and landscaped. Developed areas are those consisting of pavement, gravel, bare ground, railroad tracks, or other features constructed by humans. Landscaped areas are dominated by ornamental tree plantings and are primarily associated with the southern end of the project alignment within the Napa City limits. Ornamental trees observed in the project area include tree of heaven (*Ailanthus altissima*), and sweet gum (*Liquidambar styraciflua*). Vegetation communities are described as follows:

- **Non-native Annual Grassland.** Annual grassland is the dominant vegetation type in the project area, occurring along nearly its entire length as open grassland as well as woodland understory. Dominant species include wild oat (*Avena fatua*) and rye grass (*Festuca perennis*). Ruderal forbs such as Italian thistle (*Carduus pycnocephalus*), wild radish (*Raphanus sativa*), and mustard (*Brassica* sp.) grow throughout the grassland as both dense patches as well as scattered individuals. Several patches of Himalayan blackberry (*Rubus discolor*) and California rose (*Rosa californica*) are also present. Although the grassland is dominated by non-native annuals and ruderal species, native forbs such as deerweed (*Acmispon americanus* var. *americanus*) and smooth scouring rush (*Equisetum laevigatum*) are present in the northern portion of the project area.

  Numerous trees grow throughout the grassland as isolated individuals and were likely planted as landscaping. Native emergent trees in the grassland include valley oak (*Quercus lobata*), Oregon white oak (*Q. garryana*), California black walnut (*Juglans californica*), and Fremont cottonwood (*Populus fremontii*). Non-native and/or ornamental trees include tree-of-heaven (*Ailanthus altissima*), sweetgum (*Liquidambar styraciflua*), and black locust (*Robinia pseudoacacia*).
- **Creeping Ryegrass Turfs/Native Grassland.** This vegetation type is comprised of 15 stands totaling 0.138 acre (ac) in size where creeping ryegrass (= beardless wild rye) (*Elymus triticoides*)[15] is the dominant species (i.e., at least 50 percent cover) in the herbaceous layer, in contrast to the adjacent ruderal vegetation, where non-native annual grasses dominate. This vegetation type is recognized as a special-status natural community. A small area of native grasses and forbs that appear to have been planted as a native grassland restoration site is present just north of the parking lot at the southern end of the project area; species observed in this area include purple needle grass (*Stipa pulchra*), blue wild-rye (*Elymus glaucus*), red fescue (*Festuca rubra*), big squirreltail (*Elymus multisetus*), lupine (*Lupinus* sp.), and California poppy (*Eschscholzia californica*).
- **Non-native Woodland.** Two stands of large blue gum (*Eucalyptus globulus*) trees are present in the project area: one along Solano Avenue between Carrell Lane and Hillview Lane approximately 0.2 mile north of Dry Creek (South Grove), and another between Vineyard View Drive and an unnamed access road approximately 0.5 mile south of the northern project area

[15] The common and scientific names of this species have changed since the publication of the CDFW alliance list in 2010. The species formerly known as creeping ryegrass (*Leymus triticoides*) is now known as beardless wild rye (*Elymus triticoides*) in the most recent edition of *The Jepson Manual* (Jepson Flora Project 2013). For the purposes of this IS/MND, the common name of "creeping ryegrass" has been retained due its more widespread use by agency biologists and planners, and its use in official publications referencing vegetation alliances (Sawyer et al. 2009) and special-status natural communities (CDFG 2010).

boundary (North Grove). The North Grove consists of three stands of five trees each while the South Grove consists of two stands of eight trees and five trees. Many of the trees in both groves are very large, exceeding 3 feet diameter-at-breast-height (DBH) and growing over 100 feet tall.

- **Deciduous Oak Woodland.** In a few areas in the northern portion of the project area, oaks, walnuts, and escaped ornamental or orchard trees grow in close enough proximity to form a closed or semi-closed canopy. Such stands are typically dominated or co-dominated by valley oak, Oregon white oak, and California black walnut, with smaller almond (*Prunus* sp.) and walnut trees in the understory. The herbaceous layer of these stands is dominated by non-native annual grasses and/or dense patches of Italian thistle or wild radish.
- **Riparian Vegetation.** Riparian vegetation in the project area is limited to mature riparian woodland adjacent to Dry Creek west of the Solano Avenue bridge and numerous Fremont cottonwoods that have been planted along the eastern edge of the Yountville Collector south of Hoffman Lane as part of a riparian restoration project implemented by the Napa County Flood Control and Water Conservation District. No riparian vegetation is present east of the existing bridge over Dry Creek where bridge widening will occur. Dominant trees along the creek west of Solano Avenue include Fremont cottonwood and California black walnut with a shrub layer dominated by willows (*Salix* sp.) and valley oak saplings. A few large ornamental blue gum trees are present along the top of the northern bank. Although the riparian restoration area south of Hoffman Lane provides some habitat value for native wildlife, it does not yet support a multi-layered vegetation structure (i.e., canopy, subcanopy, and dense understory shrub layer) characteristic of mature riparian forest or woodland, and thus is of lower habitat quality than the woodland along Dry Creek.
- **Freshwater Wetlands.** Freshwater wetlands are confined to the drainage channels parallel to Solano Avenue (i.e., Yountville and Salvador Collectors). Cover varies from dense stands of cattails (*Typha latifolia*, *T. angustifolia*) and tules (*Schoenoplectus acutus*) to more open reaches of low-growing aquatic plants such as nutsedge (*Cyperus eragrostis*), watercress (*Rorippa nasturtium-aquaticum*), floating primrose-willow (*Ludwigia peploides*), evening primrose (*Oenothera elata*), and Uruguay water-primrose (*Ludwigia hexapetala*).

Special-status Plants. Table B provides a list of special-status species that could potentially occur in the region surrounding the project area. Of the 76 plant species listed in the table, 65 were eliminated from consideration due to a lack of habitat (e.g., chaparral, coniferous forest, vernal pools, and serpentinite) or because they are considered extirpated from the area (i.e., Northern California black walnut). Freshwater marsh habitat is present for Lyngbye's sedge (*Carex lyngbyei*), johnny-nip (*Castilleja ambigua* ssp. *ambigua*), small spikerush (*Eleocharis parvula*), delta tule pea (*Lathyrus jepsonii* var. *jepsonii*), California beaked rush (*Rynchospora californica*), and saline clover (*Trifolium depauperatum* var. *hydrophilum*), but LSA did not detect any of these species during botanical surveys.

Similarly, LSA did not detect white seaside tarplant (*Hemizonia congesta* ssp. *congesta*), Lobb's aquatic buttercup (*Ranunculus lobbii*), Napa bluecurls (*Trichostema ruygtii*), or two-fork clover (*Trifolium amoenum*) in the annual grassland portions of the BSA, presumably due to its highly disturbed condition.

During the focused botanical survey on May 6, 2013, LSA observed Sanford's arrowhead (*Sagittaria sanfordii*), a California Rare Plant Rank 1B species, growing at approximately 12 locations in the Yountville Collector between Hoffman Lane and Vineyard View Drive. On July 7, 2013, LSA observed that most of the vegetation within this channel reach, including most of the Sanford's arrowhead, had been cleared for purposes of channel maintenance. The species was not observed in any other portions of the channel, despite the availability of similar habitat.

Table B: Special-status Species Potentially Occurring in the Vicinity of the Project Area

Common Name	Scientific Name	Status	General Habitat Description	Habitat Present (Y/N)	Species Present (Y/N/U)	Rationale
PLANTS						
Henderson's bent grass	*Agrostis hendersonii*	3	Mesic grassland, vernal pools. Elevation: 70–305 meters (m). Blooms April to June.	N	N	Not detected during botanical surveys. Mesic grassland and vernal pools absent from BSA.
Franciscan onion	*Allium peninsulare* var. *franciscanum*	1B	Clay or volcanic soils in oak woodland and annual grassland. Elevation: 52–300 m. Blooms May to June	N	N	Not detected during botanical surveys. Suitable soils not present.
Napa false indigo	*Amorpha californica* var. *napensis*	1B	Openings in mixed evergreen forest, chaparral, and oak woodland. Elevation: 120–1,200 meters (m). Blooms April to July	N	N	Not detected during botanical surveys. BSA too disturbed.
Twig-like snapdragon	*Antirrhinum virga*	4	Rocky, serpentine soils in chaparral and coniferous forest. Elevation: 100–2,015 m. Blooms June to July	N	N	Chaparral and coniferous forest absent from BSA
Modest rockcress	*Arabis modesta*	4	Chaparral and coniferous forest. Elevation: 120–800 m. Blooms March to July	N	N	Chaparral and coniferous forest absent from BSA
Baker's manzanita	*Arctostaphylos bakeri* ssp. *bakeri*	1B	Serpentinite in mixed evergreen forest and chaparral. Elevation: 75–300 m. Blooms February to April.	N	N	Chaparral and forest absent from BSA

Common Name	Scientific Name	Status	General Habitat Description	Habitat Present (Y/N)	Species Present (Y/N/U)	Rationale
Sonoma canescent manzanita	*Arctostaphylos canescens* ssp. *sonomensis*	1B	Chaparral and coniferous forest. Elevation: 180–1,675 m. Blooms January to June.	N	N	Chaparral and forest absent from BSA
Rincon Ridge manzanita	*Arctostaphylos stanfordiana* ssp. *decumbens*	1B	Chaparral and oak woodland. Elevation: 75–370 m. Blooms February to May.	N	N	Chaparral and oak woodland absent from BSA
Clara Hunt's milk vetch	*Astragalus claranus*	FE, ST, 1B	Serpentinite or volcanic, rocky soils in chaparral, oak woodland, and annual grassland. Elevation: 75–275 m. Blooms March to May	N	N	Serpentinite and rocky soils absent from BSA
Cleveland's milk-vetch	*Astragalus clevelandii*	4	Serpentinite seeps in chaparral, oak woodland, and riparian forest. Elevation: 200–1,500 m. Blooms June to September.	N	N	Serpentinite seeps absent from BSA
San Joaquin spearscale	*Atriplex joaquiniana*	1B	Alkali soils in chenopod scrub, meadows, seeps, playas, and annual grassland. Elevation: 1–835 m. Blooms April to October.	N	N	Alkali soils absent from BSA
Alkali milk-vetch	*Astragalus tener* var. *tener*	1B	Alkaline playas, clay grassland, and vernal pools. Elevation 1–60 m. Blooms March to June.	N	N	Alkaline playas, clay grassland, and vernal pools absent from BSA
Big-scale balsamroot	*Balsamorhiza macrolepis*	1B	Chaparral, oak woodland, annual grassland. Elevation: 90–1,555 m. Blooms March to June.	N	N	Not detected during botanical surveys. Chaparral and oak woodland absent from BSA.

Common Name	Scientific Name	Status	General Habitat Description	Habitat Present (Y/N)	Species Present (Y/N/U)	Rationale
Sonoma sunshine	*Blennosperma bakeri*	FE, SE, 1B	Mesic annual grassland and vernal pools. Elevation: 10–110 m. Blooms March to May.	N	N	Not detected during botanical surveys. Mesic grassland and vernal pools absent from BSA.
Narrow-anthered brodiaea	*Brodiaea leptandra*	1B	Volcanic soils in mixed evergreen forest, chaparral, oak woodland, coniferous forest, and annual grassland. Elevation: 110–915 m. Blooms May to July	N	N	Volcanic soils absent from BSA
Brewer's calandrinia	*Calandrinia breweri*	4	Sandy or loamy disturbed sites and burns in chaparral and coastal scrub. Elevation: 10–1,220 m. Blooms March to June.	N	N	Chaparral and coastal scrub absent from BSA
Mt. Diablo fairy lantern	*Calochortus pulchellus*	1B	Chaparral, oak woodland, riparian woodland, annual grassland. Elevation: 30–840 m. Blooms April to June.	N	N	Not detected during botanical surveys
Small-flowered calycadenia	*Calycadenia micrantha*	1B	Roadsides, rocky talus and scree, sparsely vegetated areas in chaparral, meadows and seeps, and annual grassland. Elevation: 5–1,500 m. Blooms June to September.	N	N	Rocky soils absent from BSA
Lyngbye's sedge	*Carex lyngbyei*	2	Brackish or freshwater marshes and swamps. Elevation: 0–10 m. Blooms April to August.	Y	N	Not detected during botanical surveys

Common Name	Scientific Name	Status	General Habitat Description	Habitat Present (Y/N)	Species Present (Y/N/U)	Rationale
Tiburon paintbrush	*Castilleja affinis* var. *neglecta*	1B	Serpentinite in annual grassland. Elevation: 60–400 m. Blooms April to June.	N	N	Serpentinite absent from BSA
Johnny-nip	*Castilleja ambigua* ssp. *ambigua*	4	Coastal bluff scrub, coastal scrub, coastal prairie, marshes and swamps, annual grassland, venal pool margins. Elevation: 0–435 m. Blooms March to August.	Y	N	Not detected during botanical surveys
Mead's owl's-clover	*Castilleja ambigua* ssp. *meadi*	1B	Gravelly, volcanic, and clay soils in meadows and seeps and vernal pools. Elevation: 450–475 m, blooms April to May.	N	N	Meadows, seeps, and vernal pools absent from BSA
Rincon Ridge ceanothus	*Ceanothus confusus*	1B	Volcanic soils or serpentinite in chaparral, coniferous forest, and oak woodland. Elevation: 75–1,065 m. Blooms February to June.	N	N	Volcanic soils and serpentinite absent from BSA
Calistoga ceanothus	*Ceanothus divergens*	1B	Serpentinite or rocky soils in chaparral. Elevation: 170–950 m. Blooms February to April.	N	N	Chaparral absent from BSA
Holly-leaved ceanothus	*Ceanothus purpureus*	1B	Volcanic, rocky soils in chaparral and oak woodland.	N	N	Volcanic, rocky soils absent from BSA
Sonoma ceanothus	*Ceanothus sonomensis*	1B	Sandy, serpentine, or volcanic soils in chaparral. Elevation: 215–800 m. Blooms February to April.	N	N	Chaparral absent from BSA

Common Name	Scientific Name	Status	General Habitat Description	Habitat Present (Y/N)	Species Present (Y/N/U)	Rationale
Pappose tarplant	*Centromadia parryi* ssp. *parryi*	1B	Mostly alkaline soils in chaparral, coastal prairie, meadows and seeps, coastal salt marsh, and mesic annual grassland. Elevation: 0–420 m. Blooms May to November.	N	N	Alkaline soils not present in BSA
Parry's rough tarplant	*Centromadia parryi* ssp. *rudis*	4	Alkaline soils and vernally mesic seeps in annual grassland and vernal pools. Elevation: 0–100 m. Blooms May to October.	N	N	Alkaline soils and vernal pools absent from BSA
Sonoma spineflower	*Chorizanthe valida*	FE, SE, 1B	Sandy soils in coastal prairie. Elevation: 10–305 m. Blooms June to August.	N	N	Coastal prairie absent from BSA
Brewer's clarkia	*Clarkia breweri*	4	Chaparral, oak woodland, and coastal scrub. Elevation: 215–1,115 m. Blooms April to June.	N	N	Chaparral, oak woodland, and coastal scrub absent from BSA.
Tracy's clarkia	*Clarkia gracilis*	4	Openings in chaparral. Elevation: 65–650 m. Blooms April to July.	N	N	Chaparral absent from BSA
Serpentine collomia	*Collomia diversifolia*	4	Serpentinite, rocky or gravelly substrate in chaparral and oak woodland. Elevation: 300–600 m. Blooms May to June.	N	N	Chaparral and oak woodland absent from BSA
Serpentine cryptantha	*Cryptantha clevelandii* var. *dissita*	1B	Serpentinite in chaparral. Elevation: 395–580 m. Blooms April to June.	N	N	Chaparral absent from BSA

Common Name	Scientific Name	Status	General Habitat Description	Habitat Present (Y/N)	Species Present (Y/N/U)	Rationale
Dwarf downingia	*Downingia humilis*	2B	Mesic grassland and vernal pools. Elevation: 1–445 m. Blooms March to May.	N	N	Mesic grassland and vernal pools absent from BSA
Small spikerush	*Eleocharis parvula*	4	Marshes and swamps. Elevation: 1–3,020 m. Blooms April to September.	Y	N	Not detected during botanical surveys
Streamside daisy	*Erigeron biolettii*	3	Rocky and mesic substrates in mixed evergreen forest, oak woodland, and coniferous forest. Elevation: 30–1,100 m. Blooms June to October.	N	N	Forest and woodland absent from BSA
Greene's narrow-leaved daisy	*Erigeron greenei*	1B	Chaparral. Elevation: 80–1,005 m. Blooms May to September.	N	N	Chaparral absent from BSA
Tiburon buckwheat	*Erigonum caninum*	1B	Serpentinite or sandy, gravelly substrates in chaparral, oak woodland, coastal prairie, annual grassland. Elevation: 0–700 m. Blooms May to September.	N	N	Serpentinite and sandy soils absent from BSA
Woolly-headed gilia	*Gilia capitata* ssp. *tomentosa*	1B	Serpentinite and rocky outcrops in coastal bluff scrub and annual grassland. Elevation: 10-–220 m. Blooms May to July.	N	N	Serpentinite and rocky outcrops absent from BSA
Nodding harmonia	*Harmonia nutans*	4	Rocky, gravelly, volcanic soils in chaparral and oak woodland. Elevation: 75–975 m. Blooms March to May	N	N	Chaparral and oak woodland absent from BSA

Common Name	Scientific Name	Status	General Habitat Description	Habitat Present (Y/N)	Species Present (Y/N/U)	Rationale
Diablo helianthella	*Helianthella castanea*	1B	Rocky soils in chaparral/oak woodland interface. Elevation: 60–1,300 m. Blooms March to June.	N	N	Chaparral and oak woodland absent from BSA
White seaside tarplant	*Hemizonia congesta* ssp. *congesta*	1B	Annual grassland, sometimes along roadsides. Elevation: 20–560 m. Blooms April to November.	Y	N	Not detected during botanical surveys
Two-carpellate western flax	*Hesperolinon bicarpellatum*	1B	Chaparral. Elevation: 60–1,005 m. Blooms May to July.	N	N	Chaparral absent from BSA
Brewer's western flax	*Hesperolinon breweri*	1B	Serpentinite in chaparral, oak woodland, and annual grassland. Elevation: 30–900 m. Blooms May to July	N	N	Serpentinite absent from BSA
Tehama County western flax	*Hesperolinon tehamense*	1B	Serpentinite in chaparral and oak woodland. Elevation: 100–1,250 m. Blooms May to July.	N	N	Serpentinite absent from BSA
Thin-lobed horkelia	*Horkelia tenuiloba*	1B	Mesic openings and sandy soils in mixed evergreen forest, chaparral, and annual grassland. Elevation: 50–500 m. Blooms May to August.	N	N	Sandy soils absent from BSA. Not detected during botanical surveys.
Coast iris	*Iris longipetala*	4	Mesic soils in coastal prairie, coniferous forest, and meadows and seeps. Elevation: 0–600 m. Blooms March to May.	N	N	Not detected during botanical surveys

Common Name	Scientific Name	Status	General Habitat Description	Habitat Present (Y/N)	Species Present (Y/N/U)	Rationale
Northern California black walnut	*Juglans californica* var. *hindsii*	1B	Riparian forest and woodland. Elevation: 0–440 m. Blooms April to May.	N	N	Naturalized specimens present in BSA but lack of riparian woodland and forest precludes native occurrence.
Contra Costa goldfields	*Lasthenia conjugens*	FE, CH, 1B	Vernal pools, swales, and moist alkaline depressions. Elevation: 0–470 m. Blooms March to June.	N	N	Vernal pools absent from BSA
Delta tule pea	*Lathyrus jepsonii* var. *jepsonii*	1B	Freshwater and brackish marshes and swamps. Elevation: 0–4 m. Blooms May to September.	Y	N	Not detected during botanical surveys
Legenere	*Legenere limosa*	1B	Vernal pools. Elevation: 1–880 m. Blooms April to June.	N	N	Vernal pools absent from BSA
Bristly leptosiphon	*Leptosiphon acicularis*	4	Chaparral, oak woodland, coastal prairie, and annual grassland. Elevation: 55–1,500 m. Blooms April to July.	N	N	Not detected during botanical surveys
Jepson's leptosiphon	*Leptosiphon jepsonii*	1B	Usually volcanic soils in chaparral and oak woodland. Elevation: 100–500 m. Blooms March to May.	N	N	Chaparral and oak woodland absent from BSA
Broad-lobed leptosiphon	*Leptosiphon latisectus*	4	Mixed evergreen forest and oak woodland. Elevation: 170–1,500 m. Blooms April to June.	N	N	Mixed evergreen forest and oak woodland absent from BSA

Common Name	Scientific Name	Status	General Habitat Description	Habitat Present (Y/N)	Species Present (Y/N/U)	Rationale
Woolly-headed lessingia	*Lessingia hololeuca*	3	Clay soils and serpentinite in mixed evergreen forest, coastal scrub, coniferous forest, and annual grassland. Elevation: 15–305 m. Blooms June to October.	N	N	Clay soils and serpentinite absent from BSA.
Redwood lily	*Lilium rubescens*	4	Mixed evergreen forest, chaparral, and coniferous forest. Elevation: 30–1,910 m. Blooms April to September.	N	N	Forest and chaparral absent from BSA
Sebastopol meadowfoam	*Limnanthes vinculans*	1B	Vernally mesic meadows and seeps, annual grassland, and vernal pools. Elevation: 15–305 m. Blooms April to May.	N	N	Vernal pools absent from BSA
Napa lomatium	*Lomatium repostum*	4	Serpentinite in chaparral and oak woodland. Elevation: 90–830 m. Blooms March to June.	N	N	Serpentinite absent from BSA
Cobb Mountain lupine	*Lupinus sericatus*	1B	Mixed evergreen forest, chaparral, oak woodland, and coniferous forest. Elevation: 275–1,525 m. Blooms March to June.	N	N	Forest, chaparral, and oak woodland absent from BSA
Mt. Diablo cottonweed	*Micropus amphibolus*	3	Rocky substrates in mixed evergreen forest, chaparral, oak woodland, and annual grassland. Elevation: 45–825 m. Blooms March to May.	N	N	Rocky substrates absent from BSA
Green monardella	*Monardella viridis*	4	Mixed evergreen forest,	N	N	Forest, chaparral, and oak

Common Name	Scientific Name	Status	General Habitat Description	Habitat Present (Y/N)	Species Present (Y/N/U)	Rationale
	ssp. *viridis*		chaparral, and oak woodland. Elevation: 100–1,010 m. Blooms June to September.			woodland absent from BSA
Few-flowered navarretia	*Navarretia leucocephala* ssp. *pauciflora*	1B	Vernal pools. Elevation 400–855 m. Blooms May to June.	N	N	Vernal pools absent from BSA
Sonoma beardtongue	*Penstemon newberryi* var. *sonomensis*	1B	Chaparral. Elevation 700–1,370 m. Blooms April to August.	N	N	Chaparral absent from BSA
Lobb's aquatic buttercup	*Ranunculus lobbii*	4	Mesic soils in oak woodland, coniferous forest, annual grassland, and vernal pools.	Y (grassland)	N	Not detected during botanical surveys
California beaked-rush	*Rhynchospora californica*	1B	Bogs and fens, coniferous forest, seeps, and freshwater marshes. Elevation: 45–1,010 m. Blooms May to July.	Y	N	Not detected during botanical surveys
Sanford's arrowhead	*Sagittaria sanfordii*	1B	Shallow freshwater marshes and swamps. Elevation: 0–650 m. Blooms May to October.	Y	Y	LSA observed this species in the flood control channel approx. 1,700 feet north of Hoffman Lane during the May 6 botanical survey.
Cleveland's ragwort	*Senecio clevelandii* var. *clevelandii*	4	Serpentinite seeps in chaparral. Elevaion: 365–900 m. Blooms June to July.	N	N	Chaparral absent from BSA
Napa checkerbloom	*Sidalcea hickmanii* var. *napensis*	1B	Chaparral. Elevation: 415–610 m. Blooms April to June.	N	N	Chaparral absent from BSA
Marin checkerbloom	*Sidalcea hickmanii* var. *viridis*	1B	Chaparral. Elevation: 50–430 m. Blooms May to	N	N	Chaparral absent from BSA

Common Name	Scientific Name	Status	General Habitat Description	Habitat Present (Y/N)	Species Present (Y/N/U)	Rationale
			June.			
Keck's checkerbloom	*Sidalcea keckii*	1B	Serpentinite and clay soils in oak woodland and annual grassland. Elevation: 75–650 m. Blooms April to June.	N	N	Serpentinite and clay soils absent from BSA
Green jewel-flower	*Streptanthus breweri* var. *hesperidis*	1B	Serpentinite and rocky substrates in chaparral and oak woodland. Elevation: 130–760 m. Blooms May to July.	N	N	Serpentinite and rocky substrates absent from BSA
Napa bluecurls	*Trichostema ruygtii*	1B	Chaparral, oak woodland, coniferous forest, annual grassland, and vernal pools. Elevation: 30–680 m. Blooms June to October.	Y (grassland)	N	Not detected during botanical surveys
Two-fork (=showy Indian) clover	*Trifolium amoenum*	FE, 1B	Coastal bluff scrub and annual grassland. Elevation: 5–415 m. Blooms April to June.	Y (grassland)	N	Not detected during botanical surveys
Saline clover	*Trifolium depauperatum* var. *hydrophilum*	1B	Marshes and swamps, mesic alkaline grassland, and vernal pools. Elevation: 0–300 m. Blooms April to June.	Y	N	Not detected during botanical surveys
Dark-mouthed triteleia	*Triteleia lugens*	4	Mixed evergreen forest, chaparral, coastal scrub, and coniferous forest. Elevation: 100–1,000 m. Blooms April to June.	N	N	Forest, chaparral, and scrub absent from BSA

Common Name	Scientific Name	Status	General Habitat Description	Habitat Present (Y/N)	Species Present (Y/N/U)	Rationale
Oval-leaved viburnum	*Viburnum ellipticum*	2B	Chaparral, oak woodland, and coniferous forest. Elevation: 215–1,400 m. Blooms May to June.	N	N	Chaparral, oak woodland, and coniferous forest absent from BSA
INVERTEBRATES						
Conservancy fairy shrimp	*Branchinecta conservatio*	FE	Large, cool-water vernal pools with moderately turbid water	N	N	Vernal pools absent from BSA
California freshwater shrimp	*Syncaris pacifica*	FE, SE	Low-elevation and low-gradient perennial coastal streams with exposed tree roots, undercut banks, and/or overhanging woody debris or vegetation.	N	N	Reach of Dry Creek within BSA does not contain adequate streamside cover.
FISH						
Delta smelt	*Hypomesus transpacificus*	FE, ST, CH	Lower tidal reaches of large rivers flowing into the San Francisco estuary and open waters of the estuary.	N	N	BSA located outside known range of species. No tidal rivers or streams present in BSA or vicinity.
Longfin smelt	*Spirinchus thaleichthys*	ST	Bays, estuaries, and nearshore oceanic waters.	N	N	BSA located outside known range of species. No tidal rivers or streams present in BSA or vicinity.
Steelhead (central California coast DPS[16])	*Oncorhynchus mykiss irideus*	FT, CSC, CH	Coastal streams from Russian River south to Aptos Creek (Santa Cruz Co.), including streams tributary to San Francisco and San Pablo Bays.	Y	Y	Known to occur in Dry Creek (Leidy et al. 2005).

[16] DPS = distinct population segment

Common Name	Scientific Name	Status	General Habitat Description	Habitat Present (Y/N)	Species Present (Y/N/U)	Rationale
Steelhead (Central Valley DPS)	*Oncorhynchus mykiss irideus*	FT, CH	Central Valley and foothill rivers and streams with cold water and deep (3 feet or greater) pools and runs; for spawning requires clean, silt-free gravel (0.5-5 inches) beds, with clear flowing water and shaded stream reaches. Spawning adults occur during winter high water.	N	N	BSA located outside known range of this DPS. Does not occur in streams tributary to San Francisco Estuary (excepting Sacramento and San Joaquin Rivers).
Chinook salmon (Central Valley spring-run ESU[17])	*Oncorhynchus tshawytscha*	FT, ST	Freshwater habitat: cold water and deep pools and runs; for spawning requires clean, silt-free gravel beds, with clear flowing water	N	N	BSA located outside known range of this ESU. Does not occur in smaller streams tributary to San Francisco Estuary.
Chinook salmon (Sacramento River winter-run ESU)	*Oncorhynchus tshawytscha*	FE, SE	Freshwater habitat: cold water and deep pools and runs; for spawning requires clean, silt-free gravel beds, with clear flowing water.	N	N	BSA located outside known range of this ESU. Does not occur in streams tributary to San Francisco Estuary.
AMPHIBIANS AND REPTILES						
California red-legged frog	*Rana draytonii*	FT, CH, CSC	Ponds, streams, drainages and associated uplands; requires areas of deep, still, and/or slow-moving water for breeding.	Y	N	Flood control channel and Dry Creek provide aquatic habitat but species not detected during 2013 protocol-level survey.

[17] ESU = evolutionarily significant unit

Common Name	Scientific Name	Status	General Habitat Description	Habitat Present (Y/N)	Species Present (Y/N/U)	Rationale
Foothill yellow-legged frog	*Rana boylii*	CSC	Partly shaded, shallow streams and riffles with a rocky substrate.	Y	U	Reach of Dry Creek within BSA provides high-quality habitat.
Western pond turtle	*Actinemys marmorata*	CSC	Ponds, streams, drainages, and associated uplands.	Y	U	Species not detected to date but drainage channels and Dry Creek provide high-quality aquatic habitat and grassland adjacent to channel marginally suitable for nesting.
BIRDS						
White-tailed kite	*Elanus leucurus*	CFP	Open grasslands, meadows, or marshes. Requires dense-topped trees or shrubs for nesting and perching.	Y	U	Species not detected to date but numerous trees provide suitable nest sites and grassland suitable for foraging.
Bald eagle	*Haliaeetus leucocephalus*	SE	Lakes, reservoirs, rivers, lagoons, and seashores; usually nest in large trees or snags near water.	N	N	Large water bodies and associated large trees or snags absent from BSA.
Swainson's hawk	*Buteo swainsoni*	ST	Open grasslands and agricultural fields. Nests in large trees such as valley oak, cottonwood, or eucalyptus.	Y	U	Large trees in BSA provide suitable nest sites but foraging habitat is limited due to absence of low-growing agricultural crops in vicinity. Little is known about the foraging habits of this species in the Napa Valley.
California least tern	*Sternula antillarum browni*	FE, SE, CFP	Sandy beaches, alkali flats, hard-pan surfaces (salt ponds).	N	N	BSA located outside known range of this species. Habitat not present.
Northern spotted owl	*Strix occidentalis caurina*	FT	Old-growth forests or mixed stands of old growth and mature trees.	N	N	Old-growth coniferous forest absent from BSA.

Common Name	Scientific Name	Status	General Habitat Description	Habitat Present (Y/N)	Species Present (Y/N/U)	Rationale
Loggerhead shrike	*Lanius ludovicianus*	CSC	Open grasslands and woodlands with scattered shrubs, fence posts, utility lines, or other perches. Nests in dense shrubs and lower branches of trees.	Y	U	Species not detected to date but numerous trees suitable for nesting and grassland suitable for foraging.
Tricolored blackbird	*Agelaius tricolor*	CSC	Nests in dense vegetation near open water, forages in grasslands and agricultural fields.	N	N	Cattail stands in flood control channel too small to support a nesting colony.
MAMMALS						
Pallid bat	*Antrozous pallidus*	CSC	Roosts in caves, tunnels, buildings, under bridges, and in tree hollows; forages over a variety of habitats.	Y	Y	Active night roost observed under Solano Avenue bridge over Dry Creek during June 10 nighttime CRLF survey. Underside of bridge too open to be used as a maternity roost, however.
Townsend's big-eared bat	*Corynorhinus townsendi*	SC	Requires spacious cavern-like structures for roosting, typically caves or mines but also in large hollows of trees, attics and abandoned buildings, lava tubes, and under bridges. Forages over a variety of habitats.	Y	U	No known occurrences within 5 miles of BSA (CDFW 2013). Solano Avenue bridge over Dry Creek suitable for night roosting but too open to be used as a maternity/daytime roost. No other large spacious cavities or structures observed in BSA.
Salt-marsh harvest mouse	*Reithrodontomys raviventris*	FE, SE, CFP	Tidal salt marshes of San Francisco Bay and its tributaries. Requires tall, dense pickleweed (*Salicornia* sp.) for cover.	N	N	BSA located outside known range of species. Tidal salt marsh absent from BSA and vicinity.
American badger	*Taxidea taxus*	CSC	Open, dry habitats (e.g., grasslands) with friable soils.	N	N	No badger dens observed in BSA during reconnaissance-level surveys.

Common Name	Scientific Name	Status	General Habitat Description	Habitat Present (Y/N)	Species Present (Y/N/U)	Rationale

Status:
FE = federally endangered
FT = federally threatened
CH = federal critical habitat designated
SE = State endangered
ST = State threatened
SC = State candidate
SR = State rare
CSC = California Species of Special Concern
CFP = California Fully Protected Species
1B = California Rare Plant Rank 1B (rare, threatened, or endangered in California and elsewhere)
2 = California Rare Plant Rank 2 (rare, threatened, or endangered in California but more common elsewhere)
CEQA = impacts may be considered significant under CEQA

Source: LSA Associates, 2014

Special-status Animals. Based on a review of the California Natural Diversity Database (CNDDB), the USFWS online species list, and observed habitat conditions, LSA identified 21 special-status animal species as potentially occurring in the project vicinity (Table B). Species with ranges outside the upper Napa Valley and/or those requiring specific habitat conditions not present in the vicinity of the project area were eliminated from consideration and are not discussed further. Excluded species and the rationale for their exclusion include the following:

Suitable Aquatic Tidal Marsh/Bay/Delta Waterways Not Present

- Delta smelt (*Hypomesus transpacificus*) (Threatened)
- Central Valley steelhead (*Oncorhynchus mykiss*) (Threatened)
- Central Valley spring-run Chinook salmon (*Oncorhynchus tshawytscha*) (Threatened)
- Sacramento River winter-run Chinook salmon (Endangered)
- California least tern (*Sternula antillarum browni*) (Endangered)
- Salt marsh harvest mouse (*Reithrodontomys raviventris*) (Endangered)

Six of the remaining 14 species (Conservancy fairy shrimp, California freshwater shrimp, bald eagle, northern spotted owl, tricolored blackbird, and American badger) are not expected to occur due to a lack of habitat.

The drainage channels parallel to Solano Avenue contain several pools and abundant freshwater marsh vegetation that provide suitable habitat for California red-legged frogs. However, LSA did not find any red-legged frogs during a protocol-level survey of the project area between June and August 2013. The species is typically considered extirpated from the Napa Valley (Mark Jennings, USFWS, pers. comm. with David Muth) and has not been documented from any locations within 9 miles of the project area. As such, California red-legged frog is presumed absent from the project area and vicinity.

Special-status Natural Communities. The CNDDB does not identify any special-status natural communities within 5 miles of the project area. As mentioned above, LSA observed approximately 15 stands (totaling 0.14 acres) of creeping ryegrass turfs in the project area. This vegetation type is recognized as a special-status natural community by the CDFW (CDFG 2010) and Napa County. The project area also supports approximately 7 acres of wetlands/freshwater marsh. This vegetation type is also considered as a special-status natural community by both the County and CDFW.

The riparian woodland along Dry Creek west of Solano Avenue is also considered a special-status natural community due to its habitat value for native wildlife and the limited distribution of native riparian plant communities in California.

Discussion

a) Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in

local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Potentially Significant Unless Mitigation Incorporated. Potential impacts to special-status plant and wildlife species are described below.

Special-status Plants. As described above, Sanford's arrowhead has been observed growing in the Yountville Collector drainage channel north of Hoffman Lane during project surveys. On July 7, 2013, LSA observed that most of the vegetation within this channel reach, including most of the Sanford's arrowhead, had been cleared for purposes of channel maintenance. The species was not observed in any other portions of the channel. Project construction would not involve any vegetation clearing within the drainage channels, including at the known location of Sanford's arrowhead. As such, the proposed project would not result in impacts to this species.

Special-status Animals. The project area contains known or potential habitat for several special-status animal species, as described below.

Central California Coast steelhead. The Central California Coast (CCC) distinct population segment (DPS) steelhead is federally threatened and includes all naturally spawned populations of steelhead in coastal streams from the Russian River to Aptos Creek, and the drainages of San Francisco, San Pablo, and Suisun Bays eastward to Chipps Island at the confluence of the Sacramento and San Joaquin Rivers; and tributary streams to Suisun Marsh. CCC steelhead are known to occur in Dry Creek and may also occasionally occur in the northern portion of the Yountville Collector, which receives flow from Hinman Creek at its northern end. CCC steelhead are not expected to occur in the Salvador Collector due to the lack of year-round flows and the presence of an underground box culvert at its northern end, which would prevent upstream migration to any potential spawning habitat (which appears to be absent). Dry Creek is included in the San Pablo Hydrological Unit of NMFS-designated critical habitat for CCC steelhead, but neither the Yountville nor Salvador Collectors are included.

No construction would occur in the stream channel or bed of Dry Creek and thus no direct impacts on aquatic habitat are expected. Implementation of the SWPPP and associated BMPs (described below), in accordance with RWQCB guidelines, would control erosion and prevent construction-related runoff from entering Dry Creek and the Yountville Collector. These measures would preclude any potential water quality impacts on CCC steelhead. In addition, the following mitigation measure shall be implemented to minimize potential construction-related effects on steelhead:

> **Mitigation Measure BIO-1:** Construction activities associated with widening the existing Solano Avenue bridge over Dry Creek shall be limited to the non-migratory period for steelhead (May through October).

Foothill Yellow-legged Frog. The foothill yellow-legged frog (*Rana boylii*) is a California Species of Special Concern that occurs along open, sunny stream courses with riffles, pools, at least some cobble-sized substrate, and favors clear pools with slow currents, backwaters, or off-channel pools for egg laying and rearing of tadpoles. Although LSA has not observed any

foothill yellow-legged frogs in the project area to date, the reach of Dry Creek within the project area provides suitable physical conditions due to the presence of pools with undercut banks and cobble-sized substrate. However, Dry Creek is connected to the Napa River, which is known to support numerous introduced predators such as American bullfrog, warm water game fish, and crayfish. The project is not expected to impact foothill yellow-legged frog since no construction would occur in the stream channel or bed of Dry Creek.

Western Pond Turtle. Western pond turtle is a California Species of Special Concern. Pond turtles occur in a wide variety of aquatic habitats, including ponds, lakes, marshes, rivers, streams, and irrigation ditches that typically have a rocky or muddy bottom and contain stands of aquatic vegetation (Stebbins 2003). LSA did not observe any pond turtles during its protocol-level survey for California red-legged frog, which covered all potential aquatic habitats within the project area.

The project is expected to have minimal impact on western pond turtle aquatic habitat or turtles occurring in such habitat since most work would occur outside the drainage channels or streams. Culvert replacement work south of Wine Country Avenue would involve temporary work within the Salvador Collector (i.e., removal of existing concrete outfall apron and installation of new concrete culvert pipe) but no temporary or permanent fill of the channel is expected. If present, pond turtles nesting along the trail alignment could be impacted by construction activities. Grading and minor excavation activities could result in mortality of adult females and loss of egg clutches. Such impacts are unlikely, however, given the low habitat quality for nesting and the lack of pond turtle observations between June and August 2013 during the protocol-level red-legged frog survey.

Increased human use of the BSA due to the construction of a new pedestrian and bike path would further limit upland habitat suitability for western pond turtles, if present in the BSA. However, given that upland habitat quality adjacent to the drainage channels and streams is already compromised by existing human disturbance (e.g., vehicle traffic on unimproved maintenance road, weed abatement, railroad maintenance), the further reduction in upland habitat quality is not expected to be significant.

Implementation of the following mitigation measure would reduce potential impacts to western pond turtle to less than significant.

> **Mitigation Measure BIO-2:** The NCTPA shall implement the following measures to minimize potential construction-related impacts to western pond turtle:
>
> - At least 15 days prior to any ground disturbance, the NCTPA shall submit the names and qualifications of the proposed monitoring biologist(s) to CDFW for review and approval.
> - The CDFW-approved biologist shall conduct environmental awareness training for all contractors working adjacent to aquatic habitat during project construction. The training shall include a review of environmental laws and avoidance and minimization measures being implemented to reduce or avoid impacts on special-status species, including pond turtles. Training shall also be provided to any new workers who do not attend the initial training session prior to their beginning work.

- Exclusion fencing shall be installed along the upper banks of any drainage channel paralleling the work area (e.g., Yountville and Salvador Collectors) to prevent pond turtles from entering the work area. At the three stream crossings, the fencing will follow the top-of-bank and extend to the railroad tracks. The fencing shall consist of silt fabric (or similar material such as ERTEC E-Fence™) at least 3 feet high. The lower 6 inches of the fabric shall be buried in the ground to prevent animals from crawling under the fence. Orange plastic mesh construction fencing shall be installed around the outside perimeter (i.e., approximately 1 foot outside) of the silt fencing to identify its location (unless orange ERTEC E-Fence™ is used). Fencing shall remain in place and maintained in good condition throughout the construction period. Fence installation shall be conducted under the supervision of the CDFW-approved biologist.
- Within 24 hours of any construction adjacent to or within aquatic pond turtle habitat, the CDFW-approved biologist shall survey the work area for pond turtles. If any pond turtles are found in the work area, the biologist shall move them to nearby suitable habitat a minimum of 300 feet upstream or downstream (i.e., whichever is furthest away from current and future construction) of the work area. Pond turtle relocation activities would only be conducted under a CDFW 1602 Streambed Alteration Agreement or project-specific Memorandum of Understanding (MOU) authorizing such relocation activities. The biologist shall maintain detailed records of any individuals that are moved (e.g., size, coloration, any distinguishing features, photos) to assist him or her in determining whether translocated animals are returning to their original point of capture.
- After exclusion fencing has been installed, the CDFW-approved biologist will visit the work area(s) on a weekly basis to confirm that the fence is still functional and to document avoidance of aquatic habitat.
- Disturbance to existing grades and vegetation shall be limited to the actual work area and necessary access routes. Placement of all staging areas, roads, and other facilities shall avoid and limit disturbance to aquatic habitat.
- All construction-related holes shall be covered at the end of each work day to prevent entrapment of pond turtles.
- All fueling and maintenance of vehicles and other equipment and staging areas will occur at least fifty (50) feet from any riparian habitat or water body. The NCTPA shall ensure contamination of habitat does not occur during such operations. Prior to the onset of work, the contractor shall provide written documentation that it has prepared a plan to allow a prompt and effective response to any accidental spills. All workers will be informed of the importance of preventing spills and of appropriate measures to take should a spill occur.

Swainson's Hawk. Swainson's hawk is State-listed as threatened. LSA has not observed any Swainson's hawks in or near the project area, although the numerous trees provide suitable nest sites. The project area has limited habitat value for Swainson's hawk foraging. The loss of approximately 7 acres of annual grassland and ruderal vegetation due to trail construction does not constitute a significant impact on Swainson's hawk foraging habitat since the habitat value

of uplands within the project area for foraging Swainson's hawks is expected to be extremely low due to abundant ruderal vegetative cover and limited space over which to forage due to the presence of two heavily trafficked roads on either side as well as the Napa Valley Wine Train tracks. However, activities associated with construction of the proposed project could impact Swainson's hawk if they are nesting in the project area during construction.

Implementation of the following mitigation measures would reduce potential impacts to Swainson's hawk to less than significant:

Mitigation Measure BIO-3: The NCTPA shall implement the following measures to minimize construction-related impacts to Swainson's hawk:

- In the year of project construction, a qualified biologist shall survey the project area and adjacent lands for nesting Swainson's hawks using a slightly modified protocol adapted from the Swainson's Hawk Technical Advisory Committee's (SHTAC) *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley*[18]. Although the surveys will cover the entire BSA and immediately adjacent lands, it is not logistically feasible to survey within 0.5 mile of the entire 6-mile trail alignment. Instead, the 0.5-mile search radius will only apply to those areas where removal of large trees (i.e., larger than 24 inches DBH) will occur. Four surveys shall be conducted: one during SHTAC survey period II (March 20 to April 5), two during survey period III (April 5 to April 20), and one during survey period V (June 10 to July 30). If construction is scheduled to commence in April or May, the period V survey may be substituted with an additional survey in period II or III. Survey period dates may be adjusted based on the nesting chronology of previous Swainson's hawk nests in the lower Napa Valley.
- If any active Swainson's hawk nests are found in or within 0.25 mile of the work area(s), the biologist shall determine an appropriate sized buffer around the nest in which no work will be allowed until the young have fledged or the nest fails. The size of the buffer shall initially be 0.25 mile as per standard CDFW requirements, but may be reduced to 300 feet if regular (bi-weekly or weekly) nest monitoring by a qualified biologist demonstrates that the nesting pair are not disturbed by construction activities outside the buffer. Given the existing disturbance levels on both sides of the project alignment (i.e., Highway 29 and Solano Avenue traffic, channel and railroad maintenance activities, pedestrians and cyclists along Solano Avenue, four daily passes by Napa Valley Wine Train), it is likely that any Swainson's hawks choosing to nest in the project area would tolerate moderate disturbance levels. The buffer may be further reduced to 100 or 200 feet as the nesting period commences since adult hawks are much more tolerant of disturbance once the young have hatched.

Mitigation Measure BIO-4: If any Swainson's hawks are found nesting in trees proposed for removal during the above-described survey, the NCTPA shall apply for a

[18] Swainson's Hawk Technical Advisory Committee (SHTAC). 2000. Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley. May 31. http://www.dfg.ca.gov/wildlife/nongame/docs/swain_proto.pdf (accessed September 11, 2013).

Fish and Game Code Section 2081 incidental take permit (ITP) from CDFW pursuant to CESA. As part of the ITP application, the NCTPA and/or its representative shall prepare a mitigation plan that identifies compensatory measures for the loss of the nest tree(s), such as replacement via replanting on or off site or protection of known nest trees. The ratio of new trees planted to trees impacted shall be based on up-to-date knowledge of Swainson's hawk habitat use in the Napa Valley as well as the location of proposed mitigation activities.

Loggerhead Shrike and While-Tailed Kite. The white-tailed kite (*Elanus leucurus*) is designated by the CDFW as a Fully Protected Species. This species nests in densely foliaged trees and large shrubs located near suitable foraging habitat (e.g., grasslands, marshes, agricultural fields). Loggerhead shrike (*Lanius ludovicianus*) is a California Species of Special Concern that occur in open areas with scattered shrubs, trees, posts, fences, utility lines, and other perches. Although neither of these species has been observed in the project area, both are known to breed in the Napa Valley (Berner et al. 2003) (although shrikes are less common) and the numerous trees within the project area provide suitable nest sites.

If conducted during the nesting season (February 1 to August 31), vegetation removal activities could directly impact the above special-status bird species by removing trees or shrubs that support active nests. Construction-related disturbance could also indirectly impact nesting birds by causing adults to abandon nests, resulting in nest failure and reduced reproductive potential. Implementation of the following mitigation measures would reduce potential impacts to loggerhead shrike and white-tailed kite to less than significant.

Mitigation Measure BIO-5: To the extent feasible, vegetation removal activities shall occur during the non-nesting season (September 1 to January 31). For any construction activities conducted during the nesting season, a qualified biologist shall conduct a preconstruction nest survey of all trees and other suitable nesting habitat in and within 250 feet of the limits of work. The survey shall be conducted no more than 15 days prior to the start of work. If the survey indicates the presence of nesting birds, the biologist shall determine an appropriate sized buffer around the nest in which no work would be allowed until the young have successfully fledged (or the nest has been abandoned). The size of the nest buffer shall be determined by the biologist and shall be based on the nesting species and its sensitivity to disturbance. In general, buffer sizes of up to 250 feet for raptors and 50 feet for other birds should suffice to prevent substantial disturbance to nesting birds, but these buffers may be increased or decreased, as appropriate, depending on the bird species and the level of disturbance anticipated near the nest.

Pallid Bat. Pallid bat (*Antrozous pallidus*) is a California Species of Special Concern that inhabits low-elevation arid deserts and canyonlands, shrub-steppe grasslands, karst formations, and higher elevation coniferous forests. LSA biologist David Muth observed several Brazilian free-tailed bats (*Tadarida brasiliensis*) and pallid bats (*Antrozous pallidus*) roosting under the Solano Avenue bridge over Dry Creek during the California red-legged frog nighttime survey on June 10, 2013. The bridge does not contain any expansion joints or other enclosed spaces suitable for pallid bat maternity or daytime roosts. Despite the abundance of oaks within the project area, LSA did not observe any large tree cavities suitable for bat roosting during the field surveys.

Implementation of the following mitigation measure would reduce potential impacts to pallid bat to less than significant:

> **Mitigation Measure BIO-6:** Work activities shall not occur on or within 100 feet of the Solano Avenue bridge over Dry Creek between sunset and sunrise. Airspace access to the bridge shall remain approximately the same, and bird-exclusion netting shall not be used. No lighting that would illuminate the underside of the bridge shall be used. Combustion equipment, such as generators, pumps, and vehicles are not to be parked, nor operated, under or adjacent to the bridge. Personnel are not to be present under the bridge during the evening or at night.

b) Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Potentially Significant Unless Mitigation Incorporated. Creeping ryegrass turfs have a State rarity ranking of S3 in the CDFW list of vegetation alliances and are thus considered a special-status natural community. This vegetation type occurs on poorly drained floodplains, drainage and valley bottoms, mesic flat to sloping topography, and marsh margins. Creeping ryegrass is a widespread species that is a component of many vegetation alliances and is a common understory plant in riparian forests. Approximately 15 stands totaling approximately 0.138 acres of creeping ryegrass turfs are located in the project area between Vineyard View Drive and the Redwood Road Park and Ride. All of these stands have at least 50 percent cover of creeping ryegrass. Although five creeping ryegrass stands are located far enough outside the trail alignment to be avoided, complete avoidance of the remaining stands is not feasible due to space limitations.

Trail construction will directly impact approximately 0.084 ac of creeping ryegrass turfs. In addition, trail construction adjacent to existing stands may result in indirect impacts to this community by creating a new source of bare soil that could easily be colonized by invasive weeds. Such weeds could spread into the creeping ryegrass stands and permanently alter its species composition. Eventually some of the stands may disappear as creeping ryegrass is replaced by non-native invasive plants. Implementation of the following mitigation measures would reduce potential impacts to this sensitive natural community to less than significant.

> **Mitigation Measure BIO-7:** To compensate for the loss of 0.084 ac of creeping ryegrass turfs, the NCTPA will plant 0.084 ac of replacement grassland (1:1 ratio) elsewhere within the BSA pursuant to Napa County's "no net loss" of sensitive biotic communities policy (General Plan Policy CON-17). Newly planted creeping ryegrass stands will be installed with creeping ryegrass plugs salvaged from impacted stands. The entire replanting effort shall be conducted with approximately 5-inch by 5-inch plugs due to increased likelihood of survival. The creeping ryegrass replanting effort shall be conducted by following a restoration plan prepared by a qualified restoration ecologist familiar with native grassland restoration techniques in California. The plan shall include the following components, at a minimum:

- Salvage and/or recovery requirements, including clearly defined goals focusing on plant establishment (stability, succession, reproduction) and non-native species control measures.
- Locations and procedures for replanting of salvaged plant material including seeds.
- Specification of a three-year post-construction maintenance period (including irrigation when required), and monitoring program by a qualified restoration team to ensure that project goals and performance standards are met. The monitoring program shall include provisions for remedial actions to correct deficiencies, as needed. The NCTPA shall submit annual reports and a final report subject to approval by the County to document the progress of the revegetation effort. If revegetation is not successful, an additional period of correction and monitoring shall be specified.

Mitigation Measure BIO-8: To prevent construction workers and equipment from entering creeping ryegrass stands, orange plastic construction fencing shall be installed along the edges of the stands so that they are easily visible to workers as Environmentally Sensitive Areas (ESA). The fencing shall be installed under the guidance of a qualified botanist practiced in the identification of creeping ryegrass, native bunchgrasses, and grassland communities.

Wetlands are also considered sensitive natural communities by the County and the CDFW as described in their *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities.* As described further in Response IV(c) below, approximately 7.003 acres of wetlands have been identified in the project area.

To minimize impacts on jurisdictional waters and aquatic wildlife habitat, the proposed project has been designed to avoid filling the flood control channels by using prefabricated clear-span truss bridges at the two channel crossings (Yountville and Salvador Collector). Installation of the bridges would not require any work or equipment within the ordinary high water mark (OHWM) of the stream channels. Removal of a 155-square foot concrete apron and replacement with a concrete culvert of the same footprint immediately south of Wine Country Avenue would require work within the Salvador Collector channel. Replacement of the concrete apron with a culvert would be a regulated activity that would require permits from the U.S. Army Corps of Engineers (Corps) (Clean Water Act [CWA] Section 404), Regional Water Quality Control Board (RWQCB) (CWA Section 401), and CDFW (Fish and Game Code Section 1602 Streambed Alteration Agreement). No temporary or permanent fill beyond the existing concrete apron footprint (e.g., no loss of wetland acreage) is expected. Access roads and construction staging areas would be included in the permitted activity. Work associated with replacement of the concrete apron shall be consistent with regulatory requirements as specified in the permits and as such would not result in impacts to jurisdictional waters.

Trail construction would not result in any permanent or temporary fill of jurisdictional waters. However, construction may result in indirect impacts such as excess sediment or pollutants entering the drainage channels and Dry Creek if not contained properly. Implementation of the mitigation measures below would reduce such impacts to less than significant.

Mitigation Measure BIO-9: The contractor shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) in accordance with RWQCB guidelines. The SWPPP shall include the following major components, at a minimum:

- A comprehensive erosion and sediment control plan, depicting areas to remain undisturbed and providing specifications for revegetation of disturbed areas.
- A list of potential pollutants from building materials, chemicals, and maintenance practices to be used during construction and the specific control measures to be implemented to minimize release and transport of these constituents in runoff.
- Specifications and designs for the appropriate best management practices (BMPs) (see below) for controlling drainage and treating runoff in the construction phase.
- A program for monitoring all control measures that includes schedules for inspection and maintenance and identifies the party responsible for monitoring.
- A site map that locates all water quality control measures and all restricted areas to be left undisturbed.

Mitigation Measure BIO-10: BMPs will be implemented as recommended or required by the RWQCB and the County to protect water quality. These measures will include, but are not limited to, the following: (1) a moratorium on grading during a rain event; (2) a requirement that erosion and sediment control measures be installed prior to unseasonable rain storms; (3) prohibiting erosion or sediment control measures within vegetated areas; (4) limiting the extent of disturbed soil to the minimum area that can be protected prior to a forecasted rain event and the minimum area needed to complete the proposed action; (5) delineating and protecting environmentally sensitive areas to prevent construction impacts; (6) installing fiber rolls as appropriate to control sediment and erosion; (7) spill and litter control (e.g., installing temporary impervious debris containment netting to prevent cement and/or debris from falling into Dry Creek during bridge widening work); (8) control of fuels and other hazardous materials; (9) management of temporary sewage facilities to prevent water quality impacts; (10) liquid waste management; and (11) preserving existing vegetation wherever possible.

Mitigation Measure BIO-11: All jurisdictional areas located adjacent to, but outside of, the construction footprint shall be avoided during construction and no fill shall be allowed to enter these areas. Exclusion fencing shall be installed to mark the limits of the construction footprint. A biological monitor shall oversee the installation of the fencing and monitor the work area on a weekly basis to ensure avoidance of aquatic habitat.

Mitigation Measure BIO-12: During project construction, no soil or other construction materials shall be stored in or allowed to enter the drainage channels or Dry Creek. All stockpiled fill and other materials shall be kept at least 50 feet from the channel edges.

c) Would the project have a substantial adverse effect on federally-protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Potentially Significant Unless Mitigation Incorporated. A preliminary wetland delineation by LSA (2013) and subsequent field verification with the Corps identified 7.003 acres of waters of the United States within the project area, including 2.685 acres of other waters (2.502 acres of streams and 0.183 acres of culverts) and 4.318 acres of wetlands (i.e., wetland swale, including Yountville Collector and Segment C of the Salvador Collector). The 4.318 acres of wetland swale consist of portions of the Yountville and Salvador Collectors that are dominated by freshwater marsh vegetation (i.e., cattails and tules); LSA originally identified these areas as other waters of the United States (channelized stormwater collector channels) but the Corps requested that they be identified as wetlands during its verification site visit.

As described in Response IV(b) above, trail construction would result in indirect impacts to jurisdictional waters such as excess sediment or pollutants entering drainage channels and Dry Creek. Implementation of Mitigation Measures BIO-9 through BIO-12 described above would reduce potential impacts to jurisdictional waters to less than significant.

d) Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Less Than Significant Impact. Wildlife species expected to occur in the project area are those adapted to urban and agricultural semi-rural habitats of the Central Coast Range bioregion. The numerous oak and blue gum trees in the project area provide nesting and foraging habitat for woodland species such as downy woodpecker (*Picoides pubescens*), Nuttall's woodpecker (*Picoides nuttallii*), western scrub-jay (*Aphelocoma californica*), oak titmouse (*Baeolophus inornatus*), white-breasted nuthatch (*Sitta carolinensis*), western bluebird (*Sialia mexicanus*), and American robin (*Turdus migratorius*). The same trees are also likely to provide stopover foraging habitat for common Nearctic-Neotropical migrant species such as Pacific-slope flycatcher (*Empidonax difficilis*), warbling vireo (*Vireo gilvus*), yellow warbler (*Setophaga petechia*), black-throated gray warbler (*S. nigrescens*), and hermit warbler (*S. occidentalis*). Dense stands of cattails and thistles provide nesting habitat for common species such as song sparrow (*Melospiza melodia*), red-winged blackbird (*Agelaius phoeniceus*), and lesser goldfinch (*Spinus psaltria*). Although no raptor nesting has been observed to date, the larger trees within the project area provide nesting habitat for red-tailed hawk (*Buteo jamaicensis*), red-shouldered hawk (*B. lineatus*), Cooper's hawk (*Accipiter cooperi*), great horned owl (*Bubo virginianus*), and American kestrel (*Falco sparverius*).

Two amphibian and one reptile species have been observed in the project area: Sierran treefrog (*Pseudacris sierra*), American bullfrog (*Lithobates catesbeiana*), and western fence lizard (*Sceloporus occidentalis*). Additional amphibians and reptiles expected to occur include arboreal salamander (*Aneides lugubris*), California slender salamander (*Batrachoseps attenuatus*), western toad (*Anaxyrus boreas*), southern alligator lizard (*Elgaria multicarinatus*), western skink (*Plestidon skiltonianus*), racer (*Coluber constrictor*), gopher snake (*Pituophis catenifer*), common garter snake (*Thamnophis sirtalis*), common kingsnake (*Lampropeltis getula*), and Pacific rattlesnake (*Crotalus oreganus*).

Evidence (i.e., burrows or runways) of Botta's pocket gopher (*Thomomys bottae*) and California vole (*Microtus californica*) were observed throughout the project area. As described

above, several Brazilian free-tailed bats (*Tadarida brasiliensis*) and pallid bats (*Antrozous pallidus*) were observed roosting under the Solano Avenue bridge over Dry Creek. Additional common mammal species that likely forage in and move through the BSA include Virginia opossum (*Didelphis virginiana*), striped skunk (*Mephitis mephitis*), northern raccoon (*Procyon lotor*), coyote (*Canis latrans*), and black-tailed deer (*Odocoileus hemionus*).

The proposed project would not substantially interfere with the movement of any native resident or migratory fish or wildlife species or migratory wildlife corridors, or impede the use of wildlife nursery sites. Impacts to wetlands and drainages on the project site would generally be avoided (see Section (c) above). The proposed trail alignment would be located at grade level, and therefore, would not substantially obstruct wildlife movement. The nests of all native bird species are protected under the federal Migratory Bird Treaty Act and California Fish and Game Code. Impacts to nesting birds would be mitigated through implementation of Mitigation Measure BIO-5 described above.

e) Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Potentially Significant Unless Mitigation Incorporated. The proposed trail alignment is subject to the local policies and ordinances of three jurisdictions: City of Napa, Napa County, and the Town of Yountville. The proposed project's consistency with these policies is detailed below.

City of Napa Protected Trees. According to the tree inventory prepared for the proposed project,[19] no Significant Trees as identified on the City's Registry of Significant Trees[20] are present in the project area.

Approximately 29 trees within the Napa city limits, including 10 black locusts (*Robinia pseudoacacia*), two silver wattles (*Acacia dealbata*), two tree-of-heaven (*Ailanthus altissima*), one Japanese privet (*Ligustrum japonicum*), two Monterey cypress (*Cupressus macrocarpa*), two walnuts (*Juglans* sp.), one Canary Island date palm (*Phoenix canariensis*), three Fremont cottonwoods, four valley oaks, and two unknown species (surveyed but not included in arborist report) would need to be removed. All of these trees presumably qualify as street trees under the City municipal code since they occur in the public right-of-way. Implementation of the following mitigation measure would reduce impacts to City of Napa trees to less than significant.

> **Mitigation Measure BIO-13:** Prior to removing any street trees, the NCTPA shall complete and submit a Street Tree Pruning and Removal Application to the City of Napa Parks & Recreation Services Department. Approval of tree removals requires the replanting of new trees within six (6) months of the removal. The new trees shall be selected by the NCTPA from the City's Master Street Tree list and planted to City specifications.

[19] Pramuk, Bill, 2013. Arborist Report, Vine Trail Solano, Napa. Prepared for Reichers Spence, Inc. October.
[20] City of Napa, 2011. City of Napa Registry of Significant Trees. http://www.cityofnapa.org/images/CRD/Trees/Info/significanttreeregistry_revised80211.pdf (Accessed September 4, 2013).

Napa County Oak Trees. The deciduous oak woodland stands in the northern portion of the project area contain numerous native oak species that have been prioritized for protection under Policy CON-24 of the Napa County General Plan[21].Approximately 35 valley oaks and 2 live oaks would need to be removed from portions of the project area within unincorporated Napa County. The removal of oaks would conflict with Napa County General Plan Policy CON-24, which requires mitigation for oak woodland loss at a 2:1 ratio. Specifically, the County requires mitigation in the form of preservation of oak woodlands, additional avoidance or minimization measures, or enhancement through replanting and/or management. Implementation of the following mitigation measures would reduce impacts to Napa County oak trees to less than significant:

Mitigation Measure BIO-14: The trail has been designed to avoid protected native trees as much as possible, with large valley oaks given the highest priority for protection. The project shall implement all tree protection specifications recommended by the consulting arborist and shall be included on all construction plans. These tree protection specifications include:

- The general contractor and grading contractor are required to meet with the project consulting arborist at the site prior to beginning work to review all work procedures, access routes and tree protection measures.
- The boundaries of all tree protection zones (TPZs) shall be staked in the field.
- Trees to be removed that have branches extending into canopies of trees to remain must be removed by a qualified arborist, not by demolition or construction contractors.
- Any necessary brush clearing within TPZs shall be accomplished with hand-operated equipment.
- Trees removals shall be performed so as to prevent damage to branches, trunks and roots of protected trees.
- Trees to be removed from within a TPZ shall be removed by a qualified arborist. Stumps shall be cut low as possible. If stump grinding is preferred by the owner or contractor, grinding shall not be deep enough to damage woody roots of adjacent protected trees.
- All downed brush and trees shall be removed from TPZs either by hand or with equipment sitting outside the TPZ, by lifting the material out, not by skidding across the ground.
- Chipped brush and wood from removed trees or pruning may be placed in TPZs up to 6 inches deep and not piled against tree trunks.
- Roots or other underground features to be removed where a TPZ would be disturbed shall be done so as to minimize disturbance. Equipment shall operate from outside

[21] Napa County, 2009.

the TPZ. The project consulting arborist shall be on site during all operations within the TPZ to monitor activity.

- Any pruning required for site preparation shall be performed by a qualified arborist and in accordance with current professional standards.[22]
- A 4 foot 'HiVis'[23] or comparable barrier fence, affixed with locking zip-ties to steel T posts shall be erected to fully enclose TPZs, or partially enclose them as indicated on *Grading and Drainage Plan: Tree Protection Specifications.*
- Any tree damage resulting from grading or other site preparation work shall be reported to the project consulting arborist within 6 hours so that remedial action can be taken. Timeliness is critical.
- If temporary access pathways for vehicles must pass over TPZs, a bed of 6 inches of coarse wood chip mulch shall be installed to protect the soil and roots. If the soil is wet or heavy vehicles are needed, the project consulting arborist may require placement of protective geogrid[24] under the mulch.
- The general contractor and subcontractors are required to meet on site with the project consulting arborist to review all work procedures, access routes, storage areas and tree protection measures.
- Tree protection fences erected before site grading shall remain in place throughout the construction phase and may not be relocated, detached or removed without written permission of the project consulting arborist.
- Construction trailers, traffic, parking and storage areas must remain outside of fenced areas at all times.
- All underground utilities and drainage or irrigation lines shall be routed outside the TPZs. If lines must traverse a TPZ they shall be tunneled or bored under trees. If tunneling or boring is not feasible, alternative methods may be used with consultation and approval by the project arborist.
- No materials, equipment, spoil or waste or washout water may be deposited, stored, or parked within a TPZ.
- Additional tree pruning required for clearance during construction must be performed by a qualified arborist and not by construction personnel.
- Any herbicides or soil stabilization chemicals placed under paving or roadways must be safe for use around trees and labeled for that use. Hydrated lime shall not be used for road base stabilization within 50 feet of trees. Any pesticides used on site must be tree-safe and not easily transported by water.
- If injury should occur to any tree during construction, it should be evaluated as soon as possible by the project consulting arborist so that appropriate treatments can be applied in a timely fashion. Tagged tree numbers should be specified.

[22] Pruning standards set forth in ANSI A300 Part 1-2008, *Pruning* and ISA Best Management Practices *Tree Pruning* 2008.
[23] Orange, plastic mesh barrier fencing, Forestry Suppliers Inc.
[24] Geogrid: plastic mesh such as Tensar TriAx TX 160 Geogrid

- Any grading, trenching, construction, demolition or other work that is expected to encounter tree roots must be monitored by the project consulting arborist. Tagged tree numbers should be specified.
- The project consulting arborist may require the general contractor to apply supplementary irrigation for protected trees that have received root damage in the course of grading or construction work.
- Erosion control devices shall be installed to prevent siltation and erosion within TPZs where deemed necessary by the project consulting arborist.
- Before grading, pad preparation, or excavation for foundations, footings, walls, or trenching, any tree with a TPZ within or adjacent to such a location shall be evaluated by the project consulting arborist and contractor in order to establish a plan that will prevent or minimize tree damage. Such plans may include manual or pneumatic excavation[25] to expose and evaluate roots, alternative construction techniques, root pruning supervised by the project arborist.
- Any woody roots damaged during grading and construction shall be exposed back to sound tissue by the contractor and evaluated by the project consulting arborist for further action, which might include cleanly severing damaged roots back to tight cambium or excising damaged bark.
- If temporary access pathways for vehicles must pass over a TPZ, a bed of 6 inches of coarse wood chip mulch shall be installed to protect the soil and roots. If the soil is wet or heavy vehicles are needed, the arborist may require placement of protective geogrid under the mulch.
- Spoil from trenches or other excavations shall not be placed within TPZs.
- No burn piles, debris, garbage or other waste materials shall be placed within TPZs.
- Maintain fire-safety around trees. No heat sources, flame, ignition sources or smoking is allowed near mulch piles or trees. To prevent spontaneous combustion, fresh wood and brush chip piles shall not exceed 3 feet in height and 6 feet in width.
- Where construction of the Vine Trail is necessary within TPZs, grade cuts should not exceed 6 inches in depth.
- Where roots interfere with grade cuts or construction, roots up to 4 inches in diameter may be cleanly severed with a sharp saw. Resulting disconnected roots and other woody debris shall be removed from the excavation.
- Where roots over 4 inches in diameter interfere with grading within a TPZ every effort shall be made to preserve them. Options may include carefully removing the soil above and around them and backfilling with road base gravel.

Removal of any oaks infected by the Sudden Oak Death pathogen *Phytophthora ramorum* shall follow the California Oak Mortality Task Force's *Sudden Oak Death*

[25] Pneumatic excavation: Air Spade or Air Knife, requiring a trailer mounted air compressor.

Guidelines for Arborists, including limiting the disposal of infested material to within Napa County.

Mitigation Measure BIO-15: To compensate for the removal of oak trees in unincorporated Napa County, the NCTPA shall replace any removed trees with two in-kind replacement oak plantings elsewhere in the project area for every tree removed (i.e., 2:1 mitigation ratio), consistent with Policy CON-24 of the Napa County General Plan.

Town of Yountville Trees. Seven (7) trees within the project area occur within the Town of Yountville limits: one Oregon ash, (*Fraxinus latifolia*), one olive (*Olea europea*), one willow (*Salix laevigata*), two coast live oaks, one plum (*Prunus* sp.), and one ornamental ash (*Fraxinus* sp.) Only the Oregon ash, willow, and oaks are native trees protected under the Town's municipal code.[26] All seven trees within the Town limits, including the three native species would need to be removed due to conflicts with the trail alignment. Implementation of Mitigation Measure BIO-14, described above, and the following mitigation measure would reduce potential impacts to Town of Yountville trees to less than significant.

Mitigation Measure BIO-16: Prior to removing the native trees from within Town limits, the NCTPA shall apply to the Town Planning Officer for a tree permit pursuant to Section 12.16.010 of the municipal code. Replacement plantings (one for each removed tree) shall be selected from the Town's Master Tree List.

f) Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional, or State habitat conservation plan?

No Impact. The proposed project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan.

[26] Town of Yountville, 2003.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	❑	■	❑	❑
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	❑	■	❑	❑
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	❑	■	❑	❑
d) Disturb any human remains, including those interred outside of formal cemeteries?	❑	■	❑	❑

Affected Environment:

This section assesses potential cultural resource impacts that may result from implementation of the proposed project. Specifically, this analysis addresses the issues identified in Question V (a-d) of the Environmental Checklist found in Appendix G of the *CEQA Guidelines* and listed above. Broadly speaking, the impact scenarios most germane to the proposed project are related to pre-contact archaeology (e.g., the disturbance of archaeological deposits associated with Native American inhabitation of the project site) and human remains (e.g., the disturbance of Native American burials and related mortuary remains). Impacts to paleontological resources could also occur.

LSA conducted background research, consisting of a records search and Sacred Lands File research, to inform the baseline conditions for cultural resources in the project area. The research was done to identify previously recorded cultural resources in and adjacent to the project site that may be subject to project-related impacts. On October 20, 2014, LSA staff conducted a records search (NWIC #14-0517) for the project site at the Northwest Information Center (NWIC), Rohnert Park, California. The NWIC is the official state repository for cultural resource records and reports in a 16-county area, including Napa County. The records search indicates that approximately 5 percent or less of the project site has been previously studied for cultural resources. One cultural resource, P-28-000966, the Napa Valley Southern Pacific Railroad, has been identified in the project site.

On October 20, 2014, LSA staff submitted a Sacred Lands File search request with the Native American Heritage Commission (NAHC). On October 31, 2014, NAHC Associate Government Program Analyst Katy Sanchez responded in a facsimile transmission and stated that “The search indicates the potential of Native American cultural resources in the Rutherford and Yountville Quads that may be impacted. For specific information regarding the sites in these areas, please contact the Mishewal-Wappo Tribe of Alexander Valley for information.” LSA contacted Mishewal-Wappo Chairperson Gabaldon and on November 14, 2014, Chairperson Gabaldon emailed a map to LSA that showed an arrow pointing toward the project site at Vineyard View Drive with the message “Ka’lmus Wappo Village.” As a result of receiving this information, LSA conducted an additional records search (NWIC #14-0650) and background research to obtain previously recorded information about

the location of "Ka'lmus." McClellan (1953) identifies the Wappo settlement of "Kaimus" to the north of Yountville and the project site, and Sawyer (1978) identifies a Wappo settlement called "Caymus" at the same general location of "Kaimus."

General Archaeological Sensitivity. The project site is mapped as sensitive for buried prehistoric archaeological deposits as it is situated in a geologic setting that has been shown to contain buried archaeological cultural resources (Meyer and Rosenthal 2007). Archaeological cultural resources may be present in the project site at the location identified by the Mishewal-Wappo tribe as "Ka'lmus."

Discussion:

a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?

Potentially Significant Unless Mitigation Incorporated. The proposed project would excavate and grade in areas that have been disturbed by excavation and grading for roadways, a railroad, underground utilities including water, gas, and communications, overhead utilities, and storm water drainage facilities. Excavation in these areas has a low likelihood of impacting previously intact archaeological deposits due to prior disturbance, except at the location identified by the Mishewal-Wappo tribe as "Ka'lmus,"where archaeological cultural resources may be present at any depth.In addition, the locations of the piles at Dry Creek also have a higher likelihood of containing previously undisturbed archaeological deposits due to the greater depth of the piles. Such archaeological deposits, if intact, may qualify as historical resources under Public Resources Code (PRC) §21084.1 due to potential eligibility for inclusion in the California Register of Historical Resources (CRHR). If project construction encounters and disturbs archaeological deposits that qualify as historical resources, this would result in a material impairment of the deposits' ability to convey their significance (i.e., diminish their scientific data value) and result in a significant impact under *CEQA Guidelines* §15064.5(b).

The implementation of Mitigation Measure CULT-1, described below, would mitigate this potential impact to less than significant.

Mitigation Measure CULT-1: A qualified professional archaeologist shall monitor the spoils produced during augering at Dry Creek and all ground-disturbing activities at the location identified by the Mishewal-Wappo tribe as "Ka'lmus" within 250 feet of Vineyward View Drive. The monitoring shall continue until the pile augering is complete, grading and excavation at the location of "Ka'lmus" is complete, or until the monitoring archaeologist, based on field observations, is satisfied that there is no likelihood of encountering intact archaeological deposits.

If prehistoric or historic-period archaeological deposits are identified during the monitoring, or during construction in portions of the project site *not* being monitored, project-related impacts to such resources shall be avoided, if feasible. An attempt at impact avoidance shall be undertaken in consultation with the monitoring archaeologist, or an archaeologist shall be retained to provide recommendations if the discovery is made in the non-monitored portions of the project site. If avoidance is not feasible, the deposits shall be evaluated for their CRHR eligibility. If the deposits are not eligible, a

determination shall be made as to whether they qualify as a "unique archaeological resource" under requirements and definitions of *CEQA Guidelines* §15064.5 (c) and PRC §21083.2.

If the evaluation determines that the deposit is neither a historical nor unique archaeological resource, the avoidance of potential impacts to the deposit is not necessary. If the deposit is eligible, impacts to the resource shall be mitigated. Mitigation may consist of excavating the archaeological deposit in accordance with a data recovery plan (see *CEQA Guidelines* §15126.4(b)(3)(C)) developed in consultation with descendant community representatives; recording the resource; preparing a report of findings; and accessioning recovered archaeological materials at an appropriate curation facility. Public educational outreach may also be appropriate. Upon completion of the evaluation and, if necessary, mitigation, the archaeologist shall prepare a draft report to document the methods and results of the investigation(s). The draft report shall be submitted to the Napa County Transportation and Planning Agency, the descendant community involved in the investigation(s), and the Northwest Information Center.

Mitigation Measure CULT-1 would mitigate this potential impact to a less-than-significant level by pursuing impact avoidance through monitoring to identify archaeological deposits prior to their disturbance or destruction. In the event that avoidance is not feasible, the actions described above would mitigate the impact to a sensitive resource by recovering, through documentation and excavation, the scientifically consequential data contained in the deposit that would otherwise be lost due to construction-related disturbance. Mitigation would be done in consultation with descendant communities that attach religious or cultural significance to the deposits. The utilization of the approach described in Mitigation Measure CULT-1 would offset the damage to the resource by the realization of its data potential, which justifies its CRHR eligibility, through scientific excavation and analysis.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Potentially Significant Unless Mitigation Incorporated. The sensitivity statement and discussion presented above, applies here, as well. The project site is mapped as sensitive for buried prehistoric archaeological deposits as it is situated in a geologic setting that has been shown to contain buried archaeological cultural resources. Such deposits, if intact, may qualify as historical resources under PRC §21084.1 due to potential eligibility for inclusion in the CRHR. If they so qualify, they shall be treated as historical resources consistent with *CEQA Guidelines* §15064.5(c)(1-2). If the deposits do not so qualify but do qualify as unique archaeological resources as defined in PRC §21083.2, then their disturbance by project construction would result in a material impairment of the deposits' ability to convey their significance (i.e., diminish their scientific data value) and result in a significant impact under *CEQA Guidelines* §15064.5(b).

The implementation of Mitigation Measure CULT-1, described previously, would mitigate this potential impact to a less than significant level.

As is the case with the previous discussion, Mitigation Measure CULT-1 would mitigate this

potential impact to a less than significant level by pursuing impact avoidance through archaeological monitoring. In the event that avoidance is not feasible, the actions described above would mitigate the impact to a sensitive resource by recovering, through documentation and excavation, the scientifically consequential data contained in the deposit that would otherwise be lost due to construction-related disturbance. Mitigation would be done in consultation with descendant communities that attach religious or cultural significance to the deposits. The utilization of the approach described in Mitigation Measure CULT-1 would offset the damage to the resource by the realization of its data potential, which justifies its CRHR eligibility, through scientific excavation and analysis.

c) *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

Potentially Significant Unless Mitigation Incorporated. The paleontological sensitivity of the project site was assessed by reviewing *Flatland Deposits – Their Geology and Engineering Properties and Their Importance to Comprehensive Planning* (Helley et al. 1979). The southern portion of the project site consists of Pleistocene Epoch (2 million years ago to 11,800 years ago) alluvium. This alluvium may contain paleontological (fossil) resources. There is little likelihood of encountering intact paleontological resources during grading and excavation to a depth of approximately 2 feet below ground surface. At depths below 2 feet, there is a greater likelihood of encountering such resources. Should such resources, if present and intact, be encountered and disturbed by project construction, then a significant impact under CEQA would occur.

The implementation of Mitigation Measure CULT-2, described below, would mitigate this potential impact to a less than significant level.

> **Mitigation Measure CULT-2:** Should paleontological resources be encountered during project subsurface construction activities, all ground-disturbing activities within 25 feet shall be redirected and a qualified paleontologist contacted to assess the situation, consult with Napa County Transportation and Planning Agency representatives, and make recommendations for the treatment of the discovery. If the find is determined to be significant, and project activities cannot avoid impacting the resource, the impact to the resource shall be mitigated in accordance with the recommendations of the consulting paleontologist. Mitigation may include monitoring, recording the fossil locality, data recovery and analysis, a final report, and accessioning the fossil material and technical report to a paleontological repository. Public educational outreach may also be appropriate. Upon completion of the assessment, a report documenting methods, findings, and recommendations of the investigation shall be prepared and submitted to the Napa County Transportation and Planning Agency, and, if paleontological materials are recovered, a paleontological repository, such as the University of California Museum of Paleontology.

Mitigation Measure CULT-2 would mitigate this potential impact to a less-than-significant level by incorporating impact avoidance through on-site evaluation by a qualified paleontologist. In the event that avoidance is not possible, the mitigation would treat the potential loss of a sensitive resource by recovering, through documentation and excavation, the

scientifically consequential data represented by the fossil discovery that would otherwise be lost due to construction-related disturbance. In this way, the damage to the resource would be offset by the realization of its data potential.

d) Disturb any human remains, including those interred outside of formal cemeteries?

Potentially Significant Unless Mitigation Incorporated. The sensitivity statement and discussion presented in Impact Question A, above, applies to this scenario, as well. Due to the project site's sensitivity for buried archaeological cultural resources, the project site is considered sensitive for the potential occurrence of Native American burials. For descendant communities, such burials represent a physical, tangible connection to their ancestors and are, therefore, imbued with a traditional cultural significance. Accordingly, should such burials be present in the project site and be discovered after project construction commences, such an encounter could disturb the sanctity and physical integrity of the graves and any potential items of cultural patrimony, resulting in a significant impact under CEQA.

The implementation of Mitigation Measure CULT-1, described previously, and CULT-3, described below, would mitigate this potential impact to a less-than-significant level. Mitigation Measure CULT-3 is intended to address the potential occurrence of human remains *after* archaeological monitoring. The potential for encountering human remains during archaeological monitoring would be addressed by Mitigation Measure CULT-1.

> **Mitigation Measure CULT-3:** If human remains are encountered during project construction, work within 25 feet of the discovery shall be redirected and the Napa County Coroner notified immediately. At the same time, the archaeologist who served as monitor or consulting archaeologist during the implementation of Mitigation Measure CULT-1 shall be contacted to assess the situation, in consultation with the descendant community also involved with the pre-construction testing, as well as the Coroner's representative. Project personnel shall not collect or move any human remains and associated materials. If the human remains are of Native American origin, the Coroner shall notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Most Likely Descendant (MLD), which will likely be the representative of the descendant community already involved, to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods. Upon completion of the assessment, the archaeologist shall prepare a report documenting the investigation's methods and results, and provide recommendations for the treatment of the human remains and any associated cultural materials, as appropriate and in coordination with the recommendations of the MLD. The draft report shall be submitted to the Napa County Transportation and Planning Agency, the descendant community involved in the treatment of the resources, and the Northwest Information Center.

Mitigation Measures CULT-1 and CULT-3 would mitigate this potential impact to a less-than-significant level by pursuing impact avoidance through collaborative consultation and co-management of human burial impacts with descendant community representatives. In the event that avoidance is not feasible, the project would treat the potential disturbance of human remains in accordance with the regulatory requirements of the procedures described in

Mitigation Measure CULT-3, above, which parallel the core requirements of California Health and Safety §7050.5. This treatment would address the disposition of the remains in a way that respectfully incorporates the wishes of the descendant community representatives.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. GEOLOGY AND SOILS. Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	❑	❑	❑	■
ii) Strong seismic ground shaking?	❑	❑	■	❑
iii) Seismic-related ground failure, including liquefaction?	❑	❑	■	❑
iv) Landslides?	❑	❑	❑	■
b) Result in substantial soil erosion or the loss of topsoil?	❑	❑	■	❑
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	❑	❑	■	❑
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	❑	❑	■	❑
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	❑	❑	❑	■

Affected Environment

A Geotechnical Investigation[27] was prepared, which summarizes subsurface investigation, laboratory soils testing, engineering analysis, and geotechnical design recommendations for the proposed project. The following summarizes the results of the geotechnical investigation.

Napa County lies within the Coast Ranges geomorphic province of California, partially characterized by its active seismicity and abundant landsliding and erosion. The regional bedrock geology consists

[27] Miller Pacific, 2013. Geotechnical Investigation, Vine Trail – Oak Knoll District, Napa, California. October.

of complexly folded, faulted, sheared, and altered sedimentary, igneous, and metamorphic rock of the Jurassic-Cretaceous age (65-190 million years ago) Franciscan Complex. Within central and northern California, the Franciscan rocks are locally overlain by a variety of Cretaceous and Tertiary-age sedimentary and volcanic rocks which have been deformed by tectonic activity. The youngest geologic units in the region are Quaternary-age (last 1.8 million years) sedimentary deposits, which partially fill most of the valleys.

Regional geologic mapping indicates that the project site is underlain by a variety of Pleistocene (11,000 to 1.8-million years old) and Holocene (younger than 11,000 years) alluvial deposits. Alluvium is generally composed of variable quantities of silt, clay, sand, and gravel, and by definition is transported and deposited by flowing water. Pleistocene deposits are typically more dissected than younger alluvium and are often somewhat lithified or cemented into weak sedimentary rocks. Holocene alluvium is typically relatively unconsolidated. Where deposited in stream channel, terrace, or floodplain environments, alluvial deposits are commonly moderately- to well-sorted, whereas alluvial fan deposits (emplaced where streams emanate from nearby mountains onto the valley floor) are typically poorly-sorted. These deposits generally grade from coarser to finer material farther from the mountain front.

The alluvial materials described above are derivative of the various bedrock formations underlying the Mayacamas Mountains which rise to maximum elevations of about +2,700 feet along the western side of Napa Valley. Bedrock formations within the Mayacamas generally include sedimentary rocks of the Jurassic-Cretaceous age Franciscan Complex and Cretaceous Great Valley Complex as well as a variety of Tertiary-age volcanic rocks.

The results of the subsurface exploration generally confirms the regionally-mapped geology. The project site is underlain by a variety of alluvial deposits which exhibit a wide range of composition (i.e. proportions of clays, silts, sands and gravels) but are generally moderately- to well-consolidated. None of the borings encountered bedrock, and none of the borings encountered soft, compressible, organic, or otherwise deleterious materials which would impede project advancement or require significant mitigation.

An “active” fault is one that shows displacement within the last 11,000 years and, therefore, is considered more likely to generate a future earthquake than a fault that shows no sign of recent rupture. The California Geologic Survey has mapped various active and inactive faults in the region. The nearest known active fault to the site is the West Napa Fault, which crosses the proposed Vine Trail alignment near its northern terminus at California Avenue.

Based on the subsurface exploration, historic groundwater data, and experience with other sites in the area, it is likely that groundwater exists within about 20-feet of the ground surface year-round at most locations along the alignment. Groundwater will be shallower in areas near seasonal channels (including Dry Creek, Hinman Creek, and Salvador Channel), and may be much shallower during the winter months and following periods of heavy rain. Water may be at or above the ground surface during especially heavy rainfall and flooding periods.

Discussion

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

No Impact. Surface rupture occurs when the ground surface is broken due to fault movement during an earthquake. The location of surface rupture generally can be assumed to be along an active or potentially active major fault trace. The site is not located within a currently designated Alquist-Priolo Earthquake Fault Zone[28]; therefore, the potential for fault rupture at the site is low. The project would not result in construction of habitable structures and therefore would not expose people or structures to potential substantial adverse effects from the rupture of a known earthquake fault.

ii) Strong seismic ground shaking?

Less Than Significant Impact. The project site and the entire San Francisco Bay Area is in a seismically active region subject to strong seismic ground shaking. Ground shaking is a general term referring to all aspects of motion of the earth's surface resulting from an earthquake, and is normally the major cause of damage in seismic events. The extent of ground-shaking is controlled by the magnitude and intensity of the earthquake, distance from the epicenter, and local geologic conditions. The potential for strong seismic shaking at the project site is high, as evidenced by the recent earthquake in Napa.[29] Due to its immediate proximity, the West Napa Fault presents the highest potential for severe ground shaking.

The most significant adverse impact associated with strong seismic shaking is potential damage to structures and improvements. No habitable structures would be constructed as part of the proposed project; however, implementation of the proposed trail alignment would increase the use of the project site. The Geotechnical Investigation includes design recommendations for site preparation and grading; foundation, retaining wall, and abutment design; paving strategies; review of plans; and intermittent monitoring during construction. In addition, the proposed project would be designed and constructed consistent with the most current version of the California Building Code, which includes specifications for site preparation, such as compaction requirements for foundations. Therefore, with incorporation of geotechnical recommendations, compliance with building code requirements, and oversight of earthwork activities by a California licensed geotechnical engineer, the potential impacts associated with ground shaking would be less than significant.

iii) Seismic-related ground failure, including liquefaction?

[28] State of California Department of Conservation, 2013. Earthquake Fault Zone Maps. Available online at: http://www.quake.ca.gov/gmaps/WH/regulatorymaps.htm (Accessed October 16, 2014).
[29] On August 24, 2014, an earthquake centered south of the City of Napa near the West Napa Fault affected the City of Napa and surrounding areas. The earthquake measured 6.0 on the moment magnitude scale.

Less Than Significant Impact. Liquefaction is the transformation of saturated, loose, fine-grained sediment to a fluid-like state because of earthquake shaking or other rapid loading. Soils most susceptible to liquefaction are loose to medium dense, saturated sands, silty sands, sandy silts, non-plastic silts and gravels with poor drainage, or those capped by or containing seams of impermeable sediment.

The vast majority of the planned alignment is mapped regionally[6] as lying within a zone of "moderate" liquefaction susceptibility. The Dry Creek channel and adjacent floodplain (which extends roughly from Darms Lane to a point about 1/3-mile south) are mapped as having "very high" and "high" susceptibility levels, respectively, while that portion of the planned alignment extending from Wine Country Avenue to Salvador Avenue is mapped as lying in a zone of "low" liquefaction susceptibility.

Loose alluvial soil composed of poorly-graded sand with gravel was encountered in the upper five feet of one of the borings, drilled within the Dry Creek channel, but loose granular deposits were not encountered in any of the other borings. These loose sands in the channel bottom would be susceptible to liquefaction but are attributed to scour and deposition in the channel and were not encountered in adjacent borings. Alluvial deposits such as those encountered throughout the project area commonly contain discontinuous seams and lenses of loose granular materials and, given the relatively shallow water table, there may be some risk of localized liquefaction along the proposed alignment. The risk of liquefaction will likely be higher where the stream channels cross the alignment, including at the proposed bridge locations.

Given the relative lack of liquefiable materials encountered, gentle creekbank inclinations and preliminary bridge abutment locations at Hinman Creek and Salvador Channel (where planned abutments are set back five feet or more from channel banks), the risk of lateral spreading and liquefaction-induced settlements at these locations is relatively low.[30] At Dry Creek, where the southern channel bank is relatively steep, the risk of lateral spreading and related settlements are judged to be moderate. There is also some risk of localized sand boils throughout the alignment following a seismic event.

The primary impact associated with potential liquefaction is lateral spreading and settlement at the southern bank of Dry Creek. The Geotechnical Investigation recommends that the bridge abutments at the Dry Creek crossing be supported on deep foundations bearing on firm, non-liquefiable materials in order to reduce the potential for damage as a result of liquefaction-related phenomena. Foundation recommendations for the three bridges and other project structural features are also included in the Geotechnical Investigation. With implementation of the recommendations included in the Geotechnical Investigation and compliance with California Building Code requirements, impacts associated with liquefaction would be less than significant.

iv) Landslides?

[30] Miller Pacific Engineering, 2013.

No Impact. The proposed project is located on gently sloping terrain and the potential for landslide is low. The project would not result in any new habitable structures and therefore would not expose people or structures to potential substantial adverse effects from landslides.

b) Result in substantial soil erosion or the loss of topsoil?

Less Than Significant Impact. Sandy soils on moderate slopes or clayey soils on steep slopes are susceptible to erosion when exposed to concentrated water runoff. The project site is relatively flat in most areas so the risk of widespread erosion affecting the asphalt-paved pathway would be minor. Erosion and scour is a potential hazard along the banks of the shallow drainage channels that parallel the western side of the planned trail. Indications of significant erosion damage were not observed along the channel during site exploration, but future heavy rainfall or flood events could trigger new erosion.

Both sides of the 90-degree bends in the drainage channel at Hinman Creek (northern bridge) are protected against erosion by concrete facing as is the outside 90-degree bends of the Salvador Channel. With this concrete facing, the risk of erosion is substantially reduced and the inside bends (adjacent to the planned bridge abutments) are less prone to erosion damage at the Salvador Channel.

At Dry Creek, the northern channel bank is moderately-inclined and does not appear to have significant “hardscape” erosion protection. The southern bank is much steeper, inclined near 1:1 (horizontal:vertical), but is armored with sacked concrete. As with the other areas of the proposed alignment, significant indications of ongoing scour or erosion were not observed at the Dry Creek Bridge site, but high creek flows or a major storm even could induce damage that could become progressively worse. Deep foundations for the Dry Creek Bridge would reduce erosion risks to the structure, but channels in the project area should be periodically monitored in the future and any significant erosion should be evaluated and repaired, as appropriate.

Construction specifications require the preparation of a Stormwater Pollution and Prevention Plan (SWPPP) prior to any ground disturbance activities as required by the National Pollutant Discharge Elimination System (NPDES) General Permit (GP) for Construction (Order 2009-009-DWQ). The SWPPP will provide the details of the erosion control measures to be applied on the project site during the construction period, including Best Management Practices (BMPs) for erosion control that are recognized by the Regional Water Quality Control Board (RWQCB).

For the Dry Creek bridge, deep foundations, as required for liquefaction mitigation, would provide sufficient mitigation for potential undermining of abutments by scour and erosion. For the Hinman Creek and Salvador Channel bridges, where planned abutments are set back from the gently-inclined creek banks, the foundations, as designed, would provide adequate mitigation for erosion and scour. Implementation of a SWPPP and the recommendations provided in the Geotechnical Investigation would reduce potential impacts related to soil erosion or the loss of topsoil to less than significant.

c) *Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?*

Less Than Significant Impact. As described above, the potential for hazard from landslide is low; however, the potential for liquefaction is moderate to high. Therefore, the potential for liquefaction induced lateral spreading is also moderate to high. The project site is not located on Karst formations and has not been subjected to mining activities; thus, the risk of subsidence or collapse is expected to be low. The proposed trail alignment would be designed and constructed with adequate foundations and bedding in accordance with the recommendations in the 2013 Geotechnical Investigation and the California Uniform Building Code to address the possible effects of unstable soils. No significant geologic hazards to the proposed project from landslide, lateral spreading, subsidence, liquefaction, or collapse would occur. This impact would be less than significant.

d) *Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?*

Less Than Significant Impact. Expansion and contraction of volume can occur when expansive soils undergo alternating cycles of wetting (swelling) and drying (shrinking). During these cycles, the volume of the soil changes markedly. Expansive soils are common throughout California and can cause damage to foundations and slabs unless properly treated during construction. Fine-grained soils throughout the site exhibit a range of plasticity indices from non-plastic to highly plastic, so some seasonal movement of near-surface soils and associated flatwork could occur. Significant distress as a result of expansive soils is not anticipated and the somewhat flexible asphalt surface of the proposed trail should perform relatively well, even in the relatively highly-plastic/potential expansive portions of the site.[31]

The Geotechnical Investigation recommends mitigation for potentially expansive soils, including moisture conditioning subgrade materials to above-optimum moisture contents during site grading, compacting to slightly lower levels, lime or cement-treated site subgrades. Damage from expansive soils would be minimized or eliminated using the site-specific engineering techniques as recommended in the Draft Geotechnical Investigation and compliance with requirements outlined in the California Building Code. This impact would be less than significant.

e) *Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?*

No Impact. Septic tanks and alternative wastewater disposal systems would not be installed on the project site. Therefore, implementation of the proposed project would not result in impacts to soils associated with the use of such wastewater treatment systems.

[31] Miller Pacific Engineering, 2013.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. GREENHOUSE GAS EMISSIONS. Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment, based on any applicable threshold of significance?	❑	❑	■	❑
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	❑	❑	❑	■

Affected Environment

Unlike emissions of criteria and toxic air pollutants, which have local or regional impacts, emissions of greenhouse gases (GHGs) that contribute to global climate change have a broader global impact. Global climate change is a process whereby GHGs accumulating in the atmosphere contribute to an increase in the temperature of the earth's atmosphere. The principal GHGs contributing to global climate change are carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), and fluorinated compounds. These gases allow visible and ultraviolet light from the sun to pass through the atmosphere, but they prevent heat from escaping back out into space. Among the potential implications of global climate change are rising sea levels, and adverse impacts to water supply, water quality, agriculture, forestry, and habitats. In addition, global warming may increase electricity demand for cooling, decrease the availability of hydroelectric power, and affect regional air quality and public health. Like most criteria and toxic air pollutants, much of the GHG production comes from motor vehicles. GHG emissions can be reduced to some degree by improved coordination of land use and transportation planning on the city, county and subregional level, and other measures to reduce automobile use. Energy conservation measures can also contribute to reductions in GHG emissions.

The *BAAQMD CEQA Guidelines*, recommend that all GHG emissions from a project be estimated, including a project's direct and indirect GHG emissions from operations. Because the proposed project is a public utility project and would not generate any vehicle trips, the proposed project is not expected to generate GHG emissions and would not conflict with any plan related to the reduction of greenhouse gas emissions.

The BAAQMD does not have an adopted Threshold of Significance for construction-related GHG emissions. However, BAAQMD recommends that the Lead Agency quantify and disclose GHG emissions that would occur during construction, and make a determination on the significance of these construction generated GHG emission impacts in relation to meeting AB 32 GHG reduction goals. The Lead Agency is encouraged to incorporate best management practices, such as recycling at

least 50 percent of construction waste or demolition materials, to reduce GHG emissions during construction, as applicable.

GHG emissions associated with implementation of the proposed project would occur over the short-term from construction activities, consisting primarily of emissions from equipment exhaust. The proposed project would not result in significant, long-term, GHG emissions, as the proposed project consists of a path for pedestrians and bicyclists that would not generate vehicle trips and/or source emissions.

The primary existing sources of human-caused GHGs in the project area are vehicle emissions.

Discussion:

a) *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment, based on any applicable threshold of significance?*

Less Than Significant Impact. GHG emissions associated with implementation of the proposed project would occur over the short term from construction activities, consisting primarily of emissions from equipment exhaust.

Short-Term GHG Emissions. Construction would produce combustion emissions from various sources. During site preparation and construction of the project, GHGs would be emitted through the operation of construction equipment and from worker and builder supply vendor vehicles, each of which typically use fossil-based fuels to operate. The combustion of fossil-based fuels creates GHGs such as carbon dioxide (CO_2), methane (CH_4), and nitrous oxide (N_2O). Furthermore, CH_4 is emitted during the fueling of heavy equipment. Exhaust emissions from on-site construction activities would vary daily as construction activity levels change. Project construction emissions were estimated using the Sacramento Metropolitan Air Quality Management District's Road Construction Emissions Model (RoadMod) which provides a methodology specifically for quantifying the emission impacts of linear construction projects. Results indicate project construction would result in total GHG emissions of 913 tons CO_2e.

Long-Term GHG Emissions. The proposed project would involve construction of a bicycle/pedestrian path. Once completed, the proposed project would not generate any GHG emissions or result in any new vehicle trips that would contribute to an increase in GHG emissions. Therefore, the proposed project would not cause a long-term increase in GHG emissions.

b) *Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?*

No Impact. As indicated above, the project would not generate operational GHG emissions. Therefore, the proposed project would be consistent with all the applicable local plans, policies and regulations and would not conflict with the provisions of AB 32, the applicable air quality plan, or any other State or regional plan, policy or regulation of an agency adopted for the purpose of reducing greenhouse gas emissions.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. HAZARDS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	❑	■	❑	❑
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	❑	■	❑	❑
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 1/4 mile of an existing or proposed school?	❑	■	❑	❑
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	❑	❑	❑	■
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	❑	❑	❑	■
f) For a project located within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	❑	❑	❑	■
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	❑	❑	❑	■
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	❑	❑	❑	■

Affected Environment

An Initial Site Assessment (ISA)[32] was conducted along the project alignment to identify and evaluate

[32] Baseline Environmental Consulting, Inc., 2014. Initial Site Assessment, Napa Valley Vine Trail, Oak Knoll District Bike Path Project, Napa County. 24 February.

the level of risk to the project associated with hazardous materials, hazardous waste, and/or contamination along the project corridor that could potentially be encountered during proposed construction activities and/or operations.

According to the ISA, the project corridor consists of a mix of vegetated and unvegetated land, containing no buildings or other significant structures. Since the project corridor is bounded by SR 29 and Solano Avenue, the type of vegetation in the corridor varies depending on the corridor width and the presence of roads and drainages crossing the corridor. Concrete and construction debris, surface staining and small stockpiles of asphalt from existing roads were observed along the project corridor. Oil sheen was observed on the standing surface water at the Salvador Collector terminus. The bridge supports over the collector had been treated with petroleum based products which appeared to have dripped to the collector, accounting for the observed oil sheen. Several concrete wash areas were also observed near Devonshire Drive, which appeared to be from the recent installation of a new fire hydrant and concrete pad. Several above ground storage tanks were observed adjacent to the project corridor, as described further below.

An environmental records search was conducted by EDR that identified 146 records of sites that have used, stored, handled, disposed, or released hazardous materials within one mile of the project corridor; all sites determined to be in close proximity to the project have been closed. After data processing, there were 119 sites that use, store, handle, or dispose of hazardous materials or have reported a hazardous materials release in the vicinity of the project corridor. Based on the nature of the 119 sites, a judgment was made that only those sites within 500 feet of the corridor would be likely to have the potential to affect subsurface conditions at the project corridor, which narrowed the potential hazardous materials sites of concern to 63 sites. After eliminating duplicate records, 31 sites were left. These sites are listed in Table C.

Table C: Adjacent Hazardous Materials Sites

Site ID	Site Name	Address	City
4	Rinehart Oil Tanker Spill	Hwy 29 at California Dr	Yountville
5	Private Residence	7901 Solano Ave	Yountville
6	Veterans Home	100 California Dr	Yountville
8	Palm Vineyard	6200 Washington	Yountville
11	Town of Yountville Treatment Plant	7501 Solano Ave	Yountville
12	Florence Herrick	6296 St. Helena Hwy	Napa
13	--	6200 Washington St	Napa
13	Frank Massa	6160 St. Helena Hwy	Napa
14	Nord Coast Vineyard Service INC	6061 Solano Ave	Napa
16	J.H. Blevens Co., Inc.	5747 Hwy 29	Napa
17	Connie M Lindsey	1214 Carrell Ln	Napa
18	Newlan Vineyards	5225 Saint Helena Hwy	Napa
19	Koves-Newlan Winery	5225 Saint Helena Hwy	Napa

Site ID	Site Name	Address	City
21	Bayview Vineyard Corp/Napa Valley Automotive Restoration	5135 Solano Ave	Napa
23	Thomas Garage	4705 Solano Ave	Napa
24	Oak Knoll Southern Shop	1105 Oak Knoll Ave	Napa
25	A. Abruzzini	1045 Orchard Ave	Napa
27	Salvador Exxon	1895 Solano Ave	Napa
27	Nor-Cal Ford Equipment	4407 Solano Ave	Napa
28	Jean Shader	4122 Byway East	Napa
28	--	1890 El Cento Ave	Napa
28	--	117 Reed Circle	Napa
29	Wine Country Laundromat	4217 Solano Ave	Napa
31	Evans Airport Service/Shop/CA Wine Tours	4075 Solano Ave	Napa
31	Jim's Auto Repair	4028 Byway East	Napa
32	John Muir Inn	1998 Trower Ave	Napa
34	Speedee Laundry Village	1922 Sierra Ave	Napa
34	--	2029 Devonshire Dr	Napa
34	Dave's Wash Tub	1935 Sierra Ave	Napa
35	--	3657 Harkness St	Napa
38	Arco Station	2000 Redwood Rd	Napa
38	BP Mobil Station	2005/2006 Redwood Rd	Napa
38	Chevron Station	2007 Redwood Rd	Napa
38	Exxon/Texaco Station	2008 Redwood Rd	Napa
38	Wommack/Nelson DDS	2025 Redwood Rd	Napa
38	PG&E	3425 Solano Ave	Napa
38	Wash & Dry	3373/3375/3377 Solano Ave	Napa

Notes:

- Current, former and/or potential gas station
- Reported gas station release site
- Laundromat; No reported contamination

Source: BASELINE Environmental Consulting, 2014.

Based on review of site information from the State Water Resources Control Board (SWRCB) GeoTracker, Department of Toxic Substances Control (DTSC) EnviroStor, and other regional databases, the regulatory oversight statuses of all recorded release sites, listed leaking underground storage tanks (LUSTs) and spill sites adjacent to the project corridor are closed. A closed site indicates that regulatory requirements for response actions, such as site assessment and remediation,

have either been completed or were not necessary and therefore potential migration of residual contaminants in groundwater beneath the project corridor (if any) does not likely pose a risk to human health and the environment. Based on the regional hydrogeology and estimated groundwater flow direction, none of the reported gas stations are located adjacent to or upgradient (within 500 feet) of areas where deeper excavation for the project, which could potentially interact with groundwater would occur. However, management of residual groundwater contamination (if any) during potential dewatering would need to be performed in accordance with applicable statutes and regulations.

Based on Caltrans guidelines and previous experience working on similar projects, the ISA also identifies and evaluates other environmental concerns that could pose a risk to project development, including pesticide residues from agricultural land uses, aerially-deposited lead (ADL), hazardous materials associated with rail corridors, metals from non-point sources, naturally-occurring asbestos, and residual groundwater contamination. The results of these evaluations are summarized as follows:

- **Agricultural Chemical Residues.** The entire project vicinity has historically been or is currently used for agricultural purposes. Although the project corridor has not been used for agricultural uses for many decades, past use of inorganic pesticides and aerial spraying on adjoining properties could drift and affect shallow soils at the project area. Therefore, pesticide residues have the potential to be present in shallow soils at the project study area
- **Aerially-Deposited Lead.** Shallow soils within approximately 30 feet of the edge of pavement in highway corridors have the potential to have significant concentrations of ADL due to historical car emissions prior to the elimination of lead in gasoline. Because the nearest construction for the project would be greater than 30 feet from SR 29, ADL from that roadway would not be expected to affect project construction. Other roadways within 30 feet of the project corridor, such as Solano Avenue, are two-lane streets with much less vehicle traffic, particularly during the era when leaded gasoline was used, and therefore ADL from those smaller roadways would not be expected to significantly affect the project corridor.
- **Contaminants Associated with Railroad Operations.** Hazardous materials associated with the rail corridor[33] could potentially have leached into shallow soils or entrained within runoff. Construction areas are located within approximately 15 to 30 feet of the railroad tracks, and stormwater runoff from the tracks could potentially carry contaminants from the tracks to the project corridor. If this has occurred, shallow soils along the project corridor could potentially be contaminated with contaminants related to railroad activity
- **Naturally-Occurring Asbestos.** Geologic mapping from the United States Geological Survey does not show any areas of rock likely to contain naturally-occurring asbestos (ultramafic rock) along the project corridor. Therefore, naturally-occurring asbestos in native soils along the project corridor would not be expected to be a potential hazard during development of the project
- **Nonpoint-Source Metals.** Metals from nonpoint runoff sources, such as from the railroad tracks, vehicle tires, and brake pads, can accumulate in drainage swales and catch basins over time. Sediments in drainage swales and catch basins in the project corridor from nearby

[33] Hazardous materials that could potentially be present in the adjoining rail corridor due to construction and operation of the railroad tracks include metals, contaminated imported fill or ballast used during construction of the railroad tracks, spilled or leaked total petroleum hydrocarbons, spilled cleaning solvents and detergents, herbicides, arsenic, and polynuclear aromatic hydrocarbons, historically used to treat and waterproof railroad ties (TDART, 2004).

roadways and railroad tracks could contain elevated concentrations of metals and pose a risk to human health and the environment. As the project would remove and replace approximately eight linear feet of a drainage culvert near Wine Country Avenue, near the northern Napa city boundary, metals could be encountered in sediments during this part of project construction.

The ISA concluded that the project was at low risk for environmental concerns related to: potential chlorinated solvents in groundwater from releases associated with adjacent land uses, potential petroleum hydrocarbons releases from former USTs associated with historic and active sites adjacent to or upgradient of the project corridor; and potential groundwater contamination from hazardous materials from undocumented releases associated with current and former agricultural, commercial, and/or industrial properties adjacent to the project corridor. The proposed project is at medium risk due to residual pesticides in shallow soils from historic agricultural uses, hazardous materials associated with historic railroad construction and operation, and elevated concentrations of metals in catch basin sediments from nonpoint sources.

Discussion:

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

Potentially Significant Unless Mitigation Incorporated. The proposed project would provide a trail connection between two existing segments of the Vine Trail, the Commuter Bike Path in Napa and the Yountville Mile in the Town of Yountville. Construction of the proposed trail would include installation of prefabricated truss bridge to span two manmade drainage channel and modifications to the existing Solano Avenue bridge over Dry Creek. After project construction, no routine transport or disposal of hazardous materials would be associated with the proposed project. The hazardous materials most likely to be used during construction include typical construction materials such as gasoline, diesel, motor oil, lubricants, solvents, and adhesives. Drips and small spills would be the most likely potential hazardous materials releases to occur, however any release that occurs in close proximity to a stream or drainage channel could have a significant impact on the environment, if not properly controlled. Implementation of Mitigation Measure BIO-9, requiring the preparation and proper implementation of a SWPPP in accordance with the *NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities* (NPDES General Construction Permit)(Order No. 2009-0009-DWQ, NPDES No. CAS000002) (SWRCB, 2009) permitting requirements would reduce the potential for hazardous materials releases to occur during construction, and would reduce the potential for spills to impact sensitive habitat or human health, to less than significant. SWPPPs are required for construction sites over one acre that do not qualify for a waiver.

As described above, soils and groundwater along the project corridor could contain residual pesticides associated with historic agricultural uses, contaminants associated with historic railroad construction and operations and elevated concentrations of metals from non-point sources. If soils and groundwater are not properly managed during construction, exposure to these hazardous materials could pose a health hazard to construction workers. Exposure to contaminants in soil or groundwater could occur through inhalation of fugitive dust, incidental ingestion, or dermal contact with contaminated material. The implementation of Mitigation Measures HAZ-1 and HAZ-2 described below would reduce the potential health hazard impacts from the exposure of construction workers to contaminated material present in soil and groundwater to less than

significant.

Mitigation Measure HAZ-1: Prior to construction, a Preliminary Site Investigation (PSI) shall be performed to investigate hazardous materials concerns. The PSI shall be conducted by a California Professional Geologist and/or a California Professional Civil Engineer with experience in contaminated site investigation. A workplan for the PSI shall be submitted to the NCTPA for review and approval. General areas and contaminants of concerns to be included in the PSI include:

- **Soil Investigation.** Soil samples shall be collected from proposed construction areas as summarized below. Soil analytical results should be screened against the Regional Water Quality Control Board's (2013) Environmental Screening Levels (ESLs) to determine appropriate actions to ensure the protection of construction workers and shall also be screened against hazardous waste thresholds to determine soil management options.
- **Railroad-Related Sampling.** Representative samples of shallow soils shall be collected from locations within the project corridor nearest the railroad tracks and analyzed for Title 22 metals, polynuclear aromatic hydrocarbons, and chlorinated herbicides. It is anticipated that 4 to 8 discrete samples, from the locations nearest the railroad tracks, would be sufficient to determine if contaminants from the railroad tracks have migrated and affected shallow soils within the project corridor.
- **Residual Pesticides.** Representative samples of shallow soils shall be collected from within the project corridor and analyzed for arsenic, chlorinated herbicides, and organochlorine pesticides. It is anticipated that 4 to 8 composite samples, selected from areas along the entire alignment, would be sufficient to determine if pesticides may be a potential concern along the project corridor.
- **Drainage Channels.** Representative samples of sediments shall be collected from the drainage channel near Wine Country Avenue in Napa proposed to be replaced by the project. Sediments should be analyzed for Title 22 metals. Given the limited area, one composite sample will be sufficient to characterize metals in sediment.
- **Groundwater Investigation.** If groundwater is proposed to be dewatered as part of bridge construction, groundwater samples shall be collected at the excavation points associated with the installation of the bridges over the unnamed drainage channels. Groundwater samples should be analyzed for petroleum hydrocarbons and volatile organic compounds. Groundwater analytical results should be screened against applicable limits to determine dewatered groundwater management options and potential health and safety measures for construction workers who may have direct contact with dewatered groundwater. If no dewatering is proposed, no groundwater investigation is warranted.
- **Hazardous Materials Management and Disposal.** Based on the findings of the PSI, special soil and groundwater management and disposal procedures for hazardous materials may need to be implemented, as well as construction worker health and safety measures during construction. Recommendations for any special management and disposal procedures should be included in the PSI.

Mitigation Measure HAZ-2: If contamination is identified as a result of the PSI, the contractor shall prepare and implement a project-specific Construction Risk Management Plan (CRMP) to protect construction workers, the general public, and the environment from subsurface hazardous materials during construction. The CRMP shall characterize the soil, delineate areas of known soil contamination, and identify soil (and groundwater, if encountered) management options for excavated soil and dewatered groundwater (if applicable), in compliance with local, state, and federal statutes and regulations.

The CRMP shall: 1) provide procedures for evaluating, handling, storing, testing, and disposing of soil and groundwater during project excavation activities; 2) require the preparation of a project-specific Health and Safety Plan that identifies hazardous materials present, if any, describes required health and safety provisions and training for all workers potentially exposed to hazardous materials in accordance with state and federal worker safety regulations, and designates the personnel responsible for Health and Safety Plan implementation. The CRMP shall be submitted to the NCTPA for review and approval prior to construction activities. Once approved the CRMP shall be implemented during construction of the proposed project.

b) *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

Potentially Significant Unless Mitigation Incorporated. See Section VII(a) above.

c) *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 1/4 mile of an existing or proposed school?*

Potentially Significant Unless Mitigation Incorporated. Several schools are located within ¼ mile of the proposed trail alignment including: Justin-Siena Catholic high School, Redwood Middle School, Sandoval Elementary School. Other schools in the vicinity of the project site include: Northwood Elementary School, Vintage High School, and El Centro Elementary School. As described in Response VII (a) above, the proposed project would not require the routine use, transport or disposal of hazardous materials. Construction activities associated with trail construction could release hazardous materials contained in soils or groundwater along the project alignment. Implementation of Mitigation Measures HAZ-1 and HAZ-2 would reduce potential impacts associated with hazardous materials to less than significant.

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

No Impact. The project site is not included on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and therefore would not create a hazard to the public or environment.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

No Impact. The project site is not located within an airport land use plan, or within two miles of a public airport or public use airport. The closest airports to the project site are the Napa County Airport, approximately 8 miles south; the Sonoma Valley Airport, approximately 11 miles southwest; the Petaluma Municipal Airport, located approximately 16 miles north; and the Marin County Airport, located approximately 18 miles to the southwest. Therefore, given that the proposed project is not located within an airport land use plan or within two miles of an existing airport, the proposed project would not result in a safety hazard for people residing or working in the project area.

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

No Impact. The project site is not in the vicinity of a private airstrip. Therefore, implementation of the proposed project would not expose persons to airport-related hazards.

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

No Impact. The proposed project would not result in interference with any adopted emergency response plans or evacuation plans. The proposed project would connect two existing trails, providing another route that could be used by bicyclists and pedestrians in an emergency. The proposed trail alignment would be located between the Napa Valley Wine Train right-of-way and Solano Avenue, predominantly within public right-of-way. During construction, road access may be disrupted temporarily. Streets and roads affected by trail construction would be appropriately signed with temporary traffic control measures per Caltrans standards and the MUTCD. After completion of the proposed trail and associated intersection improvements, temporary signage and traffic control measures would be removed. Therefore, the proposed project would not impair or interfere with an adopted emergency response plan or evacuation plan.

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

No Impact. The project site is located in an area of little to no wildland fire threat[34] (ABAG 2009). Therefore, the proposed project would have no impact related to exposure of people or structure to significant risk of loss, injury or death involving wildland fires. greatly reduced through standard construction best practices, including equipment features, fuel treatment, and management of behavior.

[34] California Department of Forestry, 2003. State Responsibility Areas. Available as part of the Association of Bay Area Governments' Earthquake and Hazards Program: http://quake.abag.ca.gov/wildfires/ (Accessed October 19, 2014).

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements?	❑	❑	■	❑
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	❑	❑	■	❑
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?7	❑	❑	■	❑
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	❑	❑	■	❑
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	❑	❑	■	❑
f) Otherwise substantially degrade water quality?	❑	❑	■	❑
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	❑	❑	❑	■
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	❑	❑	■	❑
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding of as a result of the failure of a levee or dam?	❑	❑	■	❑
j) Inundation by seiche, tsunami, or mudflow?	❑	❑	■	❑

Affected Environment

The proposed trail alignment is located within the Napa River watershed. The Napa River, constrained by Mount St. Helena to the North, the Mayacamas Mountains to the west, Howell Mountain, Atlas Peak, and Mount George to the east and the Napa-Sonoma Marsh to the south, drains a 426 square mile watershed that discharges to the San Pablo Bay.[35]

According to the State Water Resources Control Board (SWRCB) 2010 Integrated Report (Clean Water Act Section 303(d) List/305(b) Report), the Napa River is listed as an "impaired" water body due to nutrients, pathogens, ands sedimentation/siltation. A listing of a water body as "impaired" triggers development of standards and implementation plans known as Total Maximum Daily Loads (TMDLs) for each water quality pollutant, and these standards and implementation plans are ultimately codified in amendments to the Water Quality Control Plan. Napa County has implemented regulations to address water quality concerns including erosion control, stream setbacks, vegetation retention requirements, shortened grading season, oversight of erosion control installations, special geologic stability assessments, and conservation sizing of water conveyance and detention facilities.

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps prepared for the project area, portions of the project alignment are located within the 100-year floodplain (i.e., an area in which there is a one percent chance per annum of a one hundred-year storm event) of the Hinman Drainage Channel.[36] These areas are designated as Zone AE, areas for which the base flood elevation[37] has been determined and Zone X, areas of 0.2 percent annual chance flood; areas of one percent annual chance flood with an average depth of less than one foot or with drainage areas less than one square mile; or areas protected by levees from one percent annual chance flood.

Water quality is regulated by the United States Environmental Protection Agency's National Pollution Discharge Elimination System (NPDES), which controls the discharge of pollutants to water bodies from point and non-point sources. In the Bay Area, this federal regulatory program is administered by the San Francisco Bay Regional Water Quality Control Board (RWQCB), which was expanded in 1990 to include permitting of stormwater discharges from storm sewer systems, industrial activities and construction sites that disturb more than 1 acre.

The general NPDES stormwater permits for general industrial and construction activities require an applicant to file a public notice of intent (NOI) with the applicable RWQCB to discharge stormwater and prepare and implement a storm water pollution and prevention plan (SWPPP). The SWPPP would include a site map, description of stormwater discharge activities, and best management practices that would be employed to prevent water pollution. The SWPPP for general construction activity permits must describe Best Management Practices (BMPs) that would be used to control soil erosion and discharges of other construction-related pollutants that could contaminate nearby water resources.

[35] Napa County, 2009.
[36] Federal Emergency Management Agency (FEMA), 2008. Napa County California and Incorporated Areas, Map ID 06055C0413E FEMA Map Service Center. 26 September. Available online at: http://map1.msc.fema.gov/idms/IntraView.cgi?KEY=87082065&IFIT=1 , (accessed October 20, 2014).
[37] The base flood elevation is the water surface elevation of 1 percent annual chance flood.

Discussion:

a) Violate any water quality standards or waste discharge requirements?

Less Than Significant Impact. Development of the proposed project would result in an increase in the amount of impervious surface area and an associated increase in the rate and volume of stormwater runoff from the site. Where existing sheet flow to the east from Solano Avenue is to be blocked by curb and gutter, inlets or other means would be provided to convey stormwater into existing stormdrain systems and channels with minimal alteration to existing drainage. These drainage improvements will remain after completion of the path. The proposed project would be required to comply with City of Napa, Napa County and the Town of Yountville, regulations related to stormwater runoff, including implementation of post-construction best management practices and the requirements of the Phase II Small Municipal Separate Storm Sewer System (MS4) permit (NPDES Permit Order No. 2013-0001). Compliance with these regulations would ensure that long-term operation of the proposed trail would have a less than significant impact on water quality.

Construction activities have the potential to disrupt soil and cause erosion and increase sediment runoff. Materials used during construction of paved trails may have chemicals that are potentially harmful to aquatic resources and water quality. Accidents or improper use of these materials could release contaminants to the environment. Additionally, oil and other petroleum products used to maintain and operate construction equipment could be accidentally released.

The National Pollutant Discharge Elimination System General Permit (GP) for Construction (Order 2009-009-DWQ) requires construction sites over one acre that do not qualify for a waiver to prepare and implement a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP shall incorporate Best Management Practices (BMPs) to control sedimentation and runoff. These measures would be consistent with the application for a stormwater permit from the RWQCB. Compliance with the NPDES Permit is mandated by State and federal laws and new construction projects are required to comply with storm water general permits. Consistent with the GP, the SWPPP shall adhere to the following requirements:

- The SWPPP shall include measures to avoid creating contaminants, minimize the release of contaminants, and water quality control measures to minimize contaminants from entering surface water or percolating into the ground during and following the completion of construction.
- Fluvial erosion and water pollution related to construction shall be controlled by the SWPPP and kept current throughout all site development phases.
- The SWPPP shall include BMPs, as appropriate, given the specific circumstances of the site and project.
- The SWPPP shall be submitted to the RWQCB in compliance with the requirements of the GP.
- A spill prevention and countermeasure plan shall be incorporated into the SWPPP.

If dewatering is necessary in areas where groundwater is encountered within the planned depth of excavation, depending on surface and groundwater levels at the time of construction, the

dewatering shall be consistent with RWQCB requirements and as such would not result in a violation of water quality standards or waste discharge requirements.

b) *Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?*

Less Than Significant Impact. The proposed project would not result in the construction of large areas of impervious surfaces that would prevent water from infiltrating into the groundwater nor would it result in direct additions or withdrawals to existing groundwater. Dewatering may be required if groundwater is encountered during excavation. However, no groundwater would be extracted per se. Dewatering, if necessary, would be conducted in compliance with requirements of the Regional Water Quality Control Board (RWQCB). This impact is considered less than significant.

c) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?*

Less Than Significant Impact. No significant change in either drainage patterns or on-site or off-site effects from erosion and siltation would occur. As outlined in the project description, topography along the proposed trail alignment is mostly flat and the existing grade would not substantially change. Where needed, drainage improvements would be installed to capture stormwater and convey it into the existing stormdrain systems and channels. These drainage improvements would remain after completion of the path. Minimal alteration to the existing drainage system would result from the proposed project. As described above in Response IX(a), during construction, BMPs would be implemented, consistent with the GP, so that on-site and off-site erosion and sedimentation would be controlled to the extent practicable. Therefore, this impact would be less than significant.

d) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?*

Less Than Significant Impact. As described in Responses IX(a) and (c) above, no substantial change in either drainage patterns or flooding on- or off-site would occur. Under existing conditions, stormwater runoff sheet flows to the east from Solano Avenue. Where this sheet flow would be blocked by proposed project improvements, drainage improvements would be installed to capture stormwater and convey it to the existing storm drain system. During construction, BMPs would be implemented, consistent with the GP, so that on-site and off-site erosion and sedimentation would be controlled to the extent practicable. Therefore, this impact would be less than significant.

e) *Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?*

Less Than Significant Impact. See Responses IX(a), (c) , and (d).

f) Otherwise substantially degrade water quality?

Less Than Significant Impact. See Response IX(a).

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

No Impact. No housing units are proposed as part of the project.

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

Less Than Significant Impact. Approximately 2 miles of the proposed trail alignment are located within a FEMA 100-year flood zone. The proposed project would construct an asphalt bicycle and pedestrian trail between Solano Avenue and the Napa Wine Train right-of-way. The trail would be constructed at grade. As outlined in the project description, the proposed trail alignment would include pre-fabricated steel truss bridges to cross two unnamed drainage channels. The bridge elevations (bottom of deck) would be designed to be above the 100-year floodplain to avoid impacting existing flows within the channels. Therefore, the proposed project would not include any structures that would impede or redirect flows. Impacts related to flood hazards would be less than significant.

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding of as a result of the failure of a levee or dam?

Less Than Significant Impact. As described in Response IX(h) above, a portion of the proposed trail alignment is located within FEMA 100-year flood zone. The proposed trail would be constructed at grade and proposed bridge crossings would be designed above the 100-year floodplain to avoid impacting existing flows within the channels. According to the Napa County General Plan,[38] a portion of the proposed trail alignment is located in the inundation area for the Rector Creek Dam. However, no habitable structures would be constructed as part of the proposed project. While construction of the proposed trail would increase use of the area, such use would be intermittent and temporary. Therefore, the proposed project would not expose people or structures to significant risk of loss, injury or death involving flooding.

j) Inundation by seiche, tsunami, or mudflow?

Less Than Significant Impact. Seiches are caused when earthquake ground motions cause water to oscillate from one side to the other of a closed or partially closed body of water such as a lake, bay or channel. Since no such bodies of water are located on or adjacent to the project site, there

[38] County of Napa, 2009. Napa County General Plan – Figure SAF-5 Napa Dam Inundation Areas. Available online at: http://www.countyofnapa.org/generalplan/ (Accessed October 8, 2014).

is no risk of inundation by seiche.

Tsunamis, or seismic tidal waves, are caused by off-shore earthquakes that can trigger large, destructive sea waves. The project site is not located close to the coastline, and there is no risk of inundation by tsunami.

Mudflows typically occur in mountainous or hilly terrain. The topography of the project area is flat and there are not active landslides in the project area. Therefore, the potential for inundation by mudflow is less than significant.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
X. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	❑	❑	❑	■
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	❑	❑	■	❑
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	❑	❑	❑	■

Affected Environment:

The project site extends from the Napa Valley Wine Train right-of-way to Solano Avenue, just south of Redwood Road in the City of Napa to California Lane in the Town of Yountville in Napa County, California. The proposed path would be located west of and run parallel to State Highway 29. Surrounding land uses include agricultural lands within unincorporated Napa County and developed lands within the City of Napa. In Napa County and the Town of Yountville, adjacent land uses include vacant land, agricultural uses, rural residential development, vineyard/winery, golf course, and fire station. Adjacent land uses in the City of Napa include: single family and multifamily (apartments) residential uses; mobile home park; light industrial/warehouse uses; commercial development; motel/hotel; and a high school.

The project site has Napa County, City of Napa, and Town of Yountville land use and zoning designations. The majority of the proposed trail alignment lies within the City of Napa. According to the City of Napa General Plan, land uses along the project alignment are designated for Single Family Infill (SFI-1, SFI-6, and SFI-10), Multifamily Residential (MFR-11, MFR-14), Single Family Residential (SFR-2), Tourist Commercial (TC-401, TC-402), Local Commercial (LC-400), and Public Serving (PS-801). Corresponding zoning designations identified in the City of Napa Zoning Ordinance include: Single-Family Infill (RI-4, RI-5); Single Family Residential (RS-5); Multifamily Residential (MR); Local Commercial (CL); Tourist Commercial (CT); Public, Quasi-Public Schools, and Health Facilities (PQ). These land use and zoning designations are intended for a variety of uses including: residential and commercial development, and properties dedicated to community-serving purposes such as public schools, major community health facilities and related community service facilities.

According to the Napa County General Plan, land uses along the project alignment are designated for Agricultural Resources. Applicable zoning designations include: AP (Agricultural Preserve), AW (Agricultural Watershed), and CL (Commercial Limited). The AP and AW designations are intended for the preservation and protection of agricultural uses, watersheds and floodplain tributaries. The CL

designation is intended to establish areas that will provide the tourist, vacationer and highway traveler with needed uses and services.
Areas in the Town of Yountville are designated for Public Facilities. The land use designation PF was created to accommodate governmental, public utility and public educational facilities.

Discussion:

a) Physically divide an established community?

No Impact. The physical division of an established community typically refers to the construction of a physical feature (such as an interstate highway or railroad tracks) or removal of a means of access (such as a local road or bridge) that would impair mobility within an existing community, or between a community and outlying areas. The proposed project would provide a new trail connection between the Commuter Bike Path in Napa and the Yountville Mile. The proposed project would not physically divide an established community.

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

Less Than Significant Impact. The plans, policies and regulations applicable to the proposed project include the Napa County General Plan,[39] the City of Napa General Plan,[40] the Town of Yountville General Plan,[41] the Napa County Municipal Code,[42] the City of Napa Municipal Code,[43] and the Town of Yountville Municipal Code.[44] The proposed project would be located within public right-of-way between Solano Avenue and the Wine Train right-of-way. The proposed project is an allowable land use according to the general plan land use and zoning designations for the project site.

The proposed trail connection is included as a proposed Class I bikeway in the Napa County Bicycle Plan.[45] The City of Napa Bicycle Plan, the Napa County Bicycle Plan and the Town of Yountville Bicycle Plan all support completion of the Vine Trail within the City of Napa,[46] including a proposed Class I facility along SR 29 from the Vine Trail/Commuter Bike Path/SR 29 Overpass to Redwood Road. Completion of the Napa Valley Vine Trail through Yountville

[39] Napa County, 2009
[40] City of Napa, 2010 (as amended).
[41] Town of Yountville, 2003.
[42] Napa County, 2014. Napa County Code of Ordinances. 30 June. Available online at: https://www.municode.com/library/ca/napa_county/codes/code_of_ordinances (Accessed October 21, 2014).
[43] City of Napa, 2014. Napa Municipal Code, Title 17. September. Available online at: http://qcode.us/codes/napa/ (accessed October 9, 2014).
[44] Town of Yountville, 2014. Town of Yountville Municipal Code, Title 17. Available online at: http://www.townofyountville.com/index.aspx?page=61 (accessed October 9, 2014).
[45] Whitlock & Weinberger Transportation, Inc. and Questa Engineering Corporation, 2012. Napa County Bicycle Plan. January. Available online at: http://www.nctpa.net/napa-county-bike-plan (Accessed October 21, 2014).
[46] Whitlock & Weinberger Transportation, Inc. and Questa Engineering Corporation, 2012. Napa County Bicycle Plan. January. Available online at: http://www.nctpa.net/city-napa-bike-plan (Accessed October 21, 2014).

with connectivity from the Vallejo Ferry Terminal to Calistoga is identified in the Town of Yountville Bicycle Plan.[47]

Generally, the proposed project is in direct support of many relevant plans and policies, which contain goals and policies in support of bicycle and pedestrian trails, and specific goals and policies in support of completion of the Vine Trail. Additional relevant policies relate to the protection of natural resources, water quality, cultural resources, visual resources, air quality, and public safety from natural and human-caused hazards, provision of public services, noise and traffic. Many of the project impacts related to these topics are less than significant or are limited to the short-term construction phase of the project as described in the relevant sections of this document. With implementation of the mitigation measures contained in this document, the proposed project is consistent with all of these policies with all the relevant regulations and policies contained in these documents. This impact would be less than significant.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

No Impact. No habitat conservation plans or natural community conservation plans apply to the proposed project site. Therefore, the proposed project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan.

[47] Whitlock & Weinberger Transportation, Inc. and Questa Engineering Corporation, 2012 Town of Yountville Bicycle Plan. January. Available online at: http://www.nctpa.net/yountville-bicycle-plan (Accessed October 21, 2014).

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?	❑	❑	❑	■
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	❑	❑	❑	■

Affected Environment:

The State Mining and Reclamation Act of 1975 (SMARA) identifies and protects California's mineral resources. State mineral resource zone (MRZ) maps do not exist for the bulk of Napa County. According to the Napa County General Plan, three mines in Napa County are designated as active by the State Department of Conservation, Office of Mine Reclamation: 1) Napa Quarry (Syar Industries, Inc.), Pope Creek Quarry (Don Wesner, Inc.), and American Canyon Quarry (Syar Industries, Inc.) (initiated reclamation in July 2007). Only the Napa Quarry is a significant mine. None of these mines are located in the project area.

Discussion:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?

No Impact. The proposed project would consist of a bicycle and pedestrian trail and associated intersection improvements. The proposed project would not interfere with any future exploration of the mineral deposit mapped on the project site.

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

No Impact. The proposed project would not result in the loss of availability of any locally-important mineral resource recovery site.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. NOISE. Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	❑	■	❑	❑
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?	❑	❑	■	❑
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	❑	❑	❑	■
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	❑	■	❑	❑
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	❑	❑	❑	■
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	❑	❑	❑	■

Affected Environment:

Noise is usually defined as unwanted sound. Noise consists of any sound that may produce physiological or psychological damage and/or interfere with communication, work, rest, recreation, or sleep. Several noise measurement scales exist that are used to describe noise in a particular location. A *decibel* (dB) is a unit of measurement that indicates the relative intensity of a sound. The 0 point on the dB scale is based on the lowest sound level that the healthy, unimpaired human ear can detect. Changes of 3.0 dB or less are only perceptible in laboratory environments. Audible increases in noise levels generally refer to a change of 3.0 dB or more, as this level has been found to be barely perceptible to the human ear in outdoor environments. Sound levels in dB are calculated on a logarithmic basis. An increase of 10 dB represents a 10-fold increase in acoustic energy, while 20 dB is 100 times more intense, and 30 dB is 1,000 times more intense. Each 10 dB increase in sound level is perceived as approximately a doubling of loudness. Sound intensity is normally measured through the *A-weighted sound level* (dBA). This scale gives greater weight to the frequencies of sound to which the human ear is most sensitive.

The primary existing noise source in the project area is vehicle traffic, including cars, trucks, buses, and motorcycles on roadways near or in the project vicinity. The level of vehicular noise generally varies with the volume of traffic, the number of trucks or buses, the speed of traffic, and the distance from the roadway.

The proposed project would construct a six mile segment of trail. Residential units are located adjacent to portions of the project site. The closest residence is located approximately 100 feet from the proposed construction area.

Discussion:

a) *Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

Potentially Significant Unless Mitigation Incorporated. The potential noise impacts of the proposed project are described below.

Long-Term Operational Impacts. Operation of the trail would not result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, since no additional vehicular traffic or other operational noise would be generated. Pedestrians or bicyclists using the trail may be talking and thus generate noise, however, at 100 feet from the source, this noise level would not be significant. Therefore, no significant long-term noise impacts would occur after construction is completed.

Short-Term (Construction) Impacts. Construction of the proposed project would add short-term and intermittent noise from use of equipment and vehicles. Noise impacts from construction crew commutes and the transport of construction equipment and materials to the project site would incrementally increase noise levels on access roads leading to the site. However, the construction equipment pass-by noise would be similar to existing truck activity in the project vicinity. Therefore, traffic associated with worker commute and equipment transport to the project site would be less than significant.

According to the noise analysis prepared for the project[48], the proposed project would include the construction of three bridges that would require the use of torque down piles for piers for the bridge foundations. The piles would be installed into the ground by the application of a rotational torque, which provides for reduced ground vibrations compared to driven piles and would be virtually vibration free.

The proposed project would require the use of earthmoving equipment including excavators, loaders, and dump trucks. Typical operating cycles for these types of construction equipment may involve one or two minutes of full power operation followed by three to four minutes at lower power settings. Noise typically associated with the use of construction equipment is estimated between 79 and 89 dBA L_{max} at a distance of 50 feet from the operating construction equipment. Noise associated with the use of pavers, pumps and haul trucks would be up to 90 dBA L_{max} at a distance of 100 feet.

Based on the findings of the noise analysis, the following measures shall be implemented by the project to reduce construction noise impacts to nearby sensitive receptors:

[48] Fredericksen, Herb, 2014. CML 6239 (008) – Napa Valley Vine Trail Project, Oak Knoll District Construction Noise. Technical Memorandum to Susan Tse. May 30.

Mitigation Measure NOISE-1: The following multipart measure shall be implemented to reduce construction noise impacts to a less-than-significant level:

- All equipment shall have sound-control devices that are no less effective than those provided on the original equipment. No equipment shall have an unmuffled exhaust.
- All equipment shall be properly maintained and operated.
- The contractor shall implement appropriate additional measures to reduce noise when adjacent to receptor locations including but not limited to, changing the location of stationary construction equipment, using temporary noise barriers, and placing noise blankets around pile drivers.
- The contractor shall notify adjacent residents in advance of construction of the work hours and scheduled work.
- The construction contractor's specifications shall stipulate that noise-generating construction activity between the hours of 6:00 p.m. and 7:30 a.m. daily, or at any time on Sunday or a legal holiday shall not be allowed except when permitted by the governing Planning Director for an extreme situation.
- A Noise Control Plan shall be required of the construction contractor. The Plan would describe abatement measures to be utilized to comply with the noise regulations. The Plan shall also include a noise monitoring program to be implemented by the construction contractor. Special attention shall be given to minimizing noise effects near sensitive receptors.

Implementation of Mitigation Measure NOISE-1 would ensure project compliance with local noise ordinances and would minimize noise levels at sensitive receptor locations. This impact would be less-than-significant.

b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?

Less Than Significant Impact. Development of the proposed project would not result in excessive ground borne vibration or noise levels. There may be relatively minor vibrations from the use of trucks, torque down piles, or other equipment during construction activities such as excavation. However, this ground borne condition from such equipment would be relatively minor, intermittent, short-term, and restricted to daytime hours. Additionally, noise sensitive receptors are not located in the immediate vicinity of the construction areas.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

No Impact. The long-term use of the project is for a pedestrian and bicycle path. This land use would not generate increased ambient noise levels. No substantial long-term increase in ambient noise levels is expected as a result of project implementation.

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Potentially Significant Unless Mitigation Incorporated. Temporary intermittent noise from short-term construction activities associated with the development of the project would occur. At sensitive receptor locations, the noise level would increase during the short term construction period. However, it would be a short-term source and therefore would not be considered significant with implementation of Mitigation Measure NOISE-1. No substantial increase in existing ambient noise levels would result from long-term operation of the project. Compliance with applicable noise ordinances would reduce potential construction-related noise impacts to a level below significance.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

No Impact. The project site is not located within an airport land use plan, or within two miles of a public airport or public use airport. The closest airport to the project site is the Napa County Airport, approximately 10 miles south of the project. Therefore, the proposed project would not expose people residing or working in the project area to excessive noise levels.

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

No Impact. The project site is not located in the vicinity miles of a private airstrip. Implementation of the proposed project would not be affected by operations associated with a private air strip.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. POPULATION AND HOUSING. Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	❑	❑	❑	■
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	❑	❑	❑	■
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	❑	❑	❑	■

Affected Environment:

The project site consists of public right-of-way between Solano Avenue and the Wine Train right-of-way. Surrounding land uses include SR29, agricultural, residential, and commercial development, and public facilities. The project corridor consists of a mix of vegetated and unvegetated areas, containing no buildings or other significant structures. The type of vegetation varies depending on the corridor width and the presence of roads and drainages crossing the corridor.

Discussion:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

No Impact. The proposed project would not result in new housing, commercial, or industrial space as part of the proposed project. Therefore, the proposed project would not directly or indirectly induce substantial population growth.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

No Impact. No housing currently exists at the project site. Therefore, the project would not displace any existing housing.

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

No Impact. The project would not displace any people, as the project site is currently unpopulated.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. PUBLIC SERVICES.				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	❑	❑	❑	■
Police protection?	❑	❑	❑	■
Schools?	❑	❑	❑	■
Parks?	❑	❑	❑	■
Other public facilities?	❑	❑	❑	■

Affected Environment:

The project site extends from the City of Napa, into unincorporated Napa County to the Town of Yountville. Public services provided to the project area are described below.

Fire Protection and Emergency Services. The County of Napa contracts with the California Department of Forestry (CAL FIRE*)* for fire protection services as the Napa County Fire Department. CAL FIRE provides administrative support and coordination with five full-time paid stations and nine volunteer fire companies operating under a County Fire Plan, which is approved by the County Board of Supervisors. The Napa County Fire Department provides fire and emergency service dispatching for the City of St. Helena, Calistoga and Napa State Hospital Fire Departments. The Town of Yountville and the California Veterans Home contract with the County to provide fire services to those jurisdictions.

The Napa City Fire Department provides fire protection and emergency services to the City of Napa. The Napa City Fire Department also works closely with CAL FIRE and the Napa County Fire Department. The closest fire station to the project site is located at 2000 Trower Avenue near SR 29.

Police Protection. The Napa County Sheriff's office provides law enforcement for the unincorporated areas of the County, as well as police services for American Canyon and Yountville. The closest Napa County Sheriff's office to the project site is located at 1950 Mulberry Street in the Town of Yountville. The main headquarters are located 1535 Airport Boulevard in Napa.

The Napa Police Department provides law enforcement to the City of Napa. The Napa Police Department is located 1539 First Street.

Schools. The project area is served by the Napa Valley Unified School District.

Parks. See Section XV. Recreation for information about parks.

Discussion:

a) *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Fire protection, police protection, schools, parks, other public facilities?*

No Impact. The proposed project would not result in an increase in population or facilities that would require the provision of fire or police services, schools, parks, or other public facilities, or result in the need for physically altered facilities. The demand for public services would be the same as under existing conditions after the construction of the proposed project.
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	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. RECREATION.				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	❑	❑	■	❑
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	❑	■	❑	❑

Affected Environment:

The City of Napa Parks and Recreation Services Department provides residents with access to more than 48 parks that cover 800 acres of park land. The City's park system includes parks, open space, playgrounds, sport fields, a golf course, the Napa River and miles of natural and paved trails for walking, biking and hiking. City of Napa parks in proximity to the proposed trail alignment include: Klamath Park, Harkness Park, and Monarch Park, all three of which are located east of SR 29.

The Town of Yountville operates seven parks, the Yountville Community Center, several recreational trails within the Town. Veterans Memorial Park is located in the Town of Yountville just east of SR 29 near the northern terminus of the proposed trail alignment. Other recreation facilities in proximity to the project site include the Vintners Golf Club.

Discussion:

a) *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*

Less Than Significant Impact. The proposed trail connection would serve the recreational needs of residents in Napa County and in the region by providing a connection between two existing segments of the Vine Trail, the Commuter Bike Path in Napa and the Yountville Mile. Implementation of the proposed project would likely increase the use of existing trails. However, it is not anticipated that such an increase in use would result in a physical deterioration of existing trail facilities. Therefore, this impact is considered less than significant.

b) *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

Potentially Significant Unless Mitigation Incorporated. The proposed project would include a multi-use trail to connect two existing segments of the Vine Trail, the Commuter Bike Path in Napa and the Yountville Mile. Implementation of the mitigation measures contained in this

Initial Study would ensure that this recreational facility would not have an adverse physical effect on the environment.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. TRANSPORTATION/TRAFFIC. Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	❑	❑	■	❑
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	❑	❑	■	❑
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	❑	❑	❑	■
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	❑	❑	■	❑
e) Result in inadequate emergency access?	❑	❑	■	❑
f) Conflict with adopted polices, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	❑	❑	■	❑

Affected Environment:

The path will be located between the Napa Valley Wine Train right-of-way and Solano Avenue, all within public right-of-way. The proposed trail alignment would cross seven local streets and roads, including Trower Avenue, Orchard Avenue, Salvador Avenue, Darms Lane, Hoffman Lane, Vineyard View Drive, Oak Knoll Avenue, and California Drive. All safety improvements and signing would conform to local standards and the California Manual on Uniform Traffic Control Devices (California MUTCD) standards.

Discussion:

a) *Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?*

Less Than Significant Impact. The proposed project consists of the installation of a new multi-use trail connection and associated intersection improvements. The proposed project is included in the Napa County Bicycle Plan (2012) as part of the proposed bikeway and trail network. The proposed project is designed to provide a trail connection between two existing segments of Vine Trail and would connect the only two Park-n-Ride facilities in Napa County. According to traffic studies conducted at all local street crossings along the proposed trail alignment, two intersection locations warrant traffic control devices.[49] These two intersections, Solano Avenue /Wine Country Avenue and Solano Avenue/Salvador Avenue are controlled by Caltrans and would require an encroachment permit and approval of a proposed signal plan by Caltrans. After completion, the proposed project would not generate additional vehicle trips, but would increase the effectiveness of the circulation system by adding a new pedestrian and bicycle connection.

During construction, an increase in traffic would occur in the project area from construction vehicles and construction workers accessing the site. Although the proposed project is a Class I trail facility (separated from the roadway), the trail alignment would cross seven local streets and intersection improvements are proposed as part of the project. It is anticipated that construction would occur in two phases due to funding. Phase 1 would include the portion of the trail alignment within the City of Napa. Phase 2 would be within Napa County and the Town of Yountville, pending funding. Construction for each phase would be completed in approximately fifty (50) working days.

The project specification and plans require the contractor to maintain vehicular, pedestrian, and bicycle access as part of their traffic control plan for every phase and at every location of the proposed trail alignment. The specific requirements are included as part of the County, City, and Town standard specifications. These specifications are also consistent with Caltrans construction specifications and require the contractor to provide a traffic control plan that conforms to the California MUTCD. Construction would be advertised and scheduled to take place when local schools are in summer recess to minimize impacts on traffic. Construction hours would be between 8:00 AM and 5:00 PM, Monday through Friday, with flagged one way control limited to the hours between 9:00 AM and 3:00 PM. No detours would be needed. Through access for all modes (vehicles, bicycles, and pedestrians) would be maintained throughout the construction period.

As described above, the proposed trail alignment would cross seven local streets. At these crossings, traffic control would be approved per standard practices as described above. Approximately 0.9 mile of the proposed trail alignment would be located adjacent to the east side of Solano Avenue. At these locations, the proposed trail would be five (5) feet from the existing edge of pavement. During construction of these segments of the trail alignment, flagger-controlled, one-way traffic control per California MUTCD standards would be required in order to provide construction access. Share the Road signs would be posted and bicycle access would be maintained. Any delay would be regulated to less than five minutes. The majority of work on these segments would be conducted within the trail alignment but, at times, one-way flagger control would be required.

[49] NCTPA/NVTA, 2014. Traffic Technical Memorandum. 16 May.

With implementation of these traffic control measures, traffic associated with project construction would have a less than significant impact on the circulation system.

b) *Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?*

Less Than Significant Impact. See XV(a), above..

c) *Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?*

No Impact. The project does not propose any structures that would interfere with air traffic patterns; nor would it increase traffic levels. There is no impact related to air traffic.

d) *Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

Less Than Significant Impact. The proposed project consists of installation of a multi-use trail and associated intersection improvements, including two bridges and seven local street crossings. As described in Response XV (a) above, traffic studies have been conducted for all local street crossings along the proposed trail alignment. Two intersections have been identified for traffic control devices. These devices would be installed as part of the proposed project along with other safety improvements and signage. No incompatible uses or hazardous design features are associated with operation of the proposed project.

During construction activities, a short-term increase in the potential for accidents involving motor vehicles, bicycles, and/or pedestrians could occur. Because of the temporary disruption to traffic flow, flagged one-way traffic control, the presence of construction equipment near public right-of-way, and the localized increase in traffic congestion, drivers would be presented with unexpected driving conditions and obstacles, potentially resulting in an increase in automobile accidents. Implementation of traffic control measures consistent with County, City and Town specifications, Caltrans regulations, and the California MUTCD would facilitate safe passage of both construction vehicles and private vehicles. As a result, the proposed project would not substantially increase hazards for vehicles due to a design feature or incompatible uses.

The project specification and plans require the contractor to maintain vehicular, pedestrian, and bicycle access as part of their traffic control plan for every phase and at every location of the proposed trail alignment. The specific requirements are included as part of the County, City, and Town standard specifications. These specifications are also consistent with Caltrans construction specifications and require the contractor to provide a traffic control plan that conforms to the California MUTCD. Construction would be advertised and scheduled to take place when local schools are in summer recess to minimize impacts on traffic. Construction hours would be between 8:00 AM and 5:00 PM, Monday through Friday, with flagged one way control limited to the hours between 9:00 AM and 3:00 PM. No detours would be needed.

Through access for all modes (vehicles, bicycles, and pedestrians) would be maintained throughout the construction period.

As described above, the proposed trail alignment would cross seven local streets. At these crossings, traffic control would be approved per standard practices as described above. Approximately 0.9 mile of the proposed trail alignment would be located adjacent to the east side of Solano Avenue. At these locations, the proposed trail would be five (5) feet from the existing edge of pavement. During construction of these segments of the trail alignment, flagger-controlled, one-way traffic control per California MUTCD standards would be required in order to provide construction access. Share the Road signs would be posted and bicycle access would be maintained. Any delay would be regulated to less than five minutes. The majority of work on these segments would be conducted within the trail alignment but, at times, one-way flagger control would be required.

e) Result in inadequate emergency access?

Less Than Significant Impact. The project's effects on emergency access would be limited to construction of the project and would be temporary in nature. Construction of the proposed project would require flagger-controlled, one-way traffic control for construction of a portion of the trail alignment between the hours of 9:00 AM and 3:00 PM. However, emergency access would be maintained and all access would be restored following construction. Therefore, the proposed project would not result in inadequate emergency access.

f) Conflict with adopted polices, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

Less Than Significant Impact. The project's effects on traffic would be limited to construction of the project and would be temporary in nature. The Napa County transit service, The Vine, has one route along Solano Avenue. NCTPA would coordinate with the transit authority on the construction schedule to minimize any disruption to transit service. As described above, through access for all modes (vehicles, bicycles, and pedestrians) would be maintained throughout the construction period. No existing sidewalks are located on the east side of Solano Avenue, nearest to trail construction; therefore, pedestrian access would not be impacted. Share the Road signs would be posted and bicycle access would be maintained. Upon completion of construction, traffic would return to the existing condition. Therefore, the project would not conflict with adopted policies or programs supporting alternative transportation.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	❑	❑	■	❑
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	❑	❑	❑	■
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	❑	❑	■	❑
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	❑	❑	❑	■
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	❑	❑	❑	■
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	❑	❑	■	❑
g) Comply with federal, State, and local statutes and regulations related to solid waste?	❑	❑	❑	■

Affected Environment:

A variety of local and regional purveyors in this area provide and maintain utility and service system facilities associated with electricity, water, stormwater, wastewater, solid waste, communications and natural gas. Existing routes of underground gas and water pipelines and underground fiber-optic cables would remain. Utility poles and overhead utility lines that are in conflict with the proposed trail alignment would be relocated in coordination with the affected utility provider prior to construction of the proposed project.

The proposed trail alignment has been designed to conform to existing grade and provide minimal alteration to existing drainage conditions. Where constrained by property lines, easements or a change in grade such that a built-up slope would not be feasible, short retaining structures would be built. Where sheet flow to the east from Solano Avenue would be blocked by curb and gutter, inlets or other means would be provided to convey stormwater into the existing storm drain system and channels with minimal alteration to existing drainage patterns. These drainage improvements would remain after completion of the proposed project.

Discussion:

a) *Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?*

Less Than Significant Impact. As described in Section IX(a), implementation of the proposed project would not lead to an exceedance of wastewater treatment requirements of the applicable Regional Water Quality Control Board. The proposed project would entail construction of a Class I trail facility and associated intersection improvements within public right-of-way. Project construction would result in the discharge of potable and non-potable water. Discharge of potable and non-potable water would be in compliance with NPDES Municipal Regional Permit requirements. Dewatering of the work area may be necessary in areas where groundwater is encountered within the planned depth of excavation, depending on surface and groundwater levels at the time of construction. This discharge shall be consistent with RWQCB requirements and as such would not result in a violation of water quality standards or waste discharge requirements.

b) *Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

No Impact. The proposed project would not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities as no potable water and/or toilets would be provided as part of the proposed trail alignment.

c) *Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

Less Than Significant Impact. Existing storm drain facilities would be maintained as part of the proposed project. As described above, inlets or other means would be provided, where needed, to convey stormwater into the existing storm drain system and channels with minimal alteration to existing drainage patterns. These drainage improvements would remain after completion of the proposed project. Therefore, the proposed project would not require or result in the construction of new stormwater drainage facilities that could cause significant environmental effects. This impact would be less than significant.

d) *Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?*

No Impact. See XVII(b), above.

e) *Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

No Impact. See XVII(b), above

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

Less Than Significant Impact. Project construction would generate wastes including construction materials, trench spoils, and general refuse, and these wastes would need to be disposed of in local or regional facilities. Waste generated from construction would include: non-hazardous metal waste, non-hazardous non-metal waste (concrete rubble, organic waste [vegetation], boxes and crates, refuse from construction workers), and trenching spoils (rubble, soil, broken asphalt). Non-hazardous metal and non-metal waste would be hauled to local disposal centers for recycling or taken to landfills. Trenching and excavation spoils would be reused to the maximum extent possible. The disposal demand would be reasonable relative to the solid waste disposal capacities of area landfills. The project would not generate additional waste once completed. Impacts related to solid waste disposal would be considered less than significant

g) Comply with federal, State, and local statutes and regulations related to solid waste?

No Impact. The project would comply with all federal, State, and local statutes and regulations related to solid waste.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	❑	■	❑	❑
b) Does the project have impacts that are individually limited, but cumulatively considerable? (Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	❑	❑	■	❑
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	❑	■	❑	❑

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?

Potentially Significant Unless Mitigation Incorporated. As described in this Initial Study, implementation of the proposed project would have the potential to adversely impact special-status animal species, wetlands, native grassland and previously undiscovered cultural and paleontological resources and/or human remains. Implementation of the mitigation measures recommended in this Initial Study would ensure that construction and operation of the proposed project would not: 1) degrade the quality of the environment; 2) substantially reduce the habitat of a fish or wildlife species; 3) cause a fish or wildlife population to drop below self-sustaining levels; 4) threaten to eliminate a plant or animal community; 5) reduce the number or restrict the range of a rare or endangered plant or animal; or 6) eliminate important examples of the major periods of California history or prehistory.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)

Less Than Significant Impact. The impacts of the proposed project would be individually limited and not cumulatively considerable. The proposed project would be a multi-use trail and associated intersection improvements. All environmental impacts that could occur as a result of the proposed project would be reduced to a less-than-significant level through implementation of the mitigation measures recommended in this Initial Study.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Potentially Significant Unless Mitigation Incorporated. During project construction, the proposed project could result in environmental effects, such as short term construction noise, air quality, and hazardous materials impacts. Implementation of the mitigation measures recommended in this Initial Study would ensure that construction of the proposed project would not cause adverse effects on human beings.

REPORT PREPARERS AND REFERENCES

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M E M O R A N D U M

DATE: January 9, 2015

TO: Herb Fredricksen

FROM: Shanna Guiler, AICP and Laura Lafler

SUBJECT: Response to Comments
Napa Vine Trail, Oak Knoll District Initial Study/Mitigated Negative Declaration

In accordance with CEQA Guidelines Section 15073, the Initial Study/Draft Mitigated Negative Declaration was circulated for public review for a total of 30 days beginning on November 24, 2014 and ending on December 23, 2014. Three comment letters were received by Napa County Transportation and Planning Agency during this comment and review period. Persons or agencies that provided comments included the following:

A. Mr. Scott Morgan, State Clearinghouse;
B. Mr. Phillip M. Miller, P.E., Napa County Flood Control and Water Conservation District;
C. Mr. John Draper, Town of Yountville;

Copies of these comment letters are provided in this appendix and responses to the substantive issues raised by the commenters are provided on the page following the letter. When cross-referenced in the text, the comment is referred to as Letter-# where the letter refers to the commenter, and the number following the hyphen refers to the comment number within that letter. For example, comment B-3 refers to the third comment within the letter submitted by the Napa County Flood Control and Water Conservation District.

A

STATE OF CALIFORNIA

GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH

STATE CLEARINGHOUSE AND PLANNING UNIT

EDMUND G. BROWN JR.
GOVERNOR

KEN ALEX
DIRECTOR

December 17, 2014

RECEIVED
DEC 29 2014

Herb Fredricksen
Napa County Transportation & Planning Agency
625 Burnell Street
Napa, CA 94559

Subject: Napa Valley Vine Trail Project - Oak Knoll District
SCH#: 2014112034

Dear Herb Fredricksen:

1 The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. The review period closed on December 15, 2014, and no state agencies submitted comments by that date. 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 call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan
Director, State Clearinghouse

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

SCH# 2014112034
Project Title Napa Valley Vine Trail Project - Oak Knoll District
Lead Agency Napa County

Type MND Mitigated Negative Declaration

Description The proposed project would construct a new 6-mile section of the Napa Valley Vine Trail connecting two existing segments of the Vine Trail, the Commuter Bike Path in Napa and the Yountville Mile. The proposed Class I bicycle/pedestrian path would be located within public right-of-way, between the Napa Valley Wine Train right-of-way and Solano Avenue. The path would be an asphalt concrete path 10 feet in width with 2-foot shoulders. Prefabricated truss bridges would be needed to span two manmade drainage channels and modifications made to the existing Solano Avenue bridge to span Dry Creek. Proposed improvements include: ADA compliance curb ramps, two traffic signals, stop signs, fencing, and pavement markings.

Lead Agency Contact

Name Herb Fredricksen
Agency Napa County Transportation & Planning Agency
Phone 707 259 5951 **Fax**
email
Address 625 Burnell Street
City Napa **State** CA **Zip** 94559

Project Location

County Napa
City Napa, Yountville
Region
Lat / Long
Cross Streets SR 29, Solano Avenue, Redwood Road, California Drive
Parcel No.
Township **Range** **Section** **Base**

Proximity to:

Highways SR 29
Airports
Railways Napa Valley Wine Train
Waterways Yountville Collector, Salvador Channel, Dry Creek
Schools
Land Use Napa County: Agricultural Resource / City of Napa: SFI, MFR, TC, LC, PS/Yountville: Public Facilities

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Septic System; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Growth Inducing; Landuse; Cumulative Effects

Reviewing Agencies Resources Agency; Department of Fish and Wildlife, Region 3; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Caltrans, District 4; Caltrans, Division of Transportation Planning; Air Resources Board; Air Resources Board, Transportation Projects; State Water Resources Control Board, Division of Water Quality; Regional Water Quality Control Board, Region 2; Native American Heritage Commission; Public Utilities Commission; State Lands Commission

Date Received 11/14/2014 **Start of Review** 11/14/2014 **End of Review** 12/15/2014

Responses to Letter A
Scott Morgan, Director; State Clearinghouse

A-1: Comment noted. This comment acknowledges the State Clearinghouse's receipt of the Mitigated Negative Declaration for the proposed project. The comment does not address the adequacy of the CEQA document or suggest changes to the document itself. No further response is necessary.

B

Napa County Flood Control and Water Conservation District

PHILLIP M. MILLER, P.E.
DISTRICT ENGINEER

November 18, 2014

Vine Trail CEQA Comments

Comment #	Page Number/Paragraph	Subject	Comment
1	5/7	Stormwater	Will there be stormwater BMP's or Low impact development type mitigation measures such as swales, utilized as part of the proposed stormwater conveyance infrastructure?
2	7/3	Solano Ditch	Unnamed channel is known as Solano Ditch
3	7/5	Concrete Outfall	Replacement of 155 foot concrete apron-Would there be any mitigation of the channel banks or channel up and downstream of project area?
4	8/4	Dry Creek	CEQA document refers to dry creek as a minor tributary which is misleading because it is in fact a large tributary with significant ecological value.
5	8/5	Vegetation Communities	This section does not discuss riparian canopy structure or significance of large mature Oak trees on the Valley Floor. This section also states that "none of these Oak stands resemble natural Oak woodlands"; however, some of these Oak trees are 150 to 250 years old and are part of the original valley floor Oak Savannah therefore although fragmented by land use and development these trees are remnants of and do resemble the natural Oak woodlands found on the valley floor.
6	9	Public Agencies	Napa County Flood Control and Water Conservation District should be listed
7	20/1	Environmental Effects	Paragraph does not discuss the riparian vegetation associated with the drainage channel and associated impacts of path on native riparian understory.
8	21/2	Pavement	Has permeable pavement been consider as an alternative to asphalt? Specifically on reaches adjacent to drainage channels.
9	22/1	Significant trees	Of the 73 significant trees to be removed, mitigation efforts should more effectively offset the associated impacts through an increased mitigation ratio than a 1:1 ratio. Refer to Napa County General Plan standards.
10	34/3	Riparian woodland	This paragraph omits the riparian habitat that exists along the north section of Yountville collector, trees along this reach include Alders (*Alnus rhombifolia)*, willows (*Salix* sp.), Black wanuts and Valley oak

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11	34/7	Drainage Channel	LSA identified Sanford's arrowhead (*Sagittaria sanfordii).* This may have been misidentified. Alisma lanceolatum is a very similar plant that is wide spread in this reach.
13	43/1	Northern California black walnut *Juglans californica* var. *hindsii*	Recent genetic testing of Black Walnut trees in the Napa Valley has shown presence of a natural community of *Juglans californica* var. *hindsii.*
14	52/1	Special-Status Plants	See comment above.
15	65	Bio-15	The 2:1 ratio for large Oak trees (>6 in DBH) does not seem adequate.

Responses to Letter B
Phillip M. Miller, P.E,; Napa County Flood Control and Water Conservation District

B-1: Per the Phase II Small Municipal Separate Storm Sewer System (MS4) permit (NPDES Permit Order No. 2013-0001) (Section E.12.c(ii)(c)4.c.), impervious trails built to direct stormwater runoff to adjacent vegetated areas are exempt from implementing Low Impact Development (LID) or similar stormwater control measures. The proposed project conforms with this criteria – runoff would be directed into adjacent vegetated areas before entering the storm drain system. No changes to the IS/MND are required.

B-2: Comment noted. The text will be changed to refer to the unnamed drainage channel as the Solano Ditch.

B-3: No compensatory mitigation beyond Mitigation Measures (MM) BIO-9 through BIO-12 is proposed due to the limited area affected and the lack of new temporary or permanent fill. The new culvert will be constructed entirely within the footprint of the existing concrete apron.

B-4: Comment noted. The word "minor" will be removed when referring to Dry Creek as a tributary to the Napa River.

B-5: Comment noted. The end of this paragraph will be revised as follows: "…rather than woodland stands. Several valley oaks are very large and likely constitute remnants of the extensive valley oak savannah that historically covered the Napa Valley floor. Native oak woodland stands are often mixed with a variety of non-native escaped ornamental trees and the understory is dominated by annual grasses or dense patches of ruderal forbs. ~~Given the urban to semi-rural nature of the project area, none of the oak stands resemble natural oak woodlands such as those in the foothills on either side of the Napa Valley.~~

B-6: Comment noted. The Napa Valley Flood Control and Water Conservation District will be added to the list of agencies on page 9 of the IS/MND.

B-7: Assuming that the comment is referring to the native riparian plantings on the east side of the Yountville Collector between Hoffman Lane and Hillview Lane, please see revised text in the below response to Comment B-10. Based on LSA's observations during the 2011 and 2013 site visits, the existing informal access road on which the trail will be constructed primarily supports non-native ruderal species, with native riparian plantings limited to the adjacent channel bank to the south. As such, the project is not expected to impact native riparian understory plants.

B-8: Permeable pavement was considered; however, the NCTPA ultimately determined that permeable pavement was infeasible due to project timing and maintenance requirements. This comment does not relate to the adequacy of the CEQA IS/MND; therefore no further response is necessary.

B-9: Mitigation for the removal of native oak trees within unincorporated Napa County is addressed under MM BIO-15 (p. 65), which requires a 2:1 tree replacement ratio in accordance with Policy CON-24 of the Napa County General Plan.

B-10: Comment noted. The riparian restoration plantings along the east side of the Yountville Collector were not identified as riparian woodland because they have not yet developed the multi-layered vegetation structure (i.e., canopy, subcanopy, and dense understory shrub layer) that characterizes mature riparian habitat such as that adjacent to Dry Creek. To make this clearer in the IS/MND, the paragraph will be revised as follows:

Riparian Vegetation~~Woodland~~. Riparian vegetation~~woodland~~ in the project area is limited to mature riparian woodland adjacent to Dry Creek ~~south~~ west of the Solano Avenue bridge and numerous Fremont cottonwoods that have been planted along the eastern edge of the Yountville Collector south of Hoffman Lane as part of a riparian restoration project implemented by the Napa County Flood Control and Water Conservation District. No riparian vegetation is present east of ~~at the location of~~ the ~~proposed~~ existing bridge over Dry Creek where bridge widening will occur. Dominant trees along ~~this reach of~~ the creek west of Solano Avenue include Fremont cottonwood and California black walnut with a shrub layer dominated by willows (*Salix* sp.) and valley oak saplings. A few large ornamental blue gum trees are present along the top of the northern bank. Although the riparian restoration area south of Hoffman Lane provides some habitat value for native wildlife, it does not yet support a multi-layered vegetation structure (i.e., canopy, subcanopy, and dense understory shrub layer) characteristic of mature riparian forest or woodland, and thus is of lower habitat quality than the woodland along Dry Creek.

B-11: LSA botanist Zoya Akulova observed more than seven anthers on the flowers of the subject plants, confirming its identity as *Sagittaria sanfordii* since *Alisma* species only have six anthers. In addition, Ms. Akulova submitted her photos and documentation to Napa County botanical expert Jake Ruygt, and he agreed with her identification. Mr. Ruygt subsequently visited the site on June 11, 2011 and confirmed that the observed plants were indeed *Sagittaria*.

No comment 12

B-13: Comment noted. LSA consulted three primary references when researching the status of *Juglans hindsii* in the Napa Valley: the California Natural Diversity Database (CNDDB), the Jepson eFlora (http://ucjeps.berkeley.edu), and the California Native Plant Society's (CNPS) *Inventory of Rare and Endangered Plants* (CNPS Inventory). The only CNDDB occurrence in the project vicinity is a 2001 observation of a single specimen in Napa City Park; a thorough 2005 search failed to locate this individual and this occurrence is now considered extirpated (CDFW 2014). In addition, the CNPS Inventory indicates that only one, native occurrence of this species appears viable as of 2003, and maps its occurrence in the Napa U.S. Geological Survey (USGS) quadrangle as "presumed extirpated or unknown" (CNPS 2014). Based on this information, LSA concluded that the black walnut specimens observed in the project area are likely naturalized rather than native specimens. LSA is unaware of the genetics study referenced by the District and would need to review it before acknowledging the possible presence of the species within the project area.

B-14: See response to Comment B-13.

B-15: As stated in the above response to Comment B-9, the 2:1 tree replacement ratio is consistent with Policy CON-24 of the Napa County General Plan: "Provide replacement of lost oak woodlands or preservation of like habitat at a 2:1 ratio when retention of existing vegetation is found to be infeasible." The Napa County General Plan does not specify or require different mitigation ratios depending on the size of the trees to be removed (e.g., larger trees to be removed must be replaced at a greater ratio).

C

Town of Yountville
"The Heart of the Napa Valley"

Sent via electronic mail: Hard copy to follow. December 15, 2014

Napa County Transportation and Planning Agency/Napa Valley Transportation Authority
625 Burnell Street
Napa, CA 94559

Attention: Herb Fredricksen

Subject: Napa Valley Vine Trail – Comments on CEQA Draft Mitigated Negative Declaration

Dear Mr. Fredricksen,

Thank you for the opportunity to comment on the Draft Mitigated Negative Declaration. The Town's comments are listed below:

1. Page 5, Paragraph 3: The statement regarding no grading within 5' of top of bank does not seem accurate. Proposed improvements include putting in bridges and grading within the bank of the ditch.
2. Page 5, Paragraph 4: The 15,000 cubic yards of off-haul may need more than two staging areas. Are other staging areas proposed?
3. Page 5, Paragraph 5: Staging: The park-and- ride staging area must be approved by the Town's Planning Director. A 6' construction fence with green screen is typically required.
4. Page 6, Paragraph 3: Stations 0-1600: The California Drive overpass area of approximately 500 feet is not included.
5. Page 6, Stations 0+00 to 16+00: It states that the wall height is not anticipated to exceed 3 feet in height. However, the current plans show the height to exceed 3 feet from Station 3+50 to 7+50 with a peak height of 3.82 feet. Page 21 states retaining wall max 5'.
6. Page 21, Railings: Retaining wall railings within the Town of Yountville must be approved by Town's Zoning and Design Review Board (ZDRB). Consider railings to match railings on the bridge at California Drive/Washington Street.
7. Page 21, Kiosk: The kiosk/rest area must be approved by the Town's ZDRB. Consider rural designs.
8. Page 22, Oak Trees: The oak trees to be removed in Yountville must be approved by the Town Council.
9. Page 22, Signs: The signs in Yountville must be wood wrapped per Town standards.

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10. Page 34, Wetlands Designations: Are the ditches that feed Hinman along Solano Avenue considered wetlands, especially where the Vine Trail will build retaining walls?
11. Page 94, Land Use: The staging area location must be approved by the Town's Planning Director. A 6' construction fence with green screen is typically required.
12. Page 99, Work Hours: Work within the Town of Yountville is restricted to 9am-6pm weekdays with no weekends or holidays, unless approved by the Town Manager. Check for special events before closing traffic lanes.
13. Page 102, Rest Stop and Structure: All uses and structures proposed on the north side of California Drive at Solano Avenue must be approved by Town Council, Parks Commission, Zoning and Design Review Board.
14. Page 111, Utilities: Yountville prohibits the use of potable water for construction purposes. Recycled water is available at the Waste Water Treatment Plant.
15. Page 111, Drinking Fountains: Will a waterline be extended up Solano Avenue for drinking fountains?

If you have any questions, please call me at 707-944-2602.

Sincerely,
TOWN OF YOUNTVILLE

John E Draper

John Draper
RGS Contract Civil Engineer for Town of Yountville

Cc: Steve Rogers, Town Manager (via e-mail)
Joe Tagliaboschi, Public Works Director (via e-mail)
Sandra Smith, Planning Director
Debra Hight,
File

Responses to Letter C
John Draper; Town of Yountville

C-1: Page 5, paragraph 3 of the IS/MND will be revised as follows:

The proposed trail alignment would consist primarily of a 10-foot wide paved path, and 2-foot wide shoulders for a total width of 14 feet. Disturbed areas would extend beyond the edges of the path at a 2:1 maximum slope in order to conform to existing grade and provide minimal alteration of existing drainage conditions. ~~No grading would occur within 5 feet from the established top of bank.~~ Where constrained by property lines, easements or a change in grade such that a built up slope is not feasible, short retaining structures would be built, typically in locations where the east edge of the trail would align horizontally within an existing drainage feature. The proposed trail would cross three (3) separate drainage channels (Yountville Collector, Dry Creek and Salvador Channel). Trees would be removed with mitigated plantings within the project limits.

C-2: No additional staging areas are proposed. If required, the contractor will secure additional staging areas consistent with local standards. No changes to the IS/MND are required.

C-3: Comment acknowledged. This comment does not relate to the adequacy of the CEQA IS/MND; therefore no further response is necessary. The details of the staging area would be submitted for review by the Town of Yountville Planning Director and would comply with the Town's design guidelines.

C-4: Page 6, paragraph 3 of the IS/MND will be revised as follows:

California Drive from Terminus of Yountville Mile to Station 0+00 (California Drive Overpass Area). To accommodate the proposed path, widening of the existing sidewalk and street crossings along California Drive would be conducted to connect the proposed trail to the Yountville Mile. Work in this area would include demolition of the existing curb, gutter, and sidewalk and installation of a new curb, gutter and sidewalk to increase the overall width of the walkway on the north side of California Drive from 10 to 14 feet. New curb ramps would be installed and crosswalks would be restriped, as needed.

Stations 0+00 to 16+00 – California Drive to Southern Limit of Yountville (1,600 feet). ~~To accommodate the proposed 10-foot path, widening of the existing sidewalk and street crossings along California Drive would be conducted to connect the proposed trail to the Yountville Mile.~~ The trail in this segment would require approximately 1,500 feet of retaining wall along its eastern side, parallel to the existing Wine Train right-of-way. The wall is not anticipated to exceed ~~3~~ 5 feet in height. Along the western edge of the trail, a curb is proposed to provide a barrier between automobile and bicycle traffic. Re-striping and additional paving along the western edge of Solano Avenue would be necessary to accommodate the trail and buffer zone. Approximately seven (7) trees of varying species and size would be removed in this segment to accommodate the proposed alignment. The disturbed area for this segment would be approximately 30,400 square feet (sf).

C-5: See Response C-4 above. Page 6, paragraph 3 of the IS/MND will be revised to acknowledge that the retaining wall in this section of the trail would be no greater than 5 feet in height.

C-6: Comment acknowledged. The project, as proposed, would install black railing consistent with the trail segments in Napa County and the City of Napa. It is our understanding that the Town of Yountville (both the Public Works and Planning departments) had reviewed and accepted the black railings. It is preferable for this regional trail to have a uniform design across all jurisdictions. This comment does not relate to the adequacy of the CEQA IS/MND; therefore no changes to the IS/MND are required.

C-7: Comment acknowledged. No kiosks are currently proposed.

C-8: Comment acknowledged. As required under Mitigation Measure BIO-16, removal and replacement of native trees (e.g., oaks) within the Town limits will be done pursuant to Section 12.16.010 of the Town's Municipal Code.

C-9: Comment acknowledged. This comment does not relate to the adequacy of the CEQA IS/MND; therefore no further response is necessary. NCTPA and Riechers Spence, as the project engineer, will work with the Town to comply with local design standards.

C-10: The extent of wetlands under the jurisdiction of the U.S. Army Corps of Engineers is shown on Figures 3A through 3F of the IS/MND along with the proposed project elements. As shown, the U.S. Army Corps of Engineers (Corps) claimed jurisdiction over the northern portion of the Yountville Collector (Yountville Collector A) as "wetlands" rather than "other waters" of the United States due to the presence of emergent wetland vegetation. This area of the Yountville Collector receives the entire flow from Hinman Creek. As shown on Figure 3, no wetland areas are located in the area of proposed retaining walls. Furthermore, all retaining walls will be constructed outside the top-of-bank and no work will be required within the channel.

C-11: See Response to Comment C-3.

C-12: Comment acknowledged. Typical work hours would be 8:00 AM to 5:00 PM, Monday through Friday. The proposed project will request an exception to the Town's work hour limits from the Town Manager to accommodate the construction schedule. This comment does not relate to the adequacy of the CEQA IS/MND. No changes to the IS/MND are required.

C-13: Comment acknowledged. Necessary approvals from the Town Council, Parks Commission, Zoning, and Design Review Board will be obtained for proposed improvements on the north side of California Drive at Solano Avenue within the Town of Yountville.

C-14: Comment acknowledged. No potable water will be used for construction purposes within the Town of Yountville.

C-15: No drinking fountains are proposed as part of the Vine Trail Project. Therefore, a waterline will not be extended up Solano Avenue.

REFERENCES

California Department of Fish and Wildlife (CDFW). 2014. California Natural Diversity Database (CNDDB). Commercial version dated December 9, 2014. Biogeographic Data Branch, Sacramento.

California Native Plant Society (CNPS). 2014. Inventory of Rare and Endangered Plants (online edition, v8-02). California Native Plant Society Rare Plant Program, Sacramento. <http://www.rareplants.cnps.org> (accessed December 30, 2014).

MITIGATION MONITORING AND REPORTING PROGRAM

This Mitigation and Monitoring Reporting Program (MMRP) has been formulated based upon the findings of the Initial Study/Mitigated Negative Declaration (IS/MND) prepared for the proposed Napa Valley Vine Trail Project - Oak Knoll District (proposed project). The purpose of the MMRP is to ensure the implementation of mitigation measures identified as part of the environmental review for the project. The MMRP includes the following information:

- A list of mitigation measures;
- The party responsible for implementing the mitigation measure;
- The timing for implementation of the mitigation measure;
- The agency/city department responsible for monitoring the implementation; and
- The monitoring action and frequency.

The Napa County Transportation and Planning Agency (NCTPA) must adopt this MMRP, or an equally effective program, if it approves the Napa Valley Vine Trail Project – Oak Knoll District with the mitigation measures that were adopted or made conditions of project approval.

Table 1: Mitigation Monitoring and Reporting Program

Mitigation Measures	Implementation Actions	Monitoring/ Reporting Responsibility	Timing Requirements	Verification By/Date
I. AESTHETICS				
There are no significant impacts related to aesthetics.				
II. AGRICULTURAL RESOURCES				
There are no significant impacts related to agricultural resources.				
III. AIR QUALITY				
Mitigation Measure AIR-1: Consistent with guidance from the Bay Area Air Quality Management District, the following controls shall be implemented at the construction site to control construction emissions: • All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. • All haul trucks transporting soil, sand, or other loose material off-site shall be covered. • All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping shall be 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 Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points regarding maximum idling time. • 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	• Include measure as Condition of Approval. • Implementation actions are outline in the mitigation measure.	• NCTPA is responsible for incorporating measure into contract specifications and for ensuring compliance during construction. • The Project Contractor is responsible for implementing this measure.	During construction activities.	

Mitigation Measures	Implementation Actions	Monitoring/ Reporting Responsibility	Timing Requirements	Verification By/Date
proper condition prior to operation. • The contractor shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Napa County Transportation and Planning Agency phone number shall also be visible to ensure compliance with applicable regulations.				
Mitigation Measure BIO-1: Construction activities associated with widening the existing Solano Avenue bridge over Dry Creek shall be limited to the non-migratory period for steelhead (May through October).	• Include measure as Condition of Approval. • Incorporate measure as part of construction specifications.	NCTPA is responsible for incorporating measure into contract specifications and for ensuring compliance during construction. '	Review of construction schedule and confirmation by biologic monitor prior to start of construction.	
Mitigation Measure BIO-2: The NCTPA shall implement the following measures to minimize potential construction-related impacts to western pond turtle: • At least 15 days prior to any ground disturbance, the NCTPA shall submit the names and qualifications of the proposed monitoring biologist(s) to CDFW for review and approval. • The CDFW-approved biologist shall conduct environmental awareness training for all contractors working adjacent to aquatic habitat during project construction. The training shall include a review of environmental laws and avoidance and minimization measures being implemented to reduce or avoid impacts on special-status species, including pond turtles. Training shall also be provided to any new	• Include measure as Condition of Approval. • Incorporate measure as part of construction specifications. • Implementation actions are outlined in the mitigation measure.	• NCTPA is responsible for incorporating measure into contract specifications, for ensuring compliance during construction, and providing notification to CDFW. • A qualified biologist (approved by the CDFW) is responsible for conducting the	• Verification of awareness training prior to construction. • Review of exclusion fencing placement prior to construction and weekly monitoring during the construction period. • Review of preconstruction survey prior to construction.	

Mitigation Measures	Implementation Actions	Monitoring/ Reporting Responsibility	Timing Requirements	Verification By/Date
workers who do not attend the initial training session prior to their beginning work. • Exclusion fencing shall be installed along the upper banks of any drainage channel paralleling the work area (e.g., Yountville and Salvador Collectors) to prevent pond turtles from entering the work area. At the three stream crossings, the fencing will follow the top-of-bank and extend to the railroad tracks. The fencing shall consist of silt fabric (or similar material such as ERTEC E-Fence™) at least 3 feet high. The lower 6 inches of the fabric shall be buried in the ground to prevent animals from crawling under the fence. Orange plastic mesh construction fencing shall be installed around the outside perimeter (i.e., approximately 1 foot outside) of the silt fencing to identify its location (unless orange ERTEC E-Fence™ is used). Fencing shall remain in place and maintained in good condition throughout the construction period. Fence installation shall be conducted under the supervision of the CDFW-approved biologist. • Within 24 hours of any construction adjacent to or within aquatic pond turtle habitat, the CDFW-approved biologist shall survey the work area for pond turtles. If any pond turtles are found in the work area, the biologist shall move them to nearby suitable habitat a minimum of 300 feet upstream or downstream (i.e., whichever is furthest away from current and future construction) of the work area. Pond turtle relocation activities would only be conducted under a CDFW 1602 Streambed Alteration Agreement or project-specific Memorandum of Understanding (MOU) authorizing such relocation activities. The biologist shall maintain detailed records of any individuals that are moved (e.g., size, coloration, any distinguishing features, photos) to assist him or her in determining whether translocated animals are returning to their		training, overseeing fence installation, conducting the survey, relocating individuals, as needed, and weekly monitoring during construction. • The Project Contractor is responsible for implementing this measure during construction.	• Periodic monitoring throughout the construction period.	

Mitigation Measures	Implementation Actions	Monitoring/ Reporting Responsibility	Timing Requirements	Verification By/Date
original point of capture. • After exclusion fencing has been installed, the CDFW-approved biologist will visit the work area(s) on a weekly basis to confirm that the fence is still functional and to document avoidance of aquatic habitat. • Disturbance to existing grades and vegetation shall be limited to the actual work area and necessary access routes. Placement of all staging areas, roads, and other facilities shall avoid and limit disturbance to aquatic habitat. • All construction-related holes shall be covered at the end of each work day to prevent entrapment of pond turtles. • All fueling and maintenance of vehicles and other equipment and staging areas will occur at least fifty (50) feet from any riparian habitat or water body. The NCTPA shall ensure contamination of habitat does not occur during such operations. Prior to the onset of work, the contractor shall provide written documentation that it has prepared a plan to allow a prompt and effective response to any accidental spills. All workers will be informed of the importance of preventing spills and of appropriate measures to take should a spill occur.				
Mitigation Measure BIO-3: The NCTPA shall implement the following measures to minimize construction-related impacts to Swainson's hawk: • In the year of project construction, a qualified biologist shall survey the project area and adjacent lands for nesting Swainson's hawks using a slightly modified protocol adapted from the Swainson's Hawk Technical Advisory Committee's (SHTAC) *Recommended Timing and Methodology for Swainson's Hawk Nesting*	• Include measure as Condition of Approval. • Implementation actions are outlined in the mitigation measure. • Incorporate measure	• NCTPA is responsible for incorporating measure into contract specifications and for ensuring compliance during construction.	• Review of preconstruction survey prior to initiation of construction. • Review of buffer design and implementation, prior to construction	

Mitigation Measures	Implementation Actions	Monitoring/ Reporting Responsibility	Timing Requirements	Verification By/Date
Surveys in California's Central Valley[1]. Although the surveys will cover the entire BSA and immediately adjacent lands, it is not logistically feasible to survey within 0.5 mile of the entire 6-mile trail alignment. Instead, the 0.5-mile search radius will only apply to those areas where removal of large trees (i.e., larger than 24 inches DBH) will occur. Four surveys shall be conducted: one during SHTAC survey period II (March 20 to April 5), two during survey period III (April 5 to April 20), and one during survey period V (June 10 to July 30). If construction is scheduled to commence in April or May, the period V survey may be substituted with an additional survey in period II or III. Survey period dates may be adjusted based on the nesting chronology of previous Swainson's hawk nests in the lower Napa Valley. • If any active Swainson's hawk nests are found in or within 0.25 mile of the work area(s), the biologist shall determine an appropriate sized buffer around the nest in which no work will be allowed until the young have fledged or the nest fails. The size of the buffer shall initially be 0.25 mile as per standard CDFW requirements, but may be reduced to 300 feet if regular (bi-weekly or weekly) nest monitoring by a qualified biologist demonstrates that the nesting pair are not disturbed by construction activities outside the buffer. Given the existing disturbance levels on both sides of the project alignment (i.e., Highway 29 and Solano Avenue traffic, channel and railroad maintenance activities, pedestrians and cyclists along Solano Avenue, four daily passes by Napa Valley Wine Train), it is likely that any Swainson's hawks choosing to nest in the project area would tolerate moderate disturbance	as part of construction specifications.	• A qualified biologist is responsible for conducting surveys, delineating buffer areas, and monitoring buffers during construction.	and throughout the construction period.	

[1] Swainson's Hawk Technical Advisory Committee (SHTAC). 2000. Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley. May 31. http://www.dfg.ca.gov/wildlife/nongame/docs/swain_proto.pdf (accessed September 11, 2013).

Mitigation Measures	Implementation Actions	Monitoring/ Reporting Responsibility	Timing Requirements	Verification By/Date
levels. The buffer may be further reduced to 100 or 200 feet as the nesting period commences since adult hawks are much more tolerant of disturbance once the young have hatched.				
Mitigation Measure BIO-4: If any Swainson's hawks are found nesting in trees proposed for removal during the above-described survey, the NCTPA shall apply for a Fish and Game Code Section 2081 incidental take permit (ITP) from CDFW pursuant to CESA. As part of the ITP application, the NCTPA and/or its representative shall prepare a mitigation plan that identifies compensatory measures for the loss of the nest tree(s), such as replacement via replanting on or off site or protection of known nest trees. The ratio of new trees planted to trees impacted shall be based on up-to-date knowledge of Swainson's hawk habitat use in the Napa Valley as well as the location of proposed mitigation activities.	• Include measure as Condition of Approval. • Implementation actions are outlined in the mitigation measure.	If Swainson's hawks are found nesting, NCTPA is responsible for applying for the ITP, and preparing a mitigation plan.	Review and verification prior to construction.	
Mitigation Measure BIO-5: To the extent feasible, vegetation removal activities shall occur during the non-nesting season (September 1 to January 31). For any construction activities conducted during the nesting season, a qualified biologist shall conduct a preconstruction nest survey of all trees and other suitable nesting habitat in and within 250 feet of the limits of work. The survey shall be conducted no more than 15 days prior to the start of work. If the survey indicates the presence of nesting birds, the biologist shall determine an appropriate sized buffer around the nest in which no work would be allowed until the young have successfully fledged (or the nest has been abandoned). The size of the nest buffer shall be determined by the biologist and shall be based on the nesting species and its sensitivity to disturbance. In general, buffer sizes of up to 250 feet for raptors and 50 feet for other birds should suffice to prevent substantial disturbance to nesting birds, but these buffers may be increased or decreased, as appropriate, depending on the bird species and the level of disturbance	• Include measure as Condition of Approval. • Implementation actions are outlined in the mitigation measure. • Incorporate measure as part of construction specifications.	• NCTPA is responsible for incorporating measure into contract specifications and for ensuring compliance during construction. • A qualified biologist is responsible for conducting surveys, delineating buffer areas, and monitoring buffers during construction.	• Review of preconstruction survey prior to initiation of construction. • Review of buffer design and implementation, once prior to construction and throughout the construction period.	

Mitigation Measures	Implementation Actions	Monitoring/ Reporting Responsibility	Timing Requirements	Verification By/Date
anticipated near the nest.				
Mitigation Measure BIO-6: Work activities shall not occur on or within 100 feet of the Solano Avenue bridge over Dry Creek between sunset and sunrise. Airspace access to the bridge shall remain approximately the same, and bird-exclusion netting shall not be used. No lighting that would illuminate the underside of the bridge shall be used. Combustion equipment, such as generators, pumps, and vehicles are not to be parked, nor operated, under or adjacent to the bridge. Personnel are not to be present under the bridge during the evening or at night	• Include measure as Condition of Approval. • Incorporate measure as part of construction specifications.	• NCTPA is responsible for incorporating measure into contract specifications and for ensuring compliance during construction. • The Project Contractor is responsible for implementing this measure.	During construction activities at the Solano Avenue bridge over Dry Creek.	
Mitigation Measure BIO-7: To compensate for the loss of 0.084 ac of creeping ryegrass turfs, the NCTPA will plant 0.084 ac of replacement grassland (1:1 ratio) elsewhere within the BSA pursuant to Napa County's "no net loss" of sensitive biotic communities policy (General Plan Policy CON-17). Newly planted creeping ryegrass stands will be installed with creeping ryegrass plugs salvaged from impacted stands. The entire replanting effort shall be conducted with approximately 5-inch by 5-inch plugs due to increased likelihood of survival. The creeping ryegrass replanting effort shall be conducted by following a restoration plan prepared by a qualified restoration ecologist familiar with native grassland restoration techniques in California. The plan shall include the following components, at a minimum: • Salvage and/or recovery requirements, including clearly defined goals focusing on plant establishment (stability, succession, reproduction) and non-native species control measures.	• Include measure as Condition of Approval. • Implementation actions are outlined in the mitigation measure.	NCTPA is responsible for implementing this measure.	Upon completion of construction activities.	

Mitigation Measures	Implementation Actions	Monitoring/ Reporting Responsibility	Timing Requirements	Verification By/Date
• Locations and procedures for replanting of salvaged plant material including seeds. • Specification of a three-year post-construction maintenance period (including irrigation when required), and monitoring program by a qualified restoration team to ensure that project goals and performance standards are met. The monitoring program shall include provisions for remedial actions to correct deficiencies, as needed. The NCTPA shall submit annual reports and a final report subject to approval by the County to document the progress of the revegetation effort. If revegetation is not successful, an additional period of correction and monitoring shall be specified.				
Mitigation Measure BIO-8: To prevent construction workers and equipment from entering creeping ryegrass stands, orange plastic construction fencing shall be installed along the edges of the stands so that they are easily visible to workers as Environmentally Sensitive Areas (ESA). The fencing shall be installed under the guidance of a qualified botanist practiced in the identification of creeping ryegrass, native bunchgrasses, and grassland communities.	• Include measure as Condition of Approval. • Incorporate measure as part of construction specifications.	• NCTPA is responsible for incorporating measure into contract specifications and for ensuring compliance during construction. • The Biological Monitor is responsible for overseeing fencing installation. • The Project Contractor is responsible for implementing this measure.	Review and verification prior to and throughout construction activities.	
Mitigation Measure BIO-9: The contractor shall prepare	• Include measure as	• NCTPA is	Review and verification	

Mitigation Measures	Implementation Actions	Monitoring/ Reporting Responsibility	Timing Requirements	Verification By/Date
and implement a Stormwater Pollution Prevention Plan (SWPPP) in accordance with RWQCB guidelines. The SWPPP shall include the following major components, at a minimum: • A comprehensive erosion and sediment control plan, depicting areas to remain undisturbed and providing specifications for revegetation of disturbed areas. • A list of potential pollutants from building materials, chemicals, and maintenance practices to be used during construction and the specific control measures to be implemented to minimize release and transport of these constituents in runoff. • Specifications and designs for the appropriate best management practices (BMPs) (see below) for controlling drainage and treating runoff in the construction phase. • A program for monitoring all control measures that includes schedules for inspection and maintenance and identifies the party responsible for monitoring. • A site map that locates all water quality control measures and all restricted areas to be left undisturbed.	Condition of Approval. • Incorporate measure as part of construction specifications.	responsible for incorporating measure into contract specifications and for ensuring compliance during construction. • The Project Contractor is responsible for implementing this measure.	prior to and throughout construction activities.	
Mitigation Measure BIO-10: BMPs will be implemented as recommended or required by the RWQCB and the County to protect water quality. These measures will include, but are not limited to, the following: (1) a moratorium on grading during a rain event; (2) a requirement that erosion and sediment control measures be installed prior to unseasonable rain storms; (3) prohibiting erosion or sediment control measures within vegetated areas; (4) limiting the extent of disturbed soil to the minimum area that can be protected prior to a forecasted rain event and the minimum area needed to complete the proposed action; (5) delineating and protecting	• Include measure as Condition of Approval. • Incorporate measure as part of construction specifications	• NCTPA is responsible for incorporating measure into contract specifications and for ensuring compliance during construction. • The Project Contractor is	Review and verification prior to and throughout construction activities.	

Mitigation Measures	Implementation Actions	Monitoring/ Reporting Responsibility	Timing Requirements	Verification By/Date
environmentally sensitive areas to prevent construction impacts; (6) installing fiber rolls as appropriate to control sediment and erosion; (7) spill and litter control (e.g., installing temporary impervious debris containment netting to prevent cement and/or debris from falling into Dry Creek during bridge widening work); (8) control of fuels and other hazardous materials; (9) management of temporary sewage facilities to prevent water quality impacts; (10) liquid waste management; and (11) preserving existing vegetation wherever possible.		responsible for implementing this measure.		
Mitigation Measure BIO-11: All jurisdictional areas located adjacent to, but outside of, the construction footprint shall be avoided during construction and no fill shall be allowed to enter these areas. Exclusion fencing shall be installed to mark the limits of the construction footprint. A biological monitor shall oversee the installation of the fencing and monitor the work area on a weekly basis to ensure avoidance of aquatic habitat.	• Include measure as Condition of Approval. • Incorporate measure as part of construction specifications	• NCTPA is responsible for incorporating measure into contract specifications and for ensuring compliance during construction. • The Biological Monitor is responsible for overseeing fencing installation and weekly monitoring during construction. • The Project Contractor is responsible for implementing this measure.	Review and verification prior to and during construction activities	
Mitigation Measure BIO-12: During project construction, no soil or other construction materials shall be stored in or allowed to enter the drainage channels or Dry Creek. All	• Include measure as Condition of	• NCTPA is responsible for incorporating	Ongoing during construction activities	

Mitigation Measures	Implementation Actions	Monitoring/ Reporting Responsibility	Timing Requirements	Verification By/Date
stockpiled fill and other materials shall be kept at least 50 feet from the channel edges.	Approval. • Incorporate measure as part of construction specifications	measure into contract specifications and for ensuring compliance during construction. • The Project Contractor is responsible for implementing this measure.		
Mitigation Measure BIO-13: Prior to removing any street trees, the NCTPA shall complete and submit a Street Tree Pruning and Removal Application to the City of Napa Parks & Recreation Services Department. Approval of tree removals requires the replanting of new trees within six (6) months of the removal. The new trees shall be selected by the NCTPA from the City's Master Street Tree list and planted to City specifications.	• Include measure as Condition of Approval. • Implementation actions are outlined in the mitigation measure	• NCTPA is responsible for submitting a permit application and replanting new trees as required. • The City of Napa Parks and Recreation Services Department is responsible for approving the application and ensuring appropriate replanting is conducted.	Review and verification prior to tree removal	
Mitigation Measure BIO-14: The trail has been designed to avoid protected native trees as much as possible, with large valley oaks given the highest priority for protection. The project shall implement all tree protection specifications recommended by the consulting arborist and shall be included on all construction plans. These tree protection specifications include:	• Include measure as Condition of Approval. • Incorporate measure as part of construction specifications	• NCTPA is responsible for incorporating measure into contract specifications . • The Contractor is responsible for	During construction	

Mitigation Measures	Implementation Actions	Monitoring/ Reporting Responsibility	Timing Requirements	Verification By/Date
• The general contractor and grading contractor are required to meet with the project consulting arborist at the site prior to beginning work to review all work procedures, access routes and tree protection measures. • The boundaries of all tree protection zones (TPZs) shall be staked in the field. • Trees to be removed that have branches extending into canopies of trees to remain must be removed by a qualified arborist, not by demolition or construction contractors. • Any necessary brush clearing within TPZs shall be accomplished with hand-operated equipment. • Trees removals shall be performed so as to prevent damage to branches, trunks and roots of protected trees. • Trees to be removed from within a TPZ shall be removed by a qualified arborist. Stumps shall be cut low as possible. If stump grinding is preferred by the owner or contractor, grinding shall not be deep enough to damage woody roots of adjacent protected trees. • All downed brush and trees shall be removed from TPZs either by hand or with equipment sitting outside the TPZ, by lifting the material out, not by skidding across the ground. • Chipped brush and wood from removed trees or pruning may be placed in TPZs up to 6 inches deep and not piled against tree trunks. • Roots or other underground features to be removed where a TPZ would be disturbed shall be done so as to minimize disturbance. Equipment shall operate from outside the TPZ. The project consulting arborist shall be on site during all operations within the TPZ to		implementing the tree protection measures identified in the arborist report and summarized in this measure. • Consulting arborist is responsible for periodic site visits during construction to ensure that tree protection measures are being implemented.		

Mitigation Measures	Implementation Actions	Monitoring/ Reporting Responsibility	Timing Requirements	Verification By/Date
monitor activity. • Any pruning required for site preparation shall be performed by a qualified arborist and in accordance with current professional standards.[2] • A 4 foot 'HiVis'[3] or comparable barrier fence, affixed with locking zip-ties to steel T posts shall be erected to fully enclose TPZs, or partially enclose them as indicated on *Grading and Drainage Plan: Tree Protection Specifications.* • Any tree damage resulting from grading or other site preparation work shall be reported to the project consulting arborist within 6 hours so that remedial action can be taken. Timeliness is critical. • If temporary access pathways for vehicles must pass over TPZs, a bed of 6 inches of coarse wood chip mulch shall be installed to protect the soil and roots. If the soil is wet or heavy vehicles are needed, the project consulting arborist may require placement of protective geogrid[4] under the mulch. • The general contractor and subcontractors are required to meet on site with the project consulting arborist to review all work procedures, access routes, storage areas and tree protection measures. • Tree protection fences erected before site grading shall remain in place throughout the construction phase and may not be relocated, detached or removed without written permission of the project consulting arborist. • Construction trailers, traffic, parking and storage areas				

[2] Pruning standards set forth in ANSI A300 Part 1-2008, *Pruning* and ISA Best Management Practices *Tree Pruning* 2008.
[3] Orange, plastic mesh barrier fencing, Forestry Suppliers Inc.
[4] Geogrid: plastic mesh such as Tensar TriAx TX 160 Geogrid

Mitigation Measures	Implementation Actions	Monitoring/ Reporting Responsibility	Timing Requirements	Verification By/Date
must remain outside of fenced areas at all times. • All underground utilities and drainage or irrigation lines shall be routed outside the TPZs. If lines must traverse a TPZ they shall be tunneled or bored under trees. If tunneling or boring is not feasible, alternative methods may be used with consultation and approval by the project arborist. • No materials, equipment, spoil or waste or washout water may be deposited, stored, or parked within a TPZ. • Additional tree pruning required for clearance during construction must be performed by a qualified arborist and not by construction personnel. • Any herbicides or soil stabilization chemicals placed under paving or roadways must be safe for use around trees and labeled for that use. Hydrated lime shall not be used for road base stabilization within 50 feet of trees. Any pesticides used on site must be tree-safe and not easily transported by water. • If injury should occur to any tree during construction, it should be evaluated as soon as possible by the project consulting arborist so that appropriate treatments can be applied in a timely fashion. Tagged tree numbers should be specified. • Any grading, trenching, construction, demolition or other work that is expected to encounter tree roots must be monitored by the project consulting arborist. Tagged tree numbers should be specified. • The project consulting arborist may require the general contractor to apply supplementary irrigation for protected trees that have received root damage in the course of grading or construction work.				

Mitigation Measures	Implementation Actions	Monitoring/ Reporting Responsibility	Timing Requirements	Verification By/Date
• Erosion control devices shall be installed to prevent siltation and erosion within TPZs where deemed necessary by the project consulting arborist. • Before grading, pad preparation, or excavation for foundations, footings, walls, or trenching, any tree with a TPZ within or adjacent to such a location shall be evaluated by the project consulting arborist and contractor in order to establish a plan that will prevent or minimize tree damage. Such plans may include manual or pneumatic excavation[5] to expose and evaluate roots, alternative construction techniques, root pruning supervised by the project arborist. • Any woody roots damaged during grading and construction shall be exposed back to sound tissue by the contractor and evaluated by the project consulting arborist for further action, which might include cleanly severing damaged roots back to tight cambium or excising damaged bark. • If temporary access pathways for vehicles must pass over a TPZ, a bed of 6 inches of coarse wood chip mulch shall be installed to protect the soil and roots. If the soil is wet or heavy vehicles are needed, the arborist may require placement of protective geogrid under the mulch. • Spoil from trenches or other excavations shall not be placed within TPZs. • No burn piles, debris, garbage or other waste materials shall be placed within TPZs. • Maintain fire-safety around trees. No heat sources, flame, ignition sources or smoking is allowed near				

[5] Pneumatic excavation: Air Spade or Air Knife, requiring a trailer mounted air compressor.

Mitigation Measures	Implementation Actions	Monitoring/ Reporting Responsibility	Timing Requirements	Verification By/Date
mulch piles or trees. To prevent spontaneous combustion, fresh wood and brush chip piles shall not exceed 3 feet in height and 6 feet in width. • Where construction of the Vine Trail is necessary within TPZs, grade cuts should not exceed 6 inches in depth. • Where roots interfere with grade cuts or construction, roots up to 4 inches in diameter may be cleanly severed with a sharp saw. Resulting disconnected roots and other woody debris shall be removed from the excavation. • Where roots over 4 inches in diameter interfere with grading within a TPZ every effort shall be made to preserve them. Options may include carefully removing the soil above and around them and backfilling with road base gravel. • Removal of any oaks infected by the Sudden Oak Death pathogen *Phytophthora ramorum* shall follow the California Oak Mortality Task Force's *Sudden Oak Death Guidelines for Arborists*, including limiting the disposal of infested material to within Napa County.				
Mitigation Measure BIO-15: To compensate for the removal of oak trees in unincorporated Napa County, the NCTPA shall replace any removed trees with two in-kind replacement oak plantings elsewhere in the project area for every tree removed (i.e., 2:1 mitigation ratio), consistent with Policy CON-24 of the Napa County General Plan.	• Include measure as Condition of Approval. • Implementation actions are outlined in the mitigation measure	• NCTPA is responsible for replacing removed trees at a 2:1 ratio.	Upon completion of construction activities.	
Mitigation Measure BIO-16: Prior to removing the native trees from within Town limits, the NCTPA shall apply to the Town Planning Officer for a tree permit pursuant to Section 12.16.010 of the municipal code. Replacement plantings	• Include measure as Condition of Approval. • Implementation	• NCTPA is responsible for submitting a permit application and	Review and verification prior to tree removal	

Mitigation Measures	Implementation Actions	Monitoring/ Reporting Responsibility	Timing Requirements	Verification By/Date
(one for each removed tree) shall be selected from the Town's Master Tree List.	actions are outlined in the mitigation measure	replanting new trees as required. • The Town of Yountville Planning Officer is responsible for approving the application and ensuring appropriate replanting is conducted.		
V. CULTURAL RESOURCES				
Mitigation Measure CULT-1: A qualified professional archaeologist shall monitor the spoils produced during augering at Dry Creek and all ground-disturbing activities at the location identified by the Mishewal-Wappo tribe as "Ka'lmus" within 250 feet of Vineyward View Drive. The monitoring shall continue until the pile augering is complete, grading and excavation at the location of "Ka'lmus" is complete, or until the monitoring archaeologist, based on field observations, is satisfied that there is no likelihood of encountering intact archaeological deposits. If prehistoric or historic-period archaeological deposits are identified during the monitoring, or during construction in portions of the project site *not* being monitored, project-related impacts to such resources shall be avoided, if feasible. An attempt at impact avoidance shall be undertaken in consultation with the monitoring archaeologist, or an archaeologist shall be retained to provide recommendations if the discovery is made in the non-monitored portions of the project site. If avoidance is not feasible, the deposits shall be evaluated for their CRHR eligibility. If the deposits are not eligible, a determination shall be made as to whether they qualify as a "unique archaeological resource" under	• Include measure as Condition of Approval. • Incorporate measure as part of construction specifications.	• NCTPA is responsible for incorporating measure into contract specifications and for ensuring compliance during construction. • A qualified archaeologist is responsible for monitoring during construction activities. • The Project Contractor is responsible for coordinating and cooperating with the project archaeologist during monitoring,	• Prior to and during construction activities. •	

Mitigation Measures	Implementation Actions	Monitoring/ Reporting Responsibility	Timing Requirements	Verification By/Date
requirements and definitions of *CEQA Guidelines* §15064.5 (c) and PRC §21083.2. If the evaluation determines that the deposit is neither a historical nor unique archaeological resource, the avoidance of potential impacts to the deposit is not necessary. If the deposit is eligible, impacts to the resource shall be mitigated. Mitigation may consist of excavating the archaeological deposit in accordance with a data recovery plan (see *CEQA Guidelines* §15126.4(b)(3)(C)) developed in consultation with descendant community representatives; recording the resource; preparing a report of findings; and accessioning recovered archaeological materials at an appropriate curation facility. Public educational outreach may also be appropriate. Upon completion of the evaluation and, if necessary, mitigation, the archaeologist shall prepare a draft report to document the methods and results of the investigation(s). The draft report shall be submitted to the Napa County Transportation and Planning Agency, the descendant community involved in the investigation(s), and the Northwest Information Center.		worker training, and any stop-work orders if resources are discovered.		
Mitigation Measure CULT-2: Should paleontological resources be encountered during project subsurface construction activities, all ground-disturbing activities within 25 feet shall be redirected and a qualified paleontologist contacted to assess the situation, consult with Napa County Transportation and Planning Agency representatives, and make recommendations for the treatment of the discovery. If the find is determined to be significant, and project activities cannot avoid impacting the resource, the impact to the resource shall be mitigated in accordance with the recommendations of the consulting paleontologist. Mitigation may include monitoring, recording the fossil locality, data recovery and analysis, a final report, and accessioning the fossil material and technical report to a paleontological repository. Public	• Include measure as Condition of Approval. • Implementation actions are outlined in the mitigation measure.	• NCTPA is responsible for incorporating measure into contract specifications and for ensuring compliance during construction. • A qualified paleontologist is responsible for evaluating any resources found	During construction activities.	

Mitigation Measures	Implementation Actions	Monitoring/ Reporting Responsibility	Timing Requirements	Verification By/Date
educational outreach may also be appropriate. Upon completion of the assessment, a report documenting methods, findings, and recommendations of the investigation shall be prepared and submitted to the Napa County Transportation and Planning Agency, and, if paleontological materials are recovered, a paleontological repository, such as the University of California Museum of Paleontology.		inadvertently during construction; and identifying appropriate mitigation measures. • The Contractor is responsible for coordinating and cooperating with the paleontologist and during any stop-work orders if resources are discovered.		
Mitigation Measure CULT-3: If human remains are encountered during project construction, work within 25 feet of the discovery shall be redirected and the Napa County Coroner notified immediately. At the same time, the archaeologist who served as monitor or consulting archaeologist during the implementation of Mitigation Measure CULT-1 shall be contacted to assess the situation, in consultation with the descendant community also involved with the pre-construction testing, as well as the Coroner's representative. Project personnel shall not collect or move any human remains and associated materials. If the human remains are of Native American origin, the Coroner shall notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Most Likely Descendant (MLD), which will likely be the representative of the descendant community already involved, to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods. Upon completion of the assessment, the archaeologist shall prepare a report documenting the investigation's methods and results, and provide recommendations for the treatment	• Include measure as Condition of Approval. • Implementation actions are outlined in the mitigation measure.	NCTPA is responsible for incorporating measure into contract specifications and for ensuring compliance during construction.	During construction activities.	

Mitigation Measures	Implementation Actions	Monitoring/ Reporting Responsibility	Timing Requirements	Verification By/Date
of the human remains and any associated cultural materials, as appropriate and in coordination with the recommendations of the MLD. The draft report shall be submitted to the Napa County Transportation and Planning Agency, the descendant community involved in the treatment of the resources, and the Northwest Information Center.				
VI. GEOLOGY AND SOILS				
There are no significant impacts related to geology and soils.				
VII. GREENHOUSE GAS EMISSIONS				
There are no significant impacts related to greenhouse gas emissions.				
VIII. HAZARDS				
Mitigation Measure HAZ-1: Prior to construction, a Preliminary Site Investigation (PSI) shall be performed to investigate hazardous materials concerns. The PSI shall be conducted by a California Professional Geologist and/or a California Professional Civil Engineer with experience in contaminated site investigation. A workplan for the PSI shall be submitted to the NCTPA for review and approval. General areas and contaminants of concerns to be included in the PSI include: • **Soil Investigation.** Soil samples shall be collected from proposed construction areas as summarized below. Soil analytical results should be screened against the Regional Water Quality Control Board's (2013) Environmental Screening Levels (ESLs) to determine appropriate actions to ensure the protection of construction workers and shall also be screened against hazardous waste thresholds to determine soil management options. • **Railroad-Related Sampling.** Representative samples of shallow soils shall be collected from locations within the project corridor nearest the railroad tracks and analyzed for Title 22 metals, polynuclear aromatic hydrocarbons, and chlorinated herbicides. It is	• Include measure as Condition of Approval. • Implementation actions are outlined in the mitigation measure.	• NCTPA is responsible for contracting with the appropriate entity to prepare the PSI, and for review and approval of the PSI. • A California Professional Geologist and/or a California Professional Civil Engineer is responsible for preparing the PSI.	Prior to construction activities.	

Mitigation Measures	Implementation Actions	Monitoring/ Reporting Responsibility	Timing Requirements	Verification By/Date
anticipated that 4 to 8 discrete samples, from the locations nearest the railroad tracks, would be sufficient to determine if contaminants from the railroad tracks have migrated and affected shallow soils within the project corridor. • **Residual Pesticides.** Representative samples of shallow soils shall be collected from within the project corridor and analyzed for arsenic, chlorinated herbicides, and organochlorine pesticides. It is anticipated that 4 to 8 composite samples, selected from areas along the entire alignment, would be sufficient to determine if pesticides may be a potential concern along the project corridor. • **Drainage Channels.** Representative samples of sediments shall be collected from the drainage channel near Wine Country Avenue in Napa proposed to be replaced by the project. Sediments should be analyzed for Title 22 metals. Given the limited area, one composite sample will be sufficient to characterize metals in sediment. • **Groundwater Investigation.** If groundwater is proposed to be dewatered as part of bridge construction, groundwater samples shall be collected at the excavation points associated with the installation of the bridges over the unnamed drainage channels. Groundwater samples should be analyzed for petroleum hydrocarbons and volatile organic compounds. Groundwater analytical results should be screened against applicable limits to determine dewatered groundwater management options and potential health and safety measures for construction workers who may have direct contact with dewatered groundwater. If no dewatering is proposed, no groundwater investigation is warranted.				

Mitigation Measures	Implementation Actions	Monitoring/ Reporting Responsibility	Timing Requirements	Verification By/Date
• **Hazardous Materials Management and Disposal.** Based on the findings of the PSI, special soil and groundwater management and disposal procedures for hazardous materials may need to be implemented, as well as construction worker health and safety measures during construction. Recommendations for any special management and disposal procedures should be included in the PSI.				
Mitigation Measure HAZ-2: If contamination is identified as a result of the PSI, the contractor shall prepare and implement a project-specific Construction Risk Management Plan (CRMP) to protect construction workers, the general public, and the environment from subsurface hazardous materials during construction. The CRMP shall characterize the soil, delineate areas of known soil contamination, and identify soil (and groundwater, if encountered) management options for excavated soil and dewatered groundwater (if applicable), in compliance with local, state, and federal statutes and regulations. The CRMP shall: 1) provide procedures for evaluating, handling, storing, testing, and disposing of soil and groundwater during project excavation activities; 2) require the preparation of a project-specific Health and Safety Plan that identifies hazardous materials present, if any, describes required health and safety provisions and training for all workers potentially exposed to hazardous materials in accordance with state and federal worker safety regulations, and designates the personnel responsible for Health and Safety Plan implementation. The CRMP shall be submitted to the NCTPA for review and approval prior to construction activities. Once approved the CRMP shall be implemented during construction of the proposed project.	• Include measure as Condition of Approval. • Implementation actions are outlined in the mitigation measure.	• NCTPA is responsible for incorporating measure into contract specifications and for ensuring compliance during construction. • The Project Contractor is responsible for implementing this measure.	Prior to and during construction activities.	
IX. HYDROLOGY AND WATER QUALITY				
There are no significant impacts related to hydrology and water quality.				
X. LAND USE AND PLANNING				

Mitigation Measures	Implementation Actions	Monitoring/ Reporting Responsibility	Timing Requirements	Verification By/Date
There are no significant impacts related to land use and planning.				
XI. MINERAL RESOURCES				
There are no significant impacts related to mineral resources.				
XII. NOISE				
Mitigation Measure NOISE-1: The following multipart measure shall be implemented to reduce construction noise impacts to a less-than-significant level: • All equipment shall have sound-control devices that are no less effective than those provided on the original equipment. No equipment shall have an unmuffled exhaust. • All equipment shall be properly maintained and operated. • The contractor shall implement appropriate additional measures to reduce noise when adjacent to receptor locations including but not limited to, changing the location of stationary construction equipment, using temporary noise barriers, and placing noise blankets around pile drivers. • The contractor shall notify adjacent residents in advance of construction of the work hours and scheduled work. • The construction contractor's specifications shall stipulate that noise-generating construction activity between the hours of 6:00 p.m. and 7:30 a.m. daily, or at any time on Sunday or a legal holiday shall not be allowed except when permitted by the governing Planning Director for an extreme situation. • A Noise Control Plan shall be required of the construction contractor. The Plan would describe abatement measures to be utilized to comply with the noise regulations. The Plan shall also include a noise monitoring program to be implemented by the	• Include measure as Condition of Approval. • Implementation actions are outlined in the mitigation measure.	• NCTPA is responsible for incorporating measure into contract specifications and for ensuring compliance during construction. • The Project Contractor is responsible for implementing this measure.	Prior to and during construction activities.	

Mitigation Measures	Implementation Actions	Monitoring/ Reporting Responsibility	Timing Requirements	Verification By/Date
construction contractor. Special attention shall be given to minimizing noise effects near sensitive receptors.				
XIII. POPULATION AND HOUSING				
There are no significant impacts related to population and housing.				
XIV. PUBLIC SERVICES				
There are no significant impacts related to public services.				
XV. RECREATION				
There are no significant impacts related to recreation.				
XVI. TRANSPORATION/TRAFFIC				
There are no significant impacts related to transportation/traffic.				
XVII. UTILITIES AND SERVICE SYSTEMS				
There are no significant impacts related to utilities and service systems.				

EXHIBIT "C"

NEPA/CEQA RE-VALIDATION FORM

DIST./CO./RTE.	04/NAP/00 NCTPA
PM/PM	
E.A. or Fed-Aid Project No.	CML 6429 (008)
Other Project No. (specify)	
PROJECT TITLE	Napa Valley Vine Trail, Design and Construction of Individual Segments
ENVIRONMENTAL APPROVAL TYPE	CE under 23 CFR 771.117 (c)(3)
DATE APPROVED	06/30/14
REASON FOR CONSULTATION (23 CFR 771.129)	*Check reason for consultation:* ☐ *Project proceeding to next major federal approval* ☒ *Change in scope, setting, effects, mitigation measures, requirements* ☐ *3-year timeline (EIS only)* ☐ ***NA** (Re-Validation for CEQA only)*
DESCRIPTION OF CHANGED CONDITIONS	*Briefly describe the changed conditions or new information on page 2. Append continuation sheet(s) as necessary. Include a revised Environmental Commitments Record (ECR) when applicable.*

NEPA CONCLUSION - VALIDITY

Based on an examination of the changed conditions and supporting information: [*Check ONE of the three statements below, regarding the validity of the original document/determination (23 CFR 771.129). If document is no longer valid, indicate whether additional public review is warranted and whether the type of environmental document will be elevated.*]

☐ **The original environmental document or CE remains valid. No further documentation will be prepared.**

☒ **The original environmental document or CE is in need of updating; further documentation has been prepared and ☒ is included on the continuation sheet(s) or ☐ is attached. With this additional documentation, the original ED or CE remains valid.**

Additional public review is warranted (23 CFR 771.111(h)(3)) Yes ☐ No ☒

☐ **The original document or CE is no longer valid.**

Additional public review is warranted (23 CFR 771.111(h)(3)) Yes ☐ No ☐

Supplemental environmental document is needed. Yes ☐ No ☐

New environmental document is needed. Yes ☐ No ☐ (If "Yes," specify type: _____)

CONCURRENCE WITH NEPA CONCLUSION

I concur with the NEPA conclusion above.

B. Dennell	8/19/14	[signature]	8/19/14
Signature: Environmental Branch Chief	Date	Signature: Project Manager/DLAE	Date

CEQA CONCLUSION : *(Only mandated for projects on the State Highway System.)*

Based on an examination of the changed conditions and supporting information, the following conclusion has been reached regarding appropriate CEQA documentation: *(Check ONE of the five statements below, indicating whether any additional documentation will be prepared, and if so, what kind. If additional documentation is prepared, attach a copy of this signed form and any continuation sheets.)*

☐ **Original document remains valid. No further documentation is necessary.**

☐ **Only minor technical changes or additions to the previous document are necessary. An addendum has been or will be ☐ prepared and is ☐ included on the continuation sheets or ☐ will be attached. It need not be circulated for public review. *(CEQA Guidelines, §15164)***

☐ **Changes are substantial, but only minor additions or changes are necessary to make the previous document adequate. A Supplemental environmental document will be prepared, and it will be circulated for public review. *(CEQA Guidelines, §15163)***

☐ **Changes are substantial, and major revisions to the current document are necessary. A Subsequent environmental document will be prepared, and it will be circulated for public review. *(CEQA Guidelines, §15162)*** *(Specify type of subsequent document, e.g., Subsequent FEIR:)*

☐ **The CE is no longer valid. New CE is needed. Yes ☐ No ☐**

CONCURRENCE WITH CEQA CONCLUSION

I concur with the CEQA conclusion above.

Signature: Environmental Branch Chief	Date	Signature: Project Manager	Date

CONTINUATION SHEET(S)

Address only substantial changes or substantial new information since approval of the original document and only those areas that are applicable. Use the list below as section headings as they apply to the project change(s). Use as much or as little space as needed to adequately address the project change(s) and the associated impacts, minimization, avoidance and/or mitigation measures, if any.

Changes in project design, e.g., substantial scope change; a new alternative; change in project alignment

Expected temporary change in project alignment as more time is needed to secure right of way. The proposed CL I alignment will be altered to an existing Cl II facility on Solano Avenue which is approximately 40 feet westerly of the original CL I alignment. The alternate route leaves the CL I alignment from the north side of Trower Avenue and returns to the CL I alignment on the north side of Salvador Avenue. Pedestrian and bicycle signage will be installed for safety and directional purposes per current CAMUTCD standards. As part of the project and under an existing Caltrans encroachment permit application, modifications will be made for ped and bike to the existing traffic signal at Trower Avenue at Solano Avenue, and the permit also covers the installation of a new traffic signal with ped and bike improvements at Salvador Avenue at Solano Avenue. There are no other changes in scope. Schematic is included.

Changes in environmental setting, e.g., new development affecting traffic or air quality;

There is no change.

Changes In envIronmental cIrcumstances, e.g., a new law or regulation; change in the status of a listed species.

There is no change.

Changes to environmental impacts of the project, e.g., a new type of impact, or a change in the magnitude of an existing impact.

There is no change.

Changes to avoidance, minimization, and/or mitigation measures since the environmental document was approved.

There is no change.

Changes to environmental commitments since the environmental document was approved, e.g., the addition of new conditions in permits or approvals. When this applies, append a revised Environmental Commitments Record (ECR) as one of the Continuation Sheets.

There is no change

Signature

08/11/14
Date

Herb Fredricksen, PE
Printed Name

Napa Valley Vine Trail, CML 6429(008) Alternative Alignment
Proposed existing CL II alternative route
Original alignment
1. Letter of Intent to Convey provided 8/7/14
2. Discussions underway
3. Discusions underway, owner out of the country
4. Conveyance being drafted
Original Alignment
St Helena Hwy
Linda Vista Ave
Wine Country Ave
Trower Ave
Kennedy Ave
Napa Community Garden
Kennedy Park
Las Flores Park

Meyer, Donna@DOT

From: Zogg, Maureen@DOT
Sent: Friday, August 15, 2014 10:50 AM
To: Meyer, Donna@DOT
Cc: Deunert, Boris@DOT
Subject: Re: CML 6429 (008) Napa Valley Vine Trail revalidation

Donna,

The temporary change in project alignment, due to added time needed to secure right-of-way, will not pose an additional threat to cultural resources and the screening memo of May 20, 2013 is still valid.

Thanks,
Maureen

Maureen Zogg, Associate Environmental Planner—Archaeology
Office of Local Assistance, Caltrans District 4
510-622-8767

Meyer, Donna@DOT

From: Fredricksen, Herb [HFredricksen@nctpa.net]
Sent: Friday, August 15, 2014 1:00 PM
To: Meyer, Donna@DOT
Cc: Jeremy Sill; Ian Heid
Subject: RE: CML 6429 (008): Napa Vine Trail Revalidation

Hi Donna,

We have an active encroachment permit with Caltrans to make improvements to the existing Trower/Solano signal and also install new signals at Wine Country/Solano and Salvador/Solano. W-Trans is our traffic engineering consultant. The permit is due to anticipated additional ped/bike activity from the project. Due to proximity to SR29 the signals work together for traffic movements. I don't expect any significant negative impact to traffic movement. But we are expecting a positive impact for safety because the two intersections where new signal are going in have relatively high accident rates and the City is happy that the project will be installing them. At Trower there currently is ped activation but no bike detection and peds only have two legs of the intersection for crossing. So we expect an insignificant impact to traffic movement and a substantial positive impact for safety.

Please let me know if you need additional information.
Thank you
Herb

Herb Fredricksen, P.E.

Napa County Transportation and Planning Agency
Napa Valley Transportation Authority
625 Burnell Street
Napa, CA 94559
Phone: 707-259-5951/Mobile: 707-812-0079
www.nctpa.net

From: Meyer, Donna@DOT [mailto:donna.meyer@dot.ca.gov]
Sent: Friday, August 15, 2014 10:59 AM
To: Fredricksen, Herb
Subject: CML 6429 (008): Napa Vine Trail Revalidation

Hi Herb,
I am working on the revalidation for your proposed project. I need to know what potential impacts, if any may occur, to traffic pattern or flow at Trower and Solano with modifications to the existing signal.

Thanks,
Donna

Donna M. Meyer, CEM/HPS
Associate Environmental Planner

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION
OFFICE OF THE DIRECTOR
P.O. BOX 942873, MS–49
SACRAMENTO, CA 94273–0001
PHONE (916) 654-5266
FAX (916) 654-6608
TTY 711
www.dot.ca.gov

RECIEVED
JUL - 1 2014
NCTPA

Serious Drought.
Help save water!

June 30, 2014

04-NAP-0-NCTPA
CML-6429(008)
Napa Valley Vine Trail

Diana C. Meehan
Assistant Program Planner/Administrator
Napa County Tansportation & Planning Agency
625 Burnell St, Napa CA 94559

Dear Ms. Meehan:

This will confirm that your environmental documents have been reviewed and approved in conformance with the National Environmental Policy Act (NEPA). Copies of the signed documents are attached.

With this environmental clearance, you may now proceed with final design activities and preparation of right of way documents as necessary. You are reminded that if Federal participation is desired for the right of way and utility relocation phases, you must request and receive a separate "Authorization to Proceed" for right of way before advancing with the property appraisal and acquisition, or utility relocation work.

If you have any questions, please contact me at 510-622-5929 or xi.zhang@dot.ca.gov.

Sincerely,

Xi Zhang, P.E.
Sr. Transportation Engineer
Office of Local Assistance

Enclosure

CATEGORICAL EXEMPTION/CATEGORICAL EXCLUSION DETERMINATION FORM
NAPA VALLEY VINE TRAIL DESIGN AND CONSTRUCTION
OAK KNOLL DISTRICT SEGMENT

04-NAP-0-NCTPA
Dist.-Co.-Rte. (or Local Agency) P.M./P.M. E.A/Project No.

CML-6429 (008)
Federal-Aid Project No. (Local Project)/Project No.

PROJECT DESCRIPTION: (Briefly describe project including need, purpose, location, limits, right-of-way requirements, and activities involved in this box. *Use Continuation Sheet, if necessary.)*

The proposed Oak Knoll District Segment, a part of the Napa Valley Vine Trail, involves the design and construction of a 6-mile Class I bicycle/pedestrian path within the public right-of-way from the southerly end south of Redwood Road in the City of Napa to the Town of Yountville. The project footprint consists of a 10-foot wide asphalt concrete paved path and 2-foot wide shoulders. Three prefabricated truss bridges will be constructed spanning two manmade drainage channels and Dry Creek. Associated work will include the installation of ADA-compliant curb ramps, stop signs, fencing, pavement marking, and pile driving. The majority of the work will not extend beyond a depth of one and a half feet however piles will be driven to a depth of 30 feet.

CEQA COMPLIANCE *(for State Projects only)*

Based on an examination of this proposal and supporting information, the following statements are true and exceptions do not apply (See 14 CCR 15300 et seq.):

- If this project falls within exempt class 3, 4, 5, 6 or 11, it does not impact an environmental resource of hazardous or critical concern where designated, precisely mapped and officially adopted pursuant to law.
- There will not be a significant cumulative effect by this project and successive projects of the same type in the same place, over time.
- There is not a reasonable possibility that the project will have a significant effect on the environment due to unusual circumstances.
- This project does not damage a scenic resource within an officially designated state scenic highway.
- This project is not located on a site included on any list compiled pursuant to Govt. Code § 65962.5 ("Cortese List").
- This project does not cause a substantial adverse change in the significance of a historical resource.

CALTRANS CEQA DETERMINATION (Check one)

☐ **Exempt by Statute.** (PRC 21080[b]; 14 CCR 15260 et seq.)

Based on an examination of this proposal, supporting information, and the above statements, the project is:

☐ **Categorically Exempt. Class** . (PRC 21084; 14 CCR 15300 et seq.)

☐ **Categorically Exempt. General Rule exemption.** [This project does not fall within an exempt class, but it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment (CCR 15061[b][3].)

Print Name: Environmental Branch Chief — Print Name: Project Manager/DLA Engineer

Signature — Date — Signature — Date

NEPA COMPLIANCE

In accordance with 23 CFR 771.117, and based on an examination of this proposal and supporting information, the State has determined that this project:

- does not individually or cumulatively have a significant impact on the environment as defined by NEPA and is excluded from the requirements to prepare an Environmental Assessment (EA) or Environmental Impact Statement (EIS), and
- has considered unusual circumstances pursuant to 23 CFR 771.117(b).

CALTRANS NEPA DETERMINATION (Check one)

☒ **23 USC 326:** The State has determined that this project has no significant impacts on the environment as defined by NEPA, and that there are no unusual circumstances as described in 23 CFR 771.117(b). As such, the project is categorically excluded from the requirements to prepare an environmental assessment or environmental impact statement under the National Environmental Policy Act. The State has been assigned, and hereby certifies that it has carried out the responsibility to make this determination pursuant to Chapter 3 of Title 23, United States Code, Section 326 and a Memorandum of Understanding dated June 07, 2013, executed between the FHWA and the State. The State has determined that the project is a Categorical Exclusion under:

- ☒ **23 CFR 771.117(c): activity (c)(_3__)**
- ☐ **23 CFR 771.117(d): activity (d)(___)**
- ☐ **Activity ___ listed in Appendix A of the MOU between FHWA and the State**

☐ **23 USC 327:** Based on an examination of this proposal and supporting information, the State has determined that the project is a CE under 23 USC 327.

BORIS DEUNERT — Chien S. Wu

Print Name: Environmental Branch Chief — Print Name: Project Manager/DLA Engineer

B. Deunert — 6/30/14 — 6/30/14

Signature — Date — Signature — Date

Date of Categorical Exclusion Checklist completion: 6/27/14 — Date of ECR or equivalent : 6/27/14

Briefly list environmental commitments on continuation sheet. Reference additional information, as appropriate (e.g., CE checklist, additional studies and design conditions).

Local Assistance NEPA Permits & Environmental Commitment Record

June 27, 2014

Project Name	**Oak Knoll District Segment – Napa Valley Vine Trail**	**Name of Local Agency**	Napa County Transportation & Planning Agency (NCTPA)
Federal Aid Number	**CML-6429 (008)**	**Local Agency Contact and Phone**	Herb Fredricksen, (707) 259-5951

Project Description

Design and Construction of a 6-mile Class 1 Bicycle/pedestrian asphalt concrete path in the public right-of-way from the southerly end south of Redwood Road, City of Napa to the Town of Yountville. Project footprint consists of 10 foot wide path and 2 foot shoulders. Three prefabricated truss bridges will be constructed spanning two manmade channels and Dry Creek. Additional work includes installation of ADA-compliant curb ramps, stop signs, fencing, pavement markings, and pile driving. The majority of excavation will be to a depth of one and a half feet except for the piles which will be driven to a depth of 30 feet.

PERMITS REQUIRED	DATE OF PERMIT	DATE RECEIVED BY CALTRANS
NWP #14 – Linear Transportation		
Section 401 Water Quality Certification		
Section 1602 Streambed Alteration Agreement		

CALTRANS SITE VISIT – DATE	PERSONNEL

NOTE: This following table is intended as a summary guide to environmental commitments. It does not replace or supercede any environmental commitments made in technical studies or correspondence prior to NEPA clearance. If there are any discrepancies between this table and technical studies/correspondence then the technical studies/correspondence take precedence

Task and Brief Description	Document	Page	Timing/ Phase	Specific Action(s) Taken to Comply with Task	Local Agency Certification of Task Completion		Remarks
					Initial	Date	
Biological Commitments							
Construction activities associated with widening the existing Solano Avenue bridge over Dry Creek shall be limited to the non-migratory	NES	79	Construction				

Task and Brief Description	Document	Page	Timing/ Phase	Specific Action(s) Taken to Comply with Task	Local Agency Certification of Task Completion		Remarks
					Initial	Date	
period for Central California Coast Steelhead.							
The use of netting to exclude cliff swallows from nesting under Solano Avenue bridge or within the Hoffman Lane box culvert is prohibited.	NES	93	Construction				
On the first day of work involving the widening of the existing bridge over Dry Creek and/or grading within 100 feet of the Hoffman Lane box culvert, a qualified biologist familiar with cliff swallow nesting ecology shall monitor the nesting colony and adjacent work activities for a minimum of three hours to ensure that nesting cliff swallows are able to access the underside of the bridge. Monitoring shall begin at least 15 minutes before construction begins. Daily monitoring shall occur for the first three days of construction adjacent to either cliff swallow nesting colony. If no significant disturbance affecting cliff swallows' ability to tend nesting sites is observed during this initial monitoring period, it will be assumed that construction activities are not impacting nesting activity and no further monitoring shall be required.	NES	94	Construction				
If the biologist observes behavior suggesting that construction noise and/or equipment is adversely affecting cliff swallows' ability to fly into or out of the nesting colony, all work within 100 feet of the colony shall cease until the biologist has determined that all nesting attempts have been completed.	NES	94	Construction				

January 21, 2015
NCTPA Agenda Item 11.3
Continued From: New
Action Requested: APPROVE

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY
Board Agenda Letter

TO: Board of Directors

FROM: Kate Miller, Executive Director

REPORT BY: Kate Miller, Executive Director
(707) 259-8634 / Email: kmiller@nctpa.net

SUBJECT: Legislative Update and State Bill Matrix

RECOMMENDATION

That the Napa County Transportation and Planning Agency (NCTPA) Board receive the monthly Federal and State Legislative Update and consider acting on staff recommendations included on the bill matrix (Attachment 3).

COMMITTEE RECOMMENDATION

The Technical Advisory Committee (TAC) recommended at their January 8th meeting that the NCTPA Board approve the staff recommendations on pending bills.

EXECUTIVE SUMMARY

The Board will receive a Federal legislative update (Attachment 1). The board will also receive a State legislative update (Attachment 2) from Platinum Advisors. The bill matrix (Attachment 3) is also attached and requests that the board consider staff recommendations on pending state bills. Finally, the FY 2015-16 governor's budget summary is also attached (Attachment 4).

FINANCIAL IMPACT

Is there a fiscal impact? No.

SUPPORTING DOCUMENTS

Attachments:
(1) January 7, 2015 Federal Legislative Update (Van Scoyoc Assoc)
(2) January 6, 2015 State Legislative Update (Platinum Advisors)
(3) January 6, 2015 Bill Matrix
(4) January 13, 2015, FY 2015-16 Budget Summary

VAN SCOYOC
ASSOCIATES

TO: Kate Miller, NCTPA
FROM: Steve Palmer, Van Scoyoc Associates
DATE: January 7, 2014
SUBJECT: Federal Legislative Update

The following is a summary of federal legislative activities related to transportation, housing, and environmental issues. The House and Senate were both in session during early December for the close of the 113th Congress before adjourning prior to Christmas. Both bodies returned on January 6, 2015 to swear in new members and begin the 114th Congress.

Below is a list of committee leadership (Chair/Ranking Member) for committees with jurisdiction over transportation, housing, and environmental issues for the 114th Congress.

Senate

- ***Appropriations:*** Thad Cochran (R-MS)/Barbara Mikulski (D-MD)
  - ***Subcommittee on Transportation, Housing, and Urban Development:*** Susan Collins (R-ME)/Patty Murray (D-WA) (likely)
  - ***Subcommittee on Interior and Environment:*** Lisa Murkowski (R-AK)/Jack Reed (D-RI) (likely)
- ***Banking, Housing, and Urban Affairs:*** Richard Shelby (R-AL)/Sherrod Brown (D-OH)
- ***Commerce, Science and Transportation:*** John Thune (R-SD)/Bill Nelson (D-FL)
- ***Environment and Public Works:*** Jim Inhofe (R-OK)/Barbara Boxer (D-CA)
- ***Finance:*** Orrin Hatch (R-UT)/Ron Wyden (D-OR)

House

- ***Appropriations:*** Hal Rogers (R-KY)/Nita Lowey (D-NY)
  - ***Subcommittee on Transportation, Housing, and Urban Development:*** Mario Diaz-Balart (R-FL)/David Price (D-NC) (likely)
  - ***Subcommittee on Interior and Environment:*** Ken Calvert (R-CA)/Betty McCollum (D-MN) (likely).
- ***Energy and Commerce:*** Fred Upton (R-MI)/Frank Pallone (D-NJ)
- ***Financial Services:*** Jeb Hensarling (R-TX)/Maxine Waters (D-CA)
- ***Transportation and Infrastructure:*** Bill Shuster (R-PA)/Peter DeFazio (D-OR)
- ***Ways and Means:*** Paul Ryan (R-WI)/Sander Levin (D-MI)

End of Session Summary

FY2015 Appropriations. Prior to adjourning in December Congress enacted legislation to fund the federal government for the remainder of Fiscal Year (FY) 2015. The one exception to this approach was the Homeland Security Appropriations Bill, which was funded through a short-term continuing resolution through February 27, 2015. This approach is a result of House Republicans' opposition to President Obama's recent Executive Order on immigration, and their desire to debate the issue as part of an appropriations bill early this year. The bill funds the federal highway and transit programs at the level authorized by MAP-21. Other noteworthy transportation appropriations include $1.39 billion for Amtrak (same as last year), $500 million for TIGER grants ($100 million reduction), and $2.12 billion for the transit New Starts/Small Starts grant program ($177 million increase).

Key housing provisions in the bill include $3 billion for Community Development Block Grants, $1.9 billion for the Public Housing Capital Fund, and $4.44 billion for the Public Housing Operating Fund. The bill appropriates $17.5 billion for Section 8 Tenant Based Rental Assistance renewals and $9.52 billion for Section 8 Project Based Rental Assistance renewals, both of which would meet projected need. The bill provides $8.14 billion for the EPA, which is $60 million less than the 2014 enacted level. The bill does not contain any language prohibiting EPA from implementing its "Waters of the United States" rule.

Tax Extenders. Congress also passed legislation to renew almost $42 billion in tax breaks in December. The bill extends approximately 55 credits, which expired at the end of 2013, through December 31, 2014. Among the tax breaks extended were the deduction for mortgage increase premiums, the tax credit for residential energy efficiency improvements, and the low-income housing tax credit for newly constructed non-federally subsidized buildings. Two transportation provisions are included in the bill, including the commuter tax benefit, which bring transit benefits into parity with parking benefits, as well as the alternative fuels tax credit. The bill also extends several tax credits for alternative energy development.

Nominations. The Senate adjourned in December without approving several transportation nominations, including that of Therese McMillan to be Federal Transit Administrator. Ms. McMillan will continue as Acting Administrator, but will have to be re-nominated by the President. The Senate did approve Mark Rosekind to be Administrator of the National Highway Traffic Safety Administration (NHTSA).

ABLE Act. In late December, President Obama signed legislation that would allow disabled Americans to set up tax-free savings accounts to pay for expenses such as education, housing, transportation, job training, and heath care.

Hearing on Inequality in the Housing Market. On December 9, the Senate Committee on Banking, Housing, and Urban Affairs held a hearing entitled "Inequality, Opportunity, and the Housing Market." Witnesses included representatives of the Mational Association of Realtors, National Fair Housing Alliance, Center for American Progress, and New Jersey Community Capital (a non-profit organization that provides financial assistance for low income housing). Among the topics covered at the hearing were the state of the housing market, obstacles faced by

low-income families looking for affordable housing, the availability of credit for home purchases, and recommendations for federal action to improve access to affordable housing.

Hearing on EPA's Proposed Ozone Rulemaking. On December 17, the Senate Committee on Environment and Public Works held a hearing on the EPA's proposed rule that would lower the federal smog standard by reducing the permitted amounts of ground level ozone in the air, from 75 parts per billion (ppb) to between 65 and 70 ppb. Chaired by Democratic Senator Sheldon Whitehouse of Rhode Island, the hearing featured testimony from several witnesses in support of the proposed rule.

Hearing on Passenger Rail. On December 10, the Senate Committee on Commerce, Science, and Transportation held a hearing entitled "Passenger Rail: Investing in our Nation's Future." Witnesses included Under Secretary of Transportation Peter Rogoff as well as representatives of Amtrak, labor, and independent passenger rail operators.

Hearing on Unmanned Aircraft Systems. On December 10, the House Transportation and Infrastructure Committee held a hearing entitled "U.S. Unmanned Aircraft Systems: Integration, Oversight, and Competitiveness." The hearing examined the challenges and economic benefits related to integrating additional Unmanned Aircraft Systems into the national airspace.

###

January 6, 2015

TO: Kate Miller, Executive Director
Napa County Transportation Planning Agency

FR: Steve Wallauch
Platinum Advisors

RE: Legislative Update

State of the State: Governor Brown set the stage for his final term as Governor with an ambitious inaugural/state-of-the-state speech. Governor Brown's speech served as an introduction to his budget proposal to be released on Friday morning, and provided an overview of success in the last four years including successfully eliminating a $26 billion budget debt, a drop in the unemployment rate from 12.1% to 7.2%, the passage of the water bond and Rainy Day Fund in November, and the repayment of billions of dollars in borrowing. The speech underscored the need to maintain prior commitments by dedicating,"…ourselves to making what we have done work, to see that the massive changes in education, health care, and public safety are actually carried out and endure." He also set the bar high to leave a legacy of renewable energy, zero emission vehicles, and green buildings. Details on the commitments made today will begin to emerge with the release of the Governor's proposed 2015-16 budget on Friday.

We will provide a summary of the budget proposal as a follow-up to this report. The following summarizes the priorities set by Governor Brown: With respect to the 2015-16 budget, the Governor will make the final payments on $15 billion in borrowing made to cover deficits dating back to 2002. This includes $533 million to local governments. It is assumed this payment to local governments is the balance of deferred mandate payments. The $533 is the amount remaining after the $100 million payment already made and the amount that is expected to be paid in the May Revise if certain revenue targets are met. While steps have been taken to deal with the unfunded teacher's pension, the Governor plans to, "ask our state employees to help start pre-funding our retiree health obligation which are rising rapidly."Governor Brown recognized the need to address the $59 billion in needed maintenance of the state's transportation system. Referencing the bipartisan support for the state's Rainey Day Fund and the water bond, Governor Brown called on the Democrats and Republicans to once again work together to tackle the funding needs of our transportation system. While the Governor did not indicate which direction to take in resolving this problem, he has since made comments that bonds are not a preferred option. Governor Brown set ambitious new goals to reduce

greenhouse gas emissions by 2030. Over the next 15 years the Governor has set the following goals:Increase from 1/3 to 50 percent of electricity derived from renewable sourcesReduce petroleum use in trucks and cars by 50 percentDouble the efficiency of existing buildings and make heating fuels cleaner.

Strategic Growth Council: The Strategic Growth Council is scheduled to adopt the guidelines for the Low Income Housing & Sustainable Communities Program when it meets on January 20th. The revised guidelines are expected to be released on January 9th. However, staff has posted a memo outlining the proposed changes. A copy of the memo can be found here:

http://www.sgc.ca.gov/docs/December_Guidelines_Memo_.pdf

Road User Charge: At its December meeting the CTC approved the formation of the Road Usage Charge Technical Advisory Committee and the appointments to the 15 member committee. The Road User Charge Technical Advisory Committee will examine the use and implementation of a mileage based user fee in California. The Committee must issue a report on its findings, which will be used by the Transportation Agency to implement a pilot program by January 1, 2017. While a couple seats remain vacant, the regional transportation agencies will be represented by Alameda County Supervisor Scott Haggerty, Del Norte County Supervisor David Finnigan, the Mayor of the City of Madera Robert Poythress, and the Mayor of the City of Santa Monica Pam O'Connor. The first meeting on the Advisory Committee is scheduled for January 23rd, in Sacramento, with monthly meetings to alternate between northern and southern California.

Cap & Trade Capital Funds: CalSTA posted an updated draft for the Transit & Intercity Rail Capital Program on December 19th. Two workshops have been scheduled for this month, prior to the CTC adopting the guidelines at its January 22nd meeting. The northern California workshop will be held in Sacramento on January 21st. A copy of the updated guidelines can be found at:

http://calsta.ca.gov/res/docs/pdfs/2014/TIRCPUpdatedDraftGuidelines12192014.pdf

Legislation

Transformative Projects: Senator Jim Beal has introduced a bill that raises concerns. SB 9 would revise the Transit and Intercity Rail Capital Program authorizing statute to prohibit the use of these funds for operations as well as direct these funds to "large transformative projects" with a cost exceeding $100 million. The bill does include a positive change in that it directs CalSTA to develop 5-year fund estimates for this program and allows CalSTA to develop a multiyear funding plan.

Adding the $100 million cost threshold to receive these funds would substantially limit and in essence eliminate NCTPA's ability to compete for these funds, along with numerous other transit operators. While it is our understanding that Senator Beal is considering amendments to reduce or eliminate the cost threshold and reinsert operational costs on a limited basis, NCTPA may want to consider taking an Oppose Unless Amended position on this bill.

No Weight Fees for Bond Debt: Assemblyman Eric Linder has reintroduced his effort to halt the practice of using truck weight fee revenue to pay for transportation bond debt, thus freeing up hundreds of millions of dollars for transportation projects. AB 4 (Linder) would halt the practice of transferring funds to the Transportation Debt Service Fund, or other bond payment accounts, until January 1, 2020. NCTPA supported this effort last year if the measures equitably allocated the liberated funds to transportation funding programs, such as local streets and roads and the STIP.

As you will recall in order to address staggering budget deficits, the Gas Tax Swap was created as a roundabout means to use transportation funds to relieve the general fund of transportation bond debt payments. With a much brighter economic outlook, many believe it is time revisit ending the use transportation funds for general obligation bond debt.

Disaster Relief: Assemblyman Bill Dodd and Senator Lois Wolk have introduced a pair of bills aimed at assisting with the South Napa Earthquake. These measures are a standard course of action following a disaster. AB 18 (Dodd) would add the South Napa Earthquake to the list of disasters whereby the state provides 100% of the local match for federal disaster project allocations.

Cap & Trade Fuels Exemption: A group of Senate and Assembly Republican members have renewed their effort to exempt fuels from the Cap & Trade auction. Several bills have been introduced that would delay including fuels in the Cap & Trade auction until 2020. These include AB 23 (Patterson), SB 5 (Vidak), and SB 1 (Gaines), which exempt fuels until 2025. Transportation fuels are scheduled to be in the auction starting in January, and these emission credits are expected to double the amount of Cap & Trade auction revenue. Being tagged the "hidden tax" the exemption effort is the continuation of what was a bi-partisan effort started last session. Last year's bills were never heard in committee, but if gas prices do spike after the first auction is held, this proposal will be a closely contested effort.

In addition, Assemblyman Perea has introduced AB 21. While this bill does not exempt fuels from the auction, it directs CARB to recommend to the Legislature and Governor GHG reduction targets for 2030 that can be accomplished in a "cost-effective" manner.

PLATINUM ADVISORS

January 6, 2015

Bills	Subject	Status	Client - Position
AB 4 **(Linder R)** Vehicle weight fees: transportation bond debt service.	This bill would prohibit the use of weight fee revenue from being used to pay for transportation bond debt service until January 1, 2020. A part of the gas tax swap legislation, this roundabout transfer of weight fee revenue from the State Highway Account to the Transportation Debt Service Fund, alleviated pressure on the general fund. Now the state revenues are looking positive, AB 4 would end this practice for four years. This measure is similar to several measures introduced last year.	ASSEMBLY PRINT	Recommended Position –Support If Amended
AB 18 **(Dodd D)** Disaster relief: South Napa Earthquake.	AB 18 would add the August 24, 2014, South Napa Earthquake, to the list of events for which the state share of state eligible cost is up to 100%. The California Disaster Assistance Act generally provides that the state share for disaster project allocations to local agencies is no more than 75% of total state eligible costs, except for specified events for which the state share is up to 100% of state eligible costs.	ASSEMBLY PRINT	Recommended Position --Support
AB 21 **(Perea D)** California Global Warming Solutions Act of 2006: emissions limit: scoping plan.	AB 21 would require the State Air Resources Board to submit a report by January 1, 2018 that recommends to the Governor and the Legislature a specific target of statewide emissions reductions for 2030 to be accomplished in a cost-effective manner.	ASSEMBLY PRINT	Recommended Position --Watch

Bills	Subject	Status	Client - Position
AB 23 **(Patterson R)** California Global Warming Solutions Act of 2006:	This bill would exempt transportation fuels and any other category that was not required to comply with the cap & trade market-based compliance mechanism on or before January 1, 2013. AB 23 would extend this exemption until December 31, 2020.	ASSEMBLY PRINT	Recommended Position --Watch
SB 1 **(Gaines R)** California Global Warming Solutions Act of 2006: market-based compliance mechanisms: exemption.	This bill would exempt transportation fuels and any other category that was not required to comply with the cap & trade market-based compliance mechanism on or before January 1, 2013. SB 1 would extend this exemption until January 1, 2025.	SENATE PRINT	Recommended Position --Watch
SB 5 **(Vidak R)** California Global Warming Solutions Act of 2006: market-based compliance mechanisms: exemption.	This bill would exempt transportation fuels and any other category that was not required to comply with the cap & trade market-based compliance mechanism on or before January 1, 2013. SB 5 would extend this exemption until December 31, 2020.	SENATE PRINT	Recommended Position --Watch
SB 9 **(Beall D)** Greenhouse Gas Reduction Fund: Transit and Intercity Rail Capital Program.	This bill would amend the authorizing statute that created the Transit & Intercity Rail Capital Program, which was created as part of the cap & trade expenditure plan. SB 9 would delete to authority to use these funds for transit operations and limit eligibility to large transformative projects with a cost exceeding $100 million. The bill would also direct the Transportation Agency to develop a 5 year fund estimate and authorize the Agency to make multiyear funding commitments.	SENATE PRINT	Recommended Position – Oppose Unless Amended

January 13, 2015

TO: Kate Miller, Executive Director
Napa County Transportation Planning Agency

FR: Steve Wallauch
Platinum Advisors

RE: 2015-16 Budget Summary

Governor Brown released his proposal for a $114.8 billion budget for 2015-16. This includes about $113 billion in 2015-16 revenues and a carryover of $1.4 billion from 2014-15. Total reserves will reach $3.3 billion, which includes $534 million in regular reserves and $2.8 billion in the Rainy Day Fund. The Governor estimated that 2014-15 revenue will end $2 billion higher than the original estimate, and revenues will continue to grow in 2015-16 by nearly $6 billion.

The Governor stays the course on prioritizing the retirement of existing debt and tackling longer term liabilities. The budget repays the final $1 billion owed to schools and makes the last payment on the $15 billion in Economic Recovery Bonds. It also pushes for a cost sharing agreement for retiree health costs as part of renewal of labor contracts.

While spending is marginally up in most program areas, the budget proposal does not begin to address the restoration of cuts that social programs endured during the recession. From the Legislature's perspective the release of the budget is a starting point for its 6 month review. In light of the increased state revenue and rebounding economy many Democrats in the Senate and Assembly will pursue proposals to ensure that the budget invests in the needs of all Californians.

LAO's initial review finds the Governor spending plan prudent overall. While the Governor includes robust revenue growth, the LAO predicts revenues could likely exceed the Governor's projections in 2015-16. Baring a sustained drop in the stock market, the LAO estimates revenues could grow beyond the nearly $6 billion assumed by the Governor by another $2 billion. However, this growth is dependent on the volatile stock market, where down turns emerge without warning.

Transportation: The Budget summary essentially maintains the status quo for transportation spending, and instead focuses on the looming need to address how the state will maintain the existing transportation system. As stated in the Budget Summary, "*Of nearly $11.5 billion in ongoing transportation revenues available for the state's transportation infrastructure, about 70 percent is devoted to local streets and roads, transit, capacity expansions, and debt service. As a consequence, the state's highway system has deteriorated over time*."

The Summary outlines the existing investments being made in local streets and roads, public transit, and capacity improvements, and contrasts that with the relatively small portion of funds directed to highway repairs and maintenance. The summary also mentions the significant investment Self-Help counties have made toward local transportation improvements, as well as how some of these improvements further compound unfunded state maintenance costs.

To address the need to provide $6 billion in annual unfunded maintenance needs the Summary mentions a wide range of options being examined as outlined below – except bonds. The Summary states, *"Additional borrowing through bonds would not be appropriate, not only because the funding gap is an ongoing one, but also because roughly one out of every two dollars spent on bond funded infrastructure goes to pay interest costs rather than construction costs, and currently 9 percent of total transportation revenues are spent on debt service."*

- Road User Charge Pilot Program – CalSTA and CTC have commenced the process of studying the use of a road user charge in California. SB 1077 (Chapter 835, statutes of 2014) direct the completion of a report that will lead to a pilot program by June 30, 2018. At the press conference, Governor Brown stated, "*I'm going to speed it up*." To accelerate this process the 2015-16 budget includes $9.4 million and 5 position to implement SB 1077 and implement a pilot program to explore a potential mileage based revenue collection system.
- Toll Roads – The Summary points to the extensive network of carpool lanes which have unused capacity during rush hour. These lanes could be converted to express lanes. The Administration is proposing legislation that will restore the authority to for new high-occupancy toll lane projects, including the conversion of existing carpool lanes to toll lanes.
- The state must consider other funding options that address the funding needs, including pay-as-you-go funding structure that aligns funding with use of the system. The options should also consider the weight of vehicles. Specific examples were not provided.
- New local-option funding revenues should also be considered.

Transportation Management Systems: The Budget includes an increase of $6.9 million and 64 positions to maintain and improve the Transportation Management System, such as ramp meters, and the associated communication links with traffic management centers. *Of these resources, $3 million and 20 positions will be used to complete a data-driven, performance-based pilot study of the effectiveness of Transportation Management System elements in increasing throughput and managing capacity in two primary corridors; one in the north and one in the south.*

Streamline Relinquishments—The Governor is proposing budget trailer bill language that will streamline the state highway relinquishment process for segments that primarily serve regional or local transportation needs. Draft language should be available by the end of the month. While relinquishments will reduce the state's long-term maintenance costs and provide local government's greater flexibility for projects along these routes, reducing the number of highway miles in a given county will also reduce the amount of "county share" dollars allocated to a county through the STIP.

Project Initiation Documents: The Budget includes $3.4 million and 25 positions to support an additional $800 million in project development work for various state and local transportation projects. The estimated $800 million in project development work includes $300 million in increased SHOPP and local sponsored projects, and the need to develop a $500 million "shelf" of projects. The creation of the shelf projects will be on a first-in-first-out basis for priority projects, such as pavement, bridge and mobility projects.

State Transit Assistance: The budget estimates that $388 million will be allocated to transit operators through the "base" STA allocation. This is roughly on par with the $386 million expected for the current fiscal year. However, it is unclear if these estimates have taken into consideration the significant drop in diesel fuel prices. In addition, the STA line item in the budget also includes the estimated $50 million in cap & trade revenue that will be allocated through the Low Carbon Transit Operations Program.

Cap & Trade Expenditures: The Governor's Budget estimates that the cap & trade auction will generate $1 billion in 2015-16. The allocation of these funds follows the distribution formula enacted this year and the 40% "discretionary" portion largely mirrors the allocations made in the 2014-15 budget. The funds are proposed to be allocated as follows:

2015-16 Cap and Trade Expenditure Plan
(Dollars in Millions)

Investment Category	*Department*	*Program*	*Amount*
Sustainable Communities and Clean Transportation	High-Speed Rail Authority	High-Speed Rail Project	$250
	State Transit Assistance	Low Carbon Transit Operations Program	$50
	Transportation Agency	Transit and Intercity Rail Capital Program	$100
	Strategic Growth Council	Affordable Housing and Sustainable Communities Program	$200
	Air Resources Board	Low Carbon Transportation	$200
Energy Efficiency and Clean Energy	Department of Community Services and Development	Energy Efficiency Upgrades/Weatherization	$75
	Energy Commission	Energy Efficiency for Public Buildings	$20
	Department of Food and Agriculture	Agricultural Energy and Operational Efficiency	$15
Natural Resources and Waste Diversion	Department of Fish and Wildlife	Wetlands and Watershed Restoration	$25
	Department of Forestry and Fire Protection	Fire Prevention and Urban Forestry Projects	$42
	Cal Recycle	Waste Diversion	$25
Total			**$1,002**