



FILE # _____

NAPA COUNTY
PLANNING, BUILDING, AND ENVIRONMENTAL SERVICES
1195 Third Street, Suite 210, Napa, California, 94559 • (707) 253-4417

A Tradition of Stewardship
A Commitment to Service

APPLICATION FOR USE PERMIT
EXCEPTION TO CONSERVATION REGULATIONS

FOR OFFICE USE ONLY

ZONING DISTRICT: _____ Date Submitted: _____
TYPE OF APPLICATION: _____ Date Published: _____
REQUEST: _____ Date Complete: _____

TO BE COMPLETED BY APPLICANT

(Please type or print legibly)

PROJECT NAME: KONOLIGE AND MCLAUGHLIN SONOMA DRIVEWAY

Assessor's Parcel #: 050-361-013 Existing Parcel Size: 8.75 Acres

Site Address/Location: 5575 LOVALL VALLEY ROAD, SONOMA, CA 95476

Property Owner's Name: KURT KONOLIGE AND JANET MCLAUGHLIN

Mailing Address: 865 COLLEGE AVENUE, MENLO PARK, CA 94025

Telephone #: (650) 796-1228 Fax #: () - E-Mail: jxmclaughlin@gmail.com

Applicant's Name: HOGAN LAND SERVICES, INC. C/O ERIK LUNDQUIST

Mailing Address: 1702 4th STREET, SANTA ROSA, CA 95405

Telephone #: (707) 544 -2104 Fax #: () - E-Mail: elundquist@hoganls.com

Status of Applicant's Interest in Property: ENGINEER / PLANNING CONSULTANT

Representative Name: _____

Mailing Address: _____

Telephone # () Fax #: () E-Mail: _____

I certify that all the information contained in this application, including but not limited to the information sheet, water supply/waste disposal information sheet, site plan, plot plan, floor plan, building elevations, water supply/waste disposal system plot plan and toxic materials list, is complete and accurate to the best of my knowledge. I hereby authorize such investigations including access to County Assessor's Records as are deemed necessary by the County Planning Division for preparation of reports related to this application, including the right of access to the property involved.

[Signature] 10-28-2020
Signature of Applicant Date

[Signature] April 24 '19
Signature Property Owner's Signature and Date

ERIK LUNDQUIST
Print Name

KURT KONOLIGE AND JANET MCLAUGHLIN
Print Name

TO BE COMPLETED BY PLANNING, BUILDING, AND ENVIRONMENTAL SERVICES

Application Fee Deposit: \$ _____ Receipt No.: _____ Received by: _____ Date: _____

INDEMNIFICATION AGREEMENT

Pursuant to Chapter 1.30 of the Napa County Code, as part of the application for a discretionary land use project approval for the project identified below, Applicant agrees to defend, indemnify, release and hold harmless Napa County, its agents, officers, attorneys, employees, departments, boards and commissions (hereafter collectively "County") from any claim, action or proceeding (hereafter collectively "proceeding") brought against County, the purpose of which is to attack, set aside, void or annul the discretionary project approval of the County, or an action relating to this project required by any such proceeding to be taken to comply with the California Environmental Quality Act by County, or both. This indemnification shall include, but not be limited to damages awarded against the County, if any, and cost of suit, attorneys' fees, and other liabilities and expenses incurred in connection with such proceeding that relate to this discretionary approval or an action related to this project taken to comply with CEQA whether incurred by the Applicant, the County, and/or the parties initiating or bringing such proceeding. Applicant further agrees to indemnify the County for all of County's costs, attorneys' fees, and damages, which the County incurs in enforcing this indemnification agreement.

Applicant further agrees, as a condition of project approval, to defend, indemnify and hold harmless the County for all costs incurred in additional investigation of or study of, or for supplementing, redrafting, revising, or amending any document (such as an EIR, negative declaration, specific plan, or general plan amendment) if made necessary by said proceeding and if the Applicant desires to pursue securing approvals which are conditioned on the approval of such documents.

In the event any such proceeding is brought, County shall promptly notify the Applicant of the proceeding, and County shall cooperate fully in the defense. If County fails to promptly notify the Applicant of the proceeding, or if County fails to cooperate fully in the defense, the Applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the County. The County shall retain the right to participate in the defense of the proceeding if it bears its own attorneys' fees and costs, and defends the action in good faith. The Applicant shall not be required to pay or perform any settlement unless the settlement is approved by the Applicant.



Applicant



Property Owner (if other than Applicant)

10-28-2020

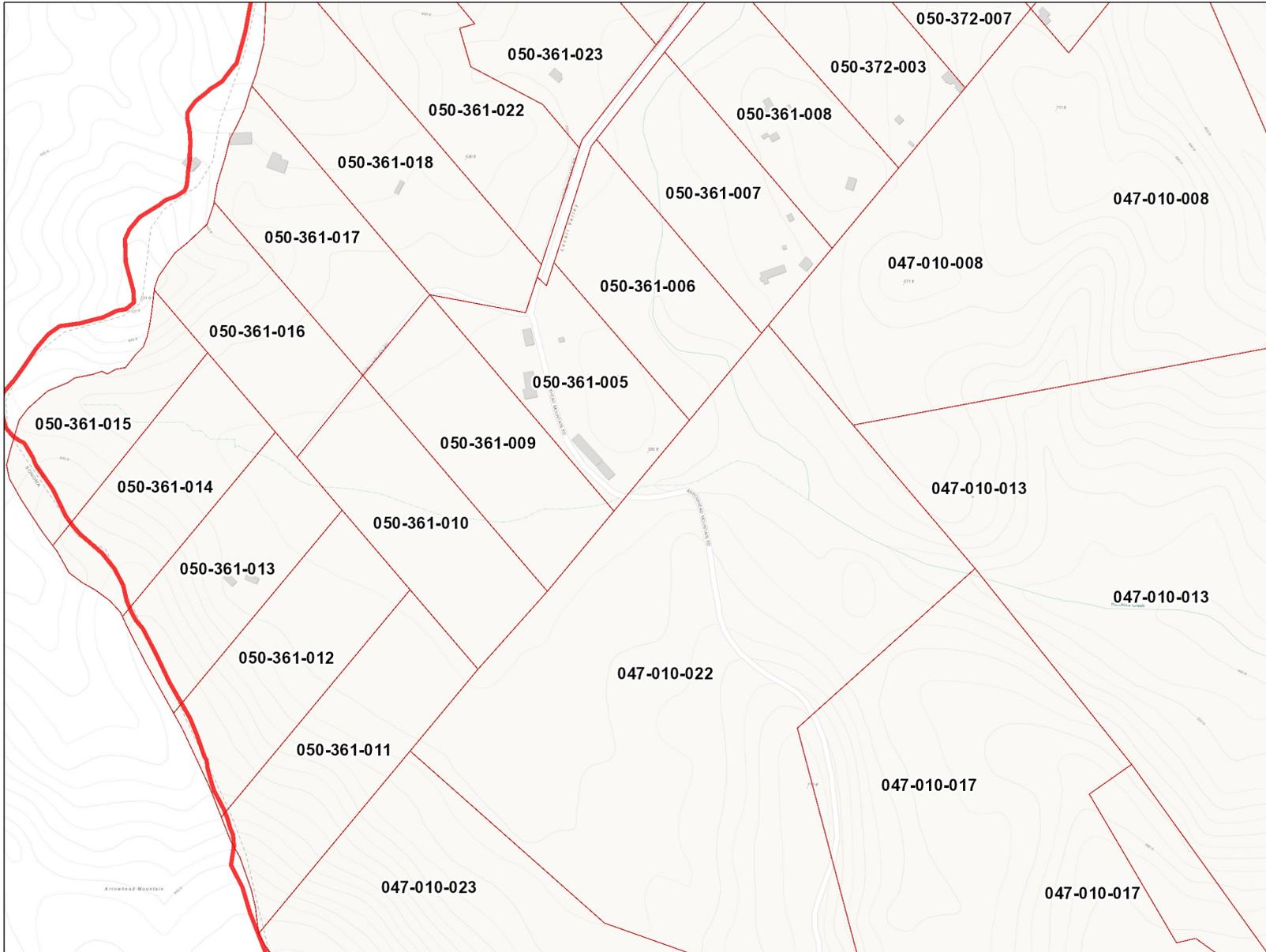
Date

Project Identification



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SITE LOCATION MAP - 5575 LOVALL VALLEY ROAD



Legend

-  Parcels
-  County Boundary



Disclaimer: This map was prepared for informational purposes only. No liability is assumed for the accuracy of the data delineated hereon.

This map was printed on 10/28/2020

Notes

SUPPLEMENTAL APPLICATION FORM
USE PERMIT EXCEPTION TO CONSERVATION REGULATION

1. Please explain the reason for the exception request.

THE EXCEPTION REQUEST IS BEING SOUGHT TO ALLOW THE CONSTRUCTION OF A RESIDENTIAL DRIVEWAY ON A PARCEL HAVING A SLOPE OF THIRTY PERCENT OR MORE.

2. Are there any alternatives to the project which would not require an exception? Please explain.

THE SLOPE RISES FROM THE VALLEY FLOOR ACROSS THE ENTIRE PARCEL FROM NORTH TO SOUTH. THERE IS NO ALTERNATIVE THAT WOULD AVOID CONSTRUCTION OF THE DRIVEWAY TO ACCESS THE RESIDENTIAL DEVELOPMENT THAT IS TO BE LOCATED IN SONOMA COUNTY ON APN 127-132-005.

3. Describe how the project can meet the findings described in Section 18.104.040 A (structural or road project), or Section 18.108.040B (agricultural project).

THE ROAD DESIGN COMPLEMENTS THE NATURAL LANDFORMS BY MINIMIZING GRADING THROUGH THE USE OF RETAINING WALLS. THE DRIVEWAY ALSO FOLLOWS THE CONTOURS OF THE LAND.

Section 18.108.040.A. Structural/road development projects

a. Roads, driveways, buildings and other man-made structures have been designed to complement the natural landform and to avoid excessive grading: (Please describe).

SINCE THE DESIGN INCORPORATES RETAINING WALLS EXCESSIVE GRADING IS NOT NECESSARY TO ACHIEVE A 2:1 CUT/FILL SLOPE. ADDITIONALLY, THE DRIVEWAY IS ALIGNED WITH THE EXISTING DIRT RANCH ROAD, WHICH WAS PREVIOUSLY CUT FROM THE LAND.

b. Primary and accessory structures employ architectural and design elements which in total serve to reduce the amount of grading and earthmoving activity required for the project, including the following elements:

- i. Multiple-floor levels which follow existing, natural slopes;
- ii. Foundation types such as poles, piles, or stepping level which minimize cut and fill and the need for retaining walls;
- iii. Fence lines, walls, and other features which blend with the existing terrain rather than strike off at an angle against it.

N/A

- c. The development project minimizes removal of existing vegetation, incorporates existing vegetation into final design plans, and replacement vegetation of appropriate size, quality and quantity is included to mitigate adverse environmental effects.

SINCE THE NEW DRIVEWAY FOLLOWS THE EXISTING ALIGNMENT OF THE RANCH ROAD, TREES WERE DESTROYED BY 2017 WILDFIRE AND MINIMAL GRADING IS PROPOSED THE REMOVAL OF VEGETATION IS MINIMIZED

4. Adequate fire safety measures have been incorporated into the design of the proposed development.

FIRE TURNOUTS AND TURN AROUNDS WOULD BE PROVIDED. ALSO, W-TRANS AS EVALUATED THE DESIGN AND AS DETERMINED THAT THE (P) RADIUS OF 30' AND THE CLEARANCE IS ACCEPTABLE TO MEET THE FIRE DEPARTMENT'S FIRE APPARATUS NEEDS

5. Disturbance to streams and watercourses shall be minimized, and setbacks shall be retained as specified in Section 18.108.025.

THE (P) DRIVEWAY WOULD NOT CROSS A STREAM OR WATER COURSE. TEMPORARY AND PERMANENT EROSION CONTROL MEASURES WOULD BE INCORPORATED INTO THE PROJECT DESIGN TO PROTECT ADJOINING RESOURCES.

6. The project does not adversely impact threatened or endangered plant or animal habitats as designated by state or federal agencies with jurisdiction and identified on the county's environmental sensitivity maps.

WITH MITIGATION SUGGESTED BY THE BIOLOGISTS IMPACTS TO HABITATS AND SPECIES ARE NOT ANTICIPATED.

Section 18.108.040.B. Agricultural projects, or Agricultural roads as defined by Planning, Building, and Environmental Services, Engineering Division

7. The erosion rate that results two years from the completion of the proposed agricultural development does not exceed the soil tolerance factor approved by the Natural Resource Conservation Service for the soil type, topography and climatic conditions in which the project is located;

N/A

8. Impacts on streams and watercourses are minimized, and adequate setbacks along these drainageways are or will be maintained.

N/A

9. The project does not adversely impact sensitive, rare, threatened or endangered plant or animal habitats as designated by state or federal agencies with jurisdiction and identified on the county's environmental sensitivity maps.

N/A

SUPPLEMENTAL APPLICATION FORM
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- iii. Fence lines, walls, and other features which blend with the existing terrain rather than strike off at an angle against it.

N/A

- c. The development project minimizes removal of existing vegetation, incorporates existing vegetation into final design plans, and replacement vegetation of appropriate size, quality and quantity is included to mitigate adverse environmental effects.

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6. The project does not adversely impact threatened or endangered plant or animal habitats as designated by state or federal agencies with jurisdiction and identified on the county's environmental sensitivity maps.

WITH MITIGATION SUGGESTED BY THE BIOLOGISTS IMPACTS TO HABITATS AND SPECIES ARE NOT ANTICIPATED.

Section 18.108.040.B. Agricultural projects, or Agricultural roads as defined by Planning, Building, and Environmental Services, Engineering Division

7. The erosion rate that results two years from the completion of the proposed agricultural development does not exceed the soil tolerance factor approved by the Natural Resource Conservation Service for the soil type, topography and climatic conditions in which the project is located;

N/A

8. Impacts on streams and watercourses are minimized, and adequate setbacks along these drainageways are or will be maintained.

N/A

9. The project does not adversely impact sensitive, rare, threatened or endangered plant or animal habitats as designated by state or federal agencies with jurisdiction and identified on the county's environmental sensitivity maps.

N/A



November 4, 2020

County of Napa
c/o Charlene Gallina, Supervising Planner
1195 Third Street
Napa, CA 94559

Re: Supplemental Property History and Project Scope

File No: P20-00269
Site Address: 5575 Lovall Valley Road, Sonoma, CA 95476
APN: 050-361-013
Applicant: Hogan Land Services, c/o Erik Lundquist

Dear Ms. Galina,

The owners of the referenced property, Janet McLaughlin and Kurt Konolige, acquired the parcel in 2018. The parcel was created in 1914 and is within Napa and Sonoma County. Since acquisition, the owners have completed steps towards the goal of developing two residential units and residential accessory structures. A residence, septic system, barn, greenhouse and supporting infrastructure to service these structures has been completed and/or is under construction within Napa County.

Building permit B19-00701 for the barn was issued on September 4, 2019. On October 3, 2019, septic permit E19-00446/7 was issued for the installation of a new septic system to support a new residence. In November of 2019, building permit BR19-01936-NEW was submitted for a new 735 square foot residence and associated roadway improvements. This permit was issued on July 24, 2020 and is nearing completion, including the improvements to the legal-nonconforming common drive and the residential driveway.

As a result of the recent improvements, the owners are now in position to move forward with the remainder of the development plan and construct a residence on the lands within Sonoma County. To construct the residence in Sonoma County, an extension to the existing residential driveway within Napa County is now warranted. The residential driveway extension would occur on slopes greater than 30%. As a result, use permit P20-00269 was submitted on October 28, 2020 requesting an exception to the Napa County's conservation regulations to allow the construction.

If you have any questions regarding the property history or project scope you may contact me at (707) 544-2104 or at elundquist@hoganls.com.

Sincerely,

A handwritten signature in blue ink, appearing to read "Erik Lundquist". The signature is stylized and fluid.

Erik Lundquist, AICP
Planning Manager
Hogan Land Services



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Planning, Building & Environmental Services

1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

David Morrison
Director

MEMORANDUM

To: Pam Arifian, Planning	From: Raulton Haye, Engineering
Date: September 21, 2021	Re: P20-00269 Konolige & McLaughlin Driveway APN: 050-361-013

The Engineering Division has reviewed the use permit application P20-00269 for the driveway located on assessor’s parcel number 050-361-013. Based upon the information provided in the application, Engineering finds the application **complete** and recommends the following conditions of approval:

RECOMMENDED APPROVAL CONDITIONS:

PREREQUISITES FOR ISSUANCE OF PERMITS

1. Any roadway, access driveway, and parking areas, proposed new or reconstructed shall meet the requirements as outlined in the latest edition of the Napa County Road & Street Standards for Residential development at the time of use permit approval. The property owner shall obtain a grading permit for all proposed roadway improvements.
2. All on site civil improvements including but not limited to the excavation, fill, general grading, drainage, curb, gutter, surface drainage, storm drainage, parking and drive isles, shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by the Engineering Division of the Napa County Planning, Building, and Environmental Services Department (PBES) **prior to the commencement** of any on site land preparation or construction. Plans shall be wet signed and submitted with the building and/or grading permit documents at the time of permit application. A plan check fee will apply.
3. Grading and drainage improvements shall be constructed according to the current Napa County Road and Street Standards, Chapter 16.28 of the Napa County Code, and Appendix J of the California Building Code.
4. **Prior to issuance of a building permit** the owner shall submit the necessary documents for Erosion Control as determined by the area of disturbance of the proposed development in accordance with the Napa Countywide Stormwater Pollution Prevention program Erosion and Sediment Control Plan Guidance for Applicant and Review Staff dated December 2014.

5. **Prior to issuance of a building permit** the owner shall prepare a Single-Family Home/Small Development Project Stormwater Control Plan (SCP) in accordance with the latest edition of the BASMAA Post-Construction Manual for review and approval by the Engineering Division in PBES.
6. **Prior to issuance of a building permit**, an Operation and Maintenance Plan shall be submitted and tentatively approved by the Engineering Division in PBES. **Before final occupancy** the property owner must legally record the "Operation and Maintenance Agreement", approved by the Engineering Division in PBES.

PREREQUISITES DURING PROJECT CONSTRUCTION

7. Required on-site pre-construction meeting with the Napa County PBES Engineering Division **prior to start of construction**.

PREREQUISITES FOR TEMPORARY CERTIFICATE OF OCCUPANCY

8. All roadway improvements shall be completed **prior to execution** of any new entitlements approved under this Use Permit. **** If no temporary occupancy is requested, then this becomes a requirement prior to final occupancy.**

PREREQUISITES FOR FINAL CERTIFICATION OF OCCUPANCY

9. Site shall be completely stabilized to the satisfaction of the County Engineer prior to Final Occupancy.

Any changes in use may necessitate additional conditions for approval.

If you have any questions regarding the above items, please contact Raulton Haye from Napa County Planning, Building, and Environmental Services Department, Engineering Division, at (707)253-4621 or by email at Rauton.Haye@countyofnapa.org



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Napa County Fire Department
Fire Marshal's Office
Hall of Justice, 2nd Floor
1125 3rd Street
Napa, CA 94559

Office: (707) 299-1466

Adam Mone
Fire Plans Examiner

MEMORANDUM

TO: Planning	DATE: 11/10/2021
FROM: Adam Mone, Plans Examiner	
SUBJECT: P20-00269 5575 Lovall Valley Rd	050-361-013-000

The Napa County Fire Marshal's Office has reviewed the submittal package for the above proposed project. The Fire Marshal approves the project as submitted with the following conditions of approval:

1. All construction and use of the facility shall comply with all applicable standards, regulations, codes and ordinances at time of Building Permit issuance.
2. Beneficial occupancy will not be granted until all fire department fire and life safety items have been installed, tested and finalized.
3. Separate submittals required for Building and Fire Sprinklers permits.
4. All buildings, facilities, and developments shall be accessible to fire department apparatus by way of approved access roadways and/or driveways. The fire access road shall comply with the requirements of the Napa County Road & Street Standards and/or an Engineering Division approved road exception request.
5. Gates for driveways and/or roadways shall comply with the California Fire Code, section 503.5 and the Napa County Road & Street Standards and CA Fire Safe Regulations for projects within SRA.
6. Provide 100 feet of defensible space around all structures.
7. Provide 10 feet of defensible space fire hazard reduction on both sides of all roadways of the facility.

Please note that the comments noted above are based on a Fire Marshal review only. There may be additional comments or information requested from other County Departments or Divisions reviewing this application submittal package. Napa County Fire Marshal's Office Development Guidelines can be found @ www.countyofnapa.org/firemarshal. Should you have any questions of me, contact me at (707)299-1466 or email at adam.mone@countyofnapa.org



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Planning, Building & Environmental Services

1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

David Morrison
Director

July 17, 2020

via e-mail

Erik V. Lundquist
Hogan Land Services
1702 4th Street
Santa Rosa, CA 95405

**Re: McLaughlin/Konolige Residence - Exception to the Napa County Road and Street Standards Building Permit Application BR19-01936
5575 Lovall Valley Road, Assessor Parcel Number 050-361-013**

Dear Erik:

Please be advised that your request for an exception to the Napa County Road and Street Standards (RSS), associated with a building permit for construction of a new single family residence (BR19-01936), has been **APPROVED** by the Zoning Administrator based on the attached Findings provided in Exhibit A, and subject to Napa County Engineering Division comments dated July 13, 2020.

As detailed in the Engineering Services Division memoranda, dated July 13, 2020, the exception is to allow a one-foot reduction of the driveway width for a 100-foot segment on the project site, beginning approximately 100-feet west of the easterly property line (approximately STA 8+50 to STA 9+50.)

The proposed project is Categorical Exempt from the provisions of the California Environmental Quality Act (CEQA), pursuant to Section 15303 Class 3, which exempts the construction of new structures, including single family residences, and Napa County’s Local Procedures for implementing the California Environmental Quality Act, Appendix B, Class 1 for maintenance and minor expansion of existing roads.

The exception is effective immediately unless an appeal is filed with the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code. You may appeal the conditions of approval. In the event that another party files an appeal, you will be notified.

The exception shall automatically expire upon expiration of the associated building permit. This letter serves as the only notice you will receive regarding the expiration date of this exception. Pursuant to Government Code Sec.66020 (d)(1), you are hereby further notified that the ninety day period in which to protest imposition of any fees, dedications, reservations, or other exactions that may have been adopted as conditions of approval has begun.

Should you have any questions, please contact Emily Hedge at 707-259-8226 or by e-mail at sean.trippi@countyofnapa.org.

Sincerely,
Brian Bordona
Zoning Administrator

Sean Trippi

By: Sean Trippi, Principal Planner

Enclosures

cc: Napa County Engineering Services, CalFire, OnBase Project file

EXHIBIT A – FINDINGS

McLaughlin/Konolige Residence - Road and Street Standards Exception Request Building Permit Application BR20-01936 APN 050-361-013

In approving the Exception Request for roadway improvements associated with a new single-family residence the Zoning Administrator has made the following findings:

ENVIRONMENTAL:

The Zoning Administrator has reviewed this project pursuant to the provisions of the California Environmental Quality Act (CEQA) and of Napa County's Local Procedures for Implementing CEQA, and finds the project:

1. Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA), pursuant to Section 15303 Class 3, which exempts the construction of new structures, including single family residences, and Napa County's Local Procedures for implementing the California Environmental Quality Act, Appendix B, Class 1 for maintenance and minor expansion of existing roads. The project site is not located on any of the lists of hazardous material sites compiled pursuant to Government Code Section 65962.5.

EXCEPTION TO ROAD AND STREET STANDARDS:

The Zoning Administrator has reviewed the attached described Road and Street Standards Exception request in accordance with Road and Street Standards Section 3 and makes the following findings:

2. The exception is necessary to preserve unique features of the natural environment including natural water courses (NCRSS Section 3, (d)(i).

Analysis: The request to an exception for a reduction in driveway width standards based upon existing environmental constraints. The reduction in driveway width would be from 10-feet to 9-feet, beginning at approximately STA 8+50 to STA 9+50. The proposal includes improving an existing agricultural special purpose road to residential driveway standards to serve the proposed single-family home. The requested exception will preserve wetlands and avoid the need to grade within the wetland and adjacent riparian area.

3. Grant of the Road and Street Standards (RSS) Exception will provide the same overall practical effect as the Standards do in providing defensible space, and does not adversely affect the life, safety, and welfare of the public or persons coming to the property.

Analysis: The improvement achieves the same overall practical effect of the RSS by providing defensible space and consideration toward life, safety and public welfare due to the following:

1. The 100-foot road segment for which the exception is requested is straight, flat and located in an open area, having no visual obstacles that would compromise a safe transit.
2. The sub-standard width road section is mitigated by turnouts proposed immediately before and after the 100-foot substandard segment.
3. All portions of the driveway not discussed in this Road Exception Evaluation are proposed to meet driveway standards as defined in the NCRSS.

See Engineering Services Division memorandum dated July 13, 2020, for further analysis and proposed conditions.



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MEMORANDUM

To: Sean Trippi, Planning	From: Raulton Haye, Engineering
Date: July 13, 2020	Re: BR19-01936 McLaughlin Residence Road Exception Evaluation 5575 Lovall Valley Rd, Napa CA 94558 APN: 050-361-013-000

ROAD EXCEPTION REQUEST:

The Engineering Division received a request for an exception to the Napa County Road and Street Standards (NCRSS) for the proposed residence located at 5575 Lovall Valley Road, Napa, CA 94558.

At the termination of the publicly maintained Lovall Valley Road, a 1800 ft. common drive continues to the entrance of the parcel. The existing driveway begins at the end of the common drive and is approximately 600 ft. long, serving the site of the proposed residence. The applicant seeks an exception to the NCRSS which will allow a one foot reduction in the driveway width for a 100 ft. segment of the proposed driveway. The applicant has proposed to improve the road laying outside of the 100 ft exception request to be compliant with the NCRSS. For detailed information regarding existing and proposed driveway conditions please refer to the attached Road Exception Request Letter and Site Plans prepared by Hogan Land Services. There were multiple visits to the site by Engineering Division to assess the exception request.

DRIVEWAY WIDTH REDUCTION EXCEPTION:

The applicant requests an exception to the driveway width standard at a 100 ft. section of the driveway that encroaches an existing riparian corridor as determined by Sol Ecology. Construction activities conducted within this wetland would be in violation of Section 18.108.026 of the Conservation Regulations which states "Construction of main or accessory structures, earthmoving activity, land clearing or agricultural uses of land as defined by Section 18.08.040 shall be set back 50 feet from the delineated wetland boundary". The width reduction is requested between stations 8+50 and 9+50 approximately.

The exception appeals to the environmental provision defined in Section 3(d) i of the NCRSS by preserving unique features of the natural environment.

ENGINEERING DIVISION EVALUATION AND RECOMMENDATION:

Engineering Division staff has reviewed the Request noted above with the applicant's authorized agents, Engineering staff and the Fire Marshal's office. Regarding Section (3) of the NCRSS as adopted by Resolution No. 2020-12 by the Board of Supervisors on February 4, 2020, this division has determined the following:

The road improvement achieves the same overall practical effect towards providing defensible space, and consideration towards life, safety and public welfare due to the following:

1. The 100 ft. road segment for which the exception is requested is straight, flat and located in an open area, having no visual obstacles that would compromise a safe transit.
2. The sub-standard width road section is mitigated by turnouts proposed immediately before and after the 100 ft. substandard segment.
3. All portions of the driveway not discussed in this Road Exception Evaluation are proposed to meet driveway standards as defined in the NCRSS.

The applicant has provided the necessary documentation, as required by the NCRSS 3(D) for the Engineering Division to support the consent of the road exception request by the approving body.

Attachments:

1. Exception Request Letter dated May 7, 2020, prepared by Hogan Land Services
2. Wetland Assessment Letter dated July 25, 2019, prepared by SOL ECOLOGY.
3. Notification of Streambed Alteration dated January 28, 2011, by Department of Fish and Game.

Reference Materials:

4. Lands of McLaughlin & Konolige plan set dated December 20, 2019, prepared by Hogan Land Services.

If you have any questions regarding the above items, please contact Raulton Haye from Napa County Planning, Building, and Environmental Services Department, Engineering and Conservation Division, at (707) 253-4621 or by email at raulton.haye@countyofnapa.org



HOGAN LAND SERVICES

A CALIFORNIA CORPORATION

May 7, 2020

HLS# 3567

Napa County Planning, Building, & Environmental Management
1195 Third St. 2nd Floor
Napa, CA 9455

RECEIVED

MAY 08 2020

Re: **Roadway Exception - 5575 Lovall Valley Rd, Sonoma, California 95476**
APN 050-361-013

Napa County Planning, Building &
Environmental Services

This letter is a formal request to the Napa County Planning, Building & Environmental Services (PBES) - Engineering & Conservation Division to grant an exception from the Napa County Road and Street Standards (NCRSS) revised on February 4, 2020 (Resolution 2020-12) for a driveway improvement for a proposed residence at 5575 Lovall Valley Road, Napa, CA 94558.

Project Description and Existing Conditions

The project proposes improving the existing agricultural special purpose road to a residential driveway to serve a proposed residence (BR19-01936-NEW). The site is currently developed with an agricultural barn and septic system that supports the proposed residential use(s) on the property. The proposed residential driveway is illustrated on the associated Lands of McLaughlin and Konolige Grading and Drainage Design Plans prepared by Hogan Land Services.

Exception Request and Justification

NCRSS allows exceptions when the following summarized criteria are met: (1) The exception will preserve unique features of the natural environment which includes, but is not limited to, natural water courses, steep slopes, geological features, heritage oak trees, or other trees of least six feet in diameter at breast height and found by the decision-maker to be of significant importance, but does not include human altered environmental features such as vineyards and ornamental or decorative landscaping, or artificial features such as, rock walls, fences or the like; (2) the exception is necessary to accommodate physical site limitations such as grade differentials; and/or (3) the exception is necessary to accommodate other limiting factors such as recorded historical sites or legal constraints.

In this case, a road exception is being requested to allow a 1-foot width reduction in travel way from 10 feet to 9-feet over a 100-foot segment to avoid impacts within the riparian corridor. The exception would preserve wetlands and eliminate the need for grading within these wetland areas. Preservation of the riparian features can be achieved by allowing an exception to the Standards in very limited area of the site. The Applicant is willing to improve the agricultural special purpose road to meet all other aspects of the Standards to the greatest extent possible. With the proposed improvements and proper vegetation management and regular maintenance, there is no reason that the sensitive riparian corridor and associated environmental features cannot be preserved while still achieving the

"We'll Get The Permit"

1702 4th Street • Santa Rosa, CA 95405 • 707.564-2104 • F 707.522.2gOF hoganls.com
Surveying • Civil & Structural Engineering • Construction Management • Violation Resolution

Roadway Exception - 5575 Lovall Valley Rd, Sonoma, California 95476

same overall practical effect as outlined in the Standards.

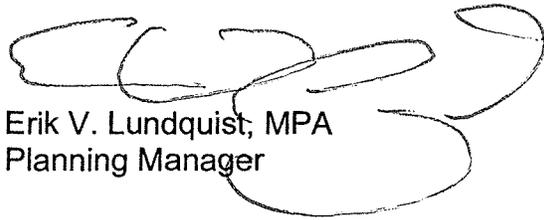
Also, with the exception, the project biologist Dana Riggs of Sol Ecology has confirmed that the project would not trigger permits from other Federal or State agencies, see Sol Ecology letter dated July 25, 2019. Additionally, see attached LSA Agreement 1600-2010-0347-R3, which authorized the existing culverts allowing the existing roadway.

Summary

For the reasons discussed herein, the Applicant respectfully requests an exception from the maximum width requirements radius set forth by the Napa County Road and Street Standards revised on February 4, 2020 (Resolution 2020-12). It is Hogan Land Services recommendation that a road exception for the segment of roadway described above results in an acceptable alternative, relative to the environmental impact of the proposed residential driveway.

Please do not hesitate to contact me should you have any additional concerns.

Sincerely,



Erik V. Lundquist, MPA
Planning Manager

Encl.

Sol Ecology Letter dated July 25, 2019

CDFW Lake and Streambed Alteration No. 1600-2010-0347-R3

"We'll Get The Permit"



P.O. Box 5214
Petaluma, CA 94955
(707) 241-7718
www.solecology.com

July 25, 2019

Erik Lundquist
Hogan Land Services
1702 4th Street
Santa Rosa, CA 95404

RE: 5575 Lovall Valley Road Wetland Assessment

Dear Erik,

The purpose of this letter is to provide the results of a preliminary wetland assessment performed at 5575 Lovall Valley Road, in Napa, California (Study Area or Site). This assessment was performed to determine the extent of wetland vegetation on the Site in proximity to planned road improvements. The purpose of the wetland assessment is to identify areas potentially subject to U.S. Army Corps of Engineers (USACE) jurisdiction pursuant to Section 404 of the Clean Water Act and/or North Coast Regional Water Quality Control Board (RWQCB) jurisdiction pursuant to Section 401 of the Clean Water Act and the State of California Porter-Cologne Act prior to planned improvements to determine whether impacts to jurisdiction features may occur. This study does not constitute a formal wetland delineation report and confirmation of jurisdictional limits is subject to federal and state agency review.

Site Description

The Study Area consists of annual grassland habitat bisected by a road proposed for improvements necessary to support the construction of an accessory structure on the property. The Study Area also includes a portion of a blue-line creek tributary to Huichica Creek which bisects the road on the northern portion of the parcel (APN 050-361-013). The creek at this location consists of a 15 to 20 feet wide shallow channel surrounded by wetland habitat on either side. The creek intersects with the roadway via an existing culvert. The wetlands are bordered on either side by dense Harding grass (*Phalaris aquatica*) which was reportedly planted by the previous owner; no trees or shrubs are present. Elevation of the Site is approximately 175 meters. Soils on the Site consist of Forward silt loam. Photographs of the Site are attached.

Methods

The USACE identifies wetlands using a "multi-parameter approach" which requires positive wetland indicators in three distinct environmental categories: hydrology, soils, and vegetation as described below. The *Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West*, which was released in early 2007 and revised in 2008 (version

2.0), is utilized when conducting jurisdictional wetland determinations in areas identified within the boundaries of the Arid West¹. The project site falls within the Arid West region and so wetlands identified on the site were assessed using that guidance as described below.

A background review was also conducted including review of available aerial photographs (from Google Earth and the U.S.G.S. 7.5-minute Sonoma quadrangle for the Site. Additionally, the Soil Survey of Sonoma County (web soil survey) was reviewed to determine if any of the soils on the project site are mapped as hydric soils. Sol Ecology performed a site assessment on June 26, 2019 to identify and map any potential wetlands on the Site using the following criterium.

Hydrology

The Corps jurisdictional wetland hydrology criterion is satisfied if an area is inundated or saturated for a period sufficient to create anoxic soil conditions during the growing season (a minimum of 14 consecutive days). Evidence of wetland hydrology can include primary indicators, such as visible inundation or saturation or oxidized root channels, or secondary indicators such as the FAC-neutral test or the presence of a shallow aquitard. Only one primary indicator is required to meet the wetland hydrology criterion; however, if secondary indicators are used, at least two secondary indicators must be present to conclude that an area has wetland hydrology.

Soils

Soils formed over long periods under wetland (anaerobic) conditions often possess characteristics that indicate they meet the definition of hydric soils. The supplement provides a list of the hydric soil indicators that are known to occur in region. Soil samples were collected and described according to the methods provided in the supplements. If any of the soil samples met one or more of the hydric soil indicators described in the supplement hydric soils were determined to be present.

Vegetation

Plant species identified are assigned a wetland status according to the U.S. Fish and Wildlife Service list of plant species that occur in wetlands (Reed 1988). This wetland classification system is based on the expected frequency of occurrence in wetlands as follows:

OBL	Always found in wetlands	>99% frequency
FACW	Usually found in wetlands	67-99%
FAC	Equal in wetland or non-wetlands	34-66%
FACU	Usually found in non-wetlands	1-33%
UPL/NL	Upland/Not listed (upland)	<1%

¹ U.S. Army Corps of Engineers (Corps). 2008. Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region (Version 2.0). September.

The Corps Manual and Supplements require that a three-step process be conducted to determine if hydrophytic vegetation is present. The first step is the Dominance Test (Indicator 1); the second is the Prevalence Index (Indicator 2); the third is Morphological Adaptations (Indicator 3). The Dominance Test requires the delineator to apply the “50/20 rule”. The dominant species are chosen independently from each stratum of the community. In general, dominant species are determined for each vegetation stratum from a sampling plot of an appropriate size surrounding the sample point. Dominants are defined as the most abundant species that individually or collectively account for more than 50 percent of the total vegetative cover in the stratum, plus any other species that, by itself, accounts for at least 20 percent of the total cover. If greater than 50 percent of the dominant species has an OBL, FACW, or FAC status, the sample point meets the hydrophytic vegetation criterion.

If the sample point fails the 50/20 rule and both hydric soils and wetland hydrology are not present, then the sample point does not meet the hydrophytic vegetation criterion, unless the site is a problematic wetland situation. However, if the sample point fails Indicator 1, but hydric soils and wetland hydrology are both present, the delineator must apply the Indicator 2, Prevalence Index. The Indicator 3, Morphological Adaptations, is rarely used in this region.

Results and Conclusion

Positive wetland indicators including hydrology, vegetation and soils were found within an area of vegetation associated with the unnamed creek channel that bisects the road via a culvert within the Study Area. Both the wetlands and channel do not appear to sheet flow over the road as evidenced by topography and instead drain through the culvert located approximately 1-2 feet below the top of the roadway as shown on the civil plans. The proposed barn and associated infrastructure are greater than 100 feet from the edge of wetlands (see civil plans).

Dominant vegetation observed within the wetland habitat is shown in the table below and includes a number of obligate and facultative wetland species. Surrounding vegetation included primarily facultative and facultative upland species including Harding grass (*Phalaris aquatica*), ryegrass (*Festuca perennis* aka *Lolium multiflorum*), cat’s hairy ear (*Hypochaeris radicata*), harvest brodiaea (*Brodiaea elegans*) which would not be considered hydrophytic given the absence of any obligate or facultative wetland species.

Table 1. Plant Species Observed within Wetland Habitat

Scientific Name	Common Name	Origin	Indicator Status
<i>Festuca perennis</i>	ryegrass	non-native	FAC
<i>Phalaris aquatica</i>	Harding grass	invasive	FACU
<i>Juncus phaeocephalus</i>	brown-headed rush	native	FACW
<i>Polypogon monspeliensis</i>	annual beard-grass	non-native	FACW
<i>Mentha pulegium</i>	pennyroyal	invasive	OBL
<i>Rumex crispus</i>	curly dock	non-native	FAC

Hydrology indicators within the wetland sample point showed evidence of oxidized rhizospheres along living roots and sediment deposits. Hydric soil indicators included a depleted matrix. Oxidized rhizospheres were also found in the upland sample point, indicating this area did contain at least one primary hydrology indicator. However, no hydric soil indicators were observed in the upland point and therefore this area does not meet criteria.

The presence of all three indicators along the creek channel, combined with connectivity to a blue line stream that eventually drains to San Pablo Bay is evidence that the wetlands shown in the civil plans are likely subject to USACE and RWQCB jurisdiction and that any direct impact associated with road widening or culvert replacement would require regulatory permits from these two agencies. **However, given that an existing culvert is present and functioning correctly, the use of the existing proposed residential driveway is not likely to have any impact on adjacent wetlands and waters.** Water quality best management practices are recommended should the road require resurfacing to prevent accidental discharge into these potentially jurisdictional features. Confirmation of jurisdictional limits is subject to verification by the USACE and RWQCB.

Please do not hesitate to contact me should you have any questions.

Respectfully,

A handwritten signature in black ink, appearing to read "Dana Riggs", with a horizontal line extending to the left.

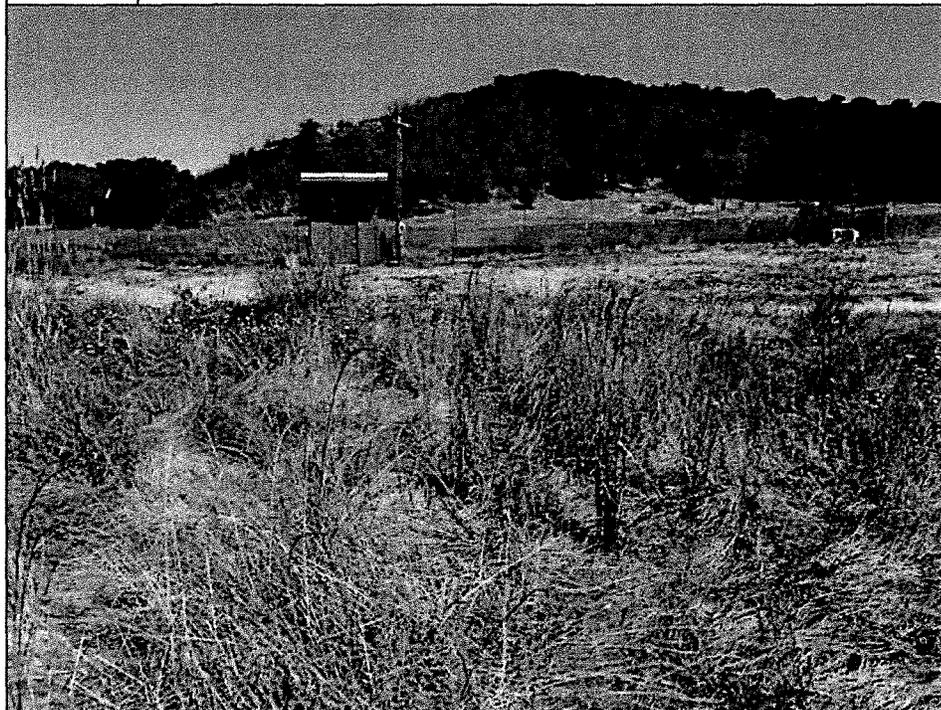
Dana Riggs, Principal Biologist

Attachments: (1) Site Photographs

Photographs of the Study Area



1. June 2019 photo showing wetland and channel facing west (downstream).



2. June 2019 photo showing wetland and channel facing east (upstream).



3. June 2019 photo showing wetland sample point.



4. June 2019 photo showing hydric soil indicators in sample including redox and mottling.



5.

Winter/early spring 2019 photo showing the existing road and culvert.



DEPARTMENT OF FISH AND GAME

Bay Delta Region
7329 Silverado Trail
Napa, California 94558
(707) 944-5520
www.dfg.ca.gov



January 28, 2011

Beth Bruzzone
3435 Palmer Place
Pleasanton, Ca 94588

Subject: Notification of Lake or Streambed Alteration No. 1600-2010-0347-R3
Culverts – BruzzoneProperty and Road Easement impacting Hulla Creek, tributary to Napa River

Dear Ms. Bruzzone:

The Department had until January 25, 2011 to submit a draft Lake or Streambed Alteration Agreement ("Agreement") to you or inform you that an Agreement is not required. The Department did not meet that date. As a result, by law, you may now complete the project described in your notification without an Agreement.

Please note that pursuant to Fish and Game Code section 1602(a)(4)(D), if you proceed with this project, it must be the same as described and conducted in the same manner as specified in the notification and any modifications to that notification received by the Department in writing prior to January 25, 2011. This includes completing the project within the proposed term and seasonal work period and implementing all avoidance and mitigation measures to protect fish and wildlife resources specified in the notification. If the term proposed in your notification has expired, you will need to re-notify the Department before you may begin your project. Beginning or completing a project that differs in any way from the one described in the notification may constitute a violation of Fish and Game Code section 1602.

Also note that while you are entitled to complete the project without an Agreement, you are still responsible for complying with other applicable local, state, and federal laws. These include, but are not limited to, the state and federal Endangered Species Acts and Fish and Game Code sections 5650 (water pollution) and 5901 (fish passage).

Finally, if you decide to proceed with your project without an Agreement, you must have a copy of this letter and your notification with all attachments available at all times at the work site. If you have any questions regarding this matter, please contact Suzanne Gilmore, Environmental Scientist at (707) 944-5536 or sgilmore@dfg.ca.gov.

Sincerely,

for 

Greg Martinelli
Water Conservation Supervisor
Bay Delta Region

cc: Lieutenant Roberts
Warden Shelton
Suzanne Gilmore

FOR DEPARTMENT USE ONLY

Date Received	Amount Received	Amount Due	Date Complete	Notification No.
10/12/10	\$ 22400	\$		1600-2010-0347-3



CK# 944
John Bruzzone
Mary E. Bruzzone

STATE OF CALIFORNIA

DEPARTMENT OF FISH AND GAME

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

Almore
Shetton
Roberts



Complete EACH field, unless otherwise indicated, following the enclosed instructions and submit all required enclosures. Attach additional pages, if necessary.

Fish & Game

OCT 12 2010

Yountville

1. APPLICANT PROPOSING PROJECT

Name	BETH BRUZZONE		
Business/Agency			
Street Address	3435 PALMER PLACE		
City, State, Zip	PLEASANTON CA 94588		
Telephone	985 989 3674	Fax	
Email	BRUZZA@AOL.COM		

2. CONTACT PERSON (Complete only if different from applicant)

Name			
Street Address			
City, State, Zip			
Telephone		Fax	
Email			

3. PROPERTY OWNER (Complete only if different from applicant)

Name			
Street Address			
City, State, Zip			
Telephone		Fax	
Email			

4. PROJECT NAME AND AGREEMENT TERM

A. Project Name	CULVERTS - BRUZZONE PROPERTY & ROAD EASEMENT			
B. Agreement Term Requested	<input checked="" type="checkbox"/> Regular (5 years or less) <input type="checkbox"/> Long-term (greater than 5 years)			
C. Project Term	D. Seasonal Work Period		E. Number of Work Days	
Beginning (year)	Ending (year)	Start Date (month/day)	End Date (month/day)	
2010	2015	10/01	9/30	5

WORK TO BE DONE
WHEN GROUND IS DRY -
BEFORE SERIOUS RAIN

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

5. AGREEMENT TYPE

Check the applicable box. If box B, C, D, or E is checked, complete the specified attachment.

A.	<input checked="" type="checkbox"/> Standard (Most construction projects, excluding the categories listed below)	
B.	<input type="checkbox"/> Gravel/Sand/Rock Extraction (Attachment A)	Mine I.D. Number: _____
C.	<input type="checkbox"/> Timber Harvesting (Attachment B)	THP Number: _____
D.	<input type="checkbox"/> Water Diversion/Extraction/Impoundment (Attachment C)	SWRCB Number: _____
E.	<input checked="" type="checkbox"/> Routine Maintenance (Attachment D)	
F.	<input type="checkbox"/> DFG Fisheries Restoration Grant Program (FRGP)	FRGP Contract Number: _____
G.	<input type="checkbox"/> Master	
H.	<input type="checkbox"/> Master Timber Harvesting	

* **6. FEES**

Please see the current fee schedule to determine the appropriate notification fee. Itemize each project's estimated cost and corresponding fee. *Note: The Department may not process this notification until the correct fee has been received.*

	A. Project	B. Project Cost	C. Project Fee
1	REPLACE & ENHANCE CULVERTS	\$ 1000	\$ 224
2			
3			
4			
5			
		D. Base Fee (if applicable)	
		E. TOTAL FEE ENCLOSED	\$ 224

7. PRIOR NOTIFICATION OR ORDER

A. Has a notification previously been submitted to, or a Lake or Streambed Alteration Agreement previously been issued by, the Department for the project described in this notification?

Yes (Provide the information below) No

Applicant: _____ Notification Number: _____ Date: _____

B. Is this notification being submitted in response to an order, notice, or other directive ("order") by a court or administrative agency (including the Department)?

No Yes (Enclose a copy of the order, notice, or other directive. If the directive is not in writing, identify the person who directed the applicant to submit this notification and the agency he or she represents, and describe the circumstances relating to the order.)

Continued on additional page(s)

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

9. PROJECT CATEGORY AND WORK TYPE (Check each box that applies)

PROJECT CATEGORY	NEW CONSTRUCTION	REPLACE EXISTING STRUCTURE	REPAIR/MAINTAIN EXISTING STRUCTURE
Bank stabilization – bioengineering/recontouring	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bank stabilization – rip-rap/retaining wall/gabion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Boat dock/pier	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Boat ramp	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bridge	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Channel clearing/vegetation management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Culvert	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Debris basin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dam	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Diversion structure – weir or pump intake	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Filling of wetland, river, stream, or lake	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Geotechnical survey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Habitat enhancement – revegetation/mitigation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Levee	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Low water crossing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Road/trail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sediment removal – pond, stream, or marina	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Storm drain outfall structure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Temporary stream crossing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Utility crossing : Horizontal Directional Drilling	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jack/bore	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Open trench	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (specify):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

10. PROJECT DESCRIPTION

- A. Describe the project in detail. Photographs of the project location and immediate surrounding area should be included.
- Include any structures (e.g., rip-rap, culverts, or channel clearing) that will be placed, built, or completed in or near the stream, river, or lake.
 - Specify the type and volume of materials that will be used.
 - If water will be diverted or drafted, specify the purpose or use.

Enclose diagrams, drawings, plans, and/or maps that provide all of the following: site specific construction details; the dimensions of each structure and/or extent of each activity in the bed, channel, bank or floodplain; an overview of the entire project area (i.e., "bird's-eye view") showing the location of each structure and/or activity, significant area features, and where the equipment/machinery will enter and exit the project area.

CULVERT #1 INSTALL 3 12 INCH CULVERTS UNDER AG ROAD ON OSU 341 013

CULVERT #2 REPLACE 70 yr OLD 6 INCH CULVERT WITH 3 12 INCH CULVERTS UNDER AG ROAD EASEMENT

CULVERT #3 REPLACE 70 yr OLD 6 to 8 INCH CRUSHED CULVERT WITH NEW 12 INCH CULVERT UNDER AG RD EASEMENT

CULVERT #4 INSTALL 2 12 INCH CULVERTS INDIVIDUALLY AT END OF ROAD EASEMENT IN AN 'L' SHAPE.

Continued on additional page(s)

B. Specify the equipment and machinery that will be used to complete the project.

JOHN DEERE FARM TRACTOR

Continued on additional page(s)

C. Will water be present during the proposed work period (specified in box 4.D) in the stream, river, or lake (specified in box 8.B).

Yes No (Skip to box 11)

D. Will the proposed project require work in the wetted portion of the channel?

Yes (Enclose a plan to divert water around work site)

No

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

11. PROJECT IMPACTS

A. Describe impacts to the bed, channel, and bank of the river, stream, or lake, and the associated riparian habitat. Specify the dimensions of the modifications in length (linear feet) and area (square feet or acres) and the type and volume of material (cubic yards) that will be moved, displaced, or otherwise disturbed, if applicable.

NONE KNOWN OR INTENDED

Continued on additional page(s)

B. Will the project affect any vegetation? Yes (Complete the tables below) No

Vegetation Type	Temporary Impact	Permanent Impact
	Linear feet: _____ Total area: _____	Linear feet: _____ Total area: _____
	Linear feet: _____ Total area: _____	Linear feet: _____ Total area: _____

Tree Species	Number of Trees to be Removed	Trunk Diameter (range)

Continued on additional page(s)

C. Are any special status animal or plant species, or habitat that could support such species, known to be present on or near the project site?

Yes (List each species and/or describe the habitat below) No Unknown

Continued on additional page(s)

D. Identify the source(s) of information that supports a "yes" or "no" answer above in Box 11.C.

NAPA COUNTY BUILDING DEPT

Continued on additional page(s)

E. Has a biological study been completed for the project site?

Yes (Enclose the biological study) No

Note: A biological assessment or study may be required to evaluate potential project impacts on biological resources.

F. Has a hydrological study been completed for the project or project site?

Yes (Enclose the hydrological study) No

Note: A hydrological study or other information on site hydraulics (e.g., flows, channel characteristics, and/or flood recurrence intervals) may be required to evaluate potential project impacts on hydrology.

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

12. MEASURES TO PROTECT FISH, WILDLIFE, AND PLANT RESOURCES

A. Describe the techniques that will be used to prevent sediment from entering watercourses during and after construction.

NO SEDIMENT IS EXPECTED TO ENTER WATERCOURSE - HOWEVER, TO BE SAFE WE WILL SEED ANY DISTURBED SOIL. WE WILL ALSO USE ROCKS AND OR GRAVEL AT BOTH ENDS OF CULVERTS TO DISCOURAGE FUTURE EROSION.

Continued on additional page(s)

B. Describe project avoidance and/or minimization measures to protect fish, wildlife, and plant resources.

I DONT THINK THIS APPLIES TO US. OUR PROJECT IS OCCURRING SO THAT WE HAVE ACCESS TO OVERGRAZED and unmanaged grass lands so that we can MAINTAIN & SUPPORT THEM. WE ONLY WANT TO DO GOOD.

Continued on additional page(s)

C. Describe any project mitigation and/or compensation measures to protect fish, wildlife, and plant resources.

SAME AS ABOVE

Continued on additional page(s)

13. PERMITS

N/A

List any local, state, and federal permits required for the project and check the corresponding box(es). Enclose a copy of each permit that has been issued.

- A. _____ Applied Issued
- B. _____ Applied Issued
- C. _____ Applied Issued
- D. Unknown whether local, state, or federal permit is needed for the project. (Check each box that applies)

Continued on additional page(s)

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

14. ENVIRONMENTAL REVIEW

A. Has a draft or final document been prepared for the project pursuant to the California Environmental Quality Act (CEQA), National Environmental Protection Act (NEPA), California Endangered Species Act (CESA) and/or federal Endangered Species Act (ESA)?

- Yes (Check the box for each CEQA, NEPA, CESA, and ESA document that has been prepared and enclose a copy of each)
 No (Check the box for each CEQA, NEPA, CESA, and ESA document listed below that will be or is being prepared)

- | | | |
|---|---|--|
| <input type="checkbox"/> Notice of Exemption | <input type="checkbox"/> Mitigated Negative Declaration | <input type="checkbox"/> NEPA document (type): _____ |
| <input type="checkbox"/> Initial Study | <input type="checkbox"/> Environmental Impact Report | <input type="checkbox"/> CESA document (type): _____ |
| <input type="checkbox"/> Negative Declaration | <input type="checkbox"/> Notice of Determination (Enclose) | <input type="checkbox"/> ESA document (type): _____ |
| <input type="checkbox"/> THP/ NTMP | <input type="checkbox"/> Mitigation, Monitoring, Reporting Plan | |

B. State Clearinghouse Number (if applicable) .

C. Has a CEQA lead agency been determined? Yes (Complete boxes D, E, and F) No (Skip to box 14.G)

D. CEQA Lead Agency

E. Contact Person

F. Telephone Number

G. If the project described in this notification is part of a larger project or plan, briefly describe that larger project or plan.

Continued on additional page(s)

H. Has an environmental filing fee (Fish and Game Code section 711.4) been paid?

- Yes (Enclose proof of payment) No (Briefly explain below the reason a filing fee has not been paid)

IS THIS THE SAME AS THE FEE FOR THIS APPLICATION?
 THEN "YES" - OTHERWISE "NO".

Note: If a filing fee is required, the Department may not finalize a Lake or Streambed Alteration Agreement until the filing fee is paid.

15. SITE INSPECTION

Check one box only.

In the event the Department determines that a site inspection is necessary, I hereby authorize a Department representative to enter the property where the project described in this notification will take place at any reasonable time, and hereby certify that I am authorized to grant the Department such entry.

I request the Department to first contact (insert name) BETH BRUZZONE
 at (insert telephone number) 925 989 3074 to schedule a date and time to enter the property where the project described in this notification will take place. I understand that this may delay the Department's determination as to whether a Lake or Streambed Alteration Agreement is required and/or the Department's issuance of a draft agreement pursuant to this notification.

FG2023 I WOULD LIKE TO MEET AS SOON AS CONVENIENT FOR FISH AND GAME. I WILL MAKE MY SCHEDULE OPEN

16000-2010-03473

Fish & Game

OCT 21 2010

Yountville

ADDITIONAL INFORMATION

" BRUZZONE CULVERT

"

ROAD EASEMENT

PROJECT "

11

BUDZONNE CULVERT & ROAD EASEMENT
PROJECT
16/05/2016

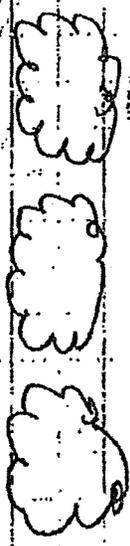
PROBLEMS NOT TO SCALE - LOSSY ART SKILLS

11 NQDA CO

APP# OSD 84107

AG ROAD

1 18 INCH
BY 20 FEET
CULVERT



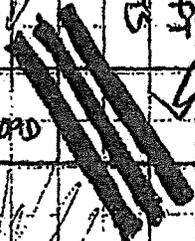
ROAD EASEMENT IMPROVED

← APPLY 100 FEET
BEHINDS TO END

← UNIMPROVED ROAD SENDS

2 18 INCH
BY 20 FT
CULVERT

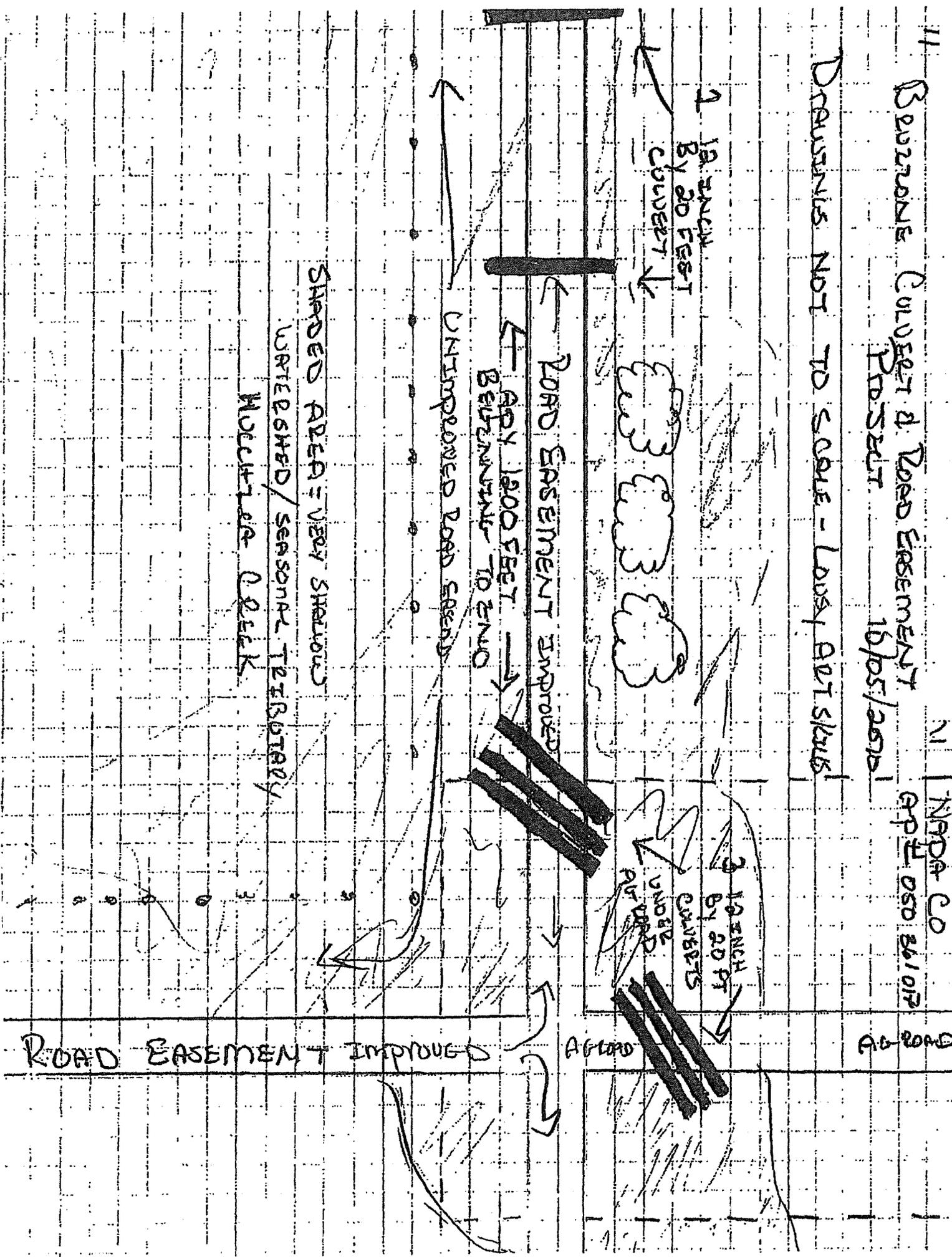
← UNDER
PAVED



← AG ROAD

SHADED AREA = VERY SHALLOWS
WATER SHED / SEASONAL TERRITORY
WOCUTTER CRACK

ROAD EASEMENT IMPROVED



PARCEL INFORMATION

"BUZZONE CULVERT

ROAD EASEMENT
PROJECT "

AMO 10/20/2010

Back Bay

ROAD EASEMENT

DSD 361 011

DSD 361 012

DSD 361 013

H#1

H#3

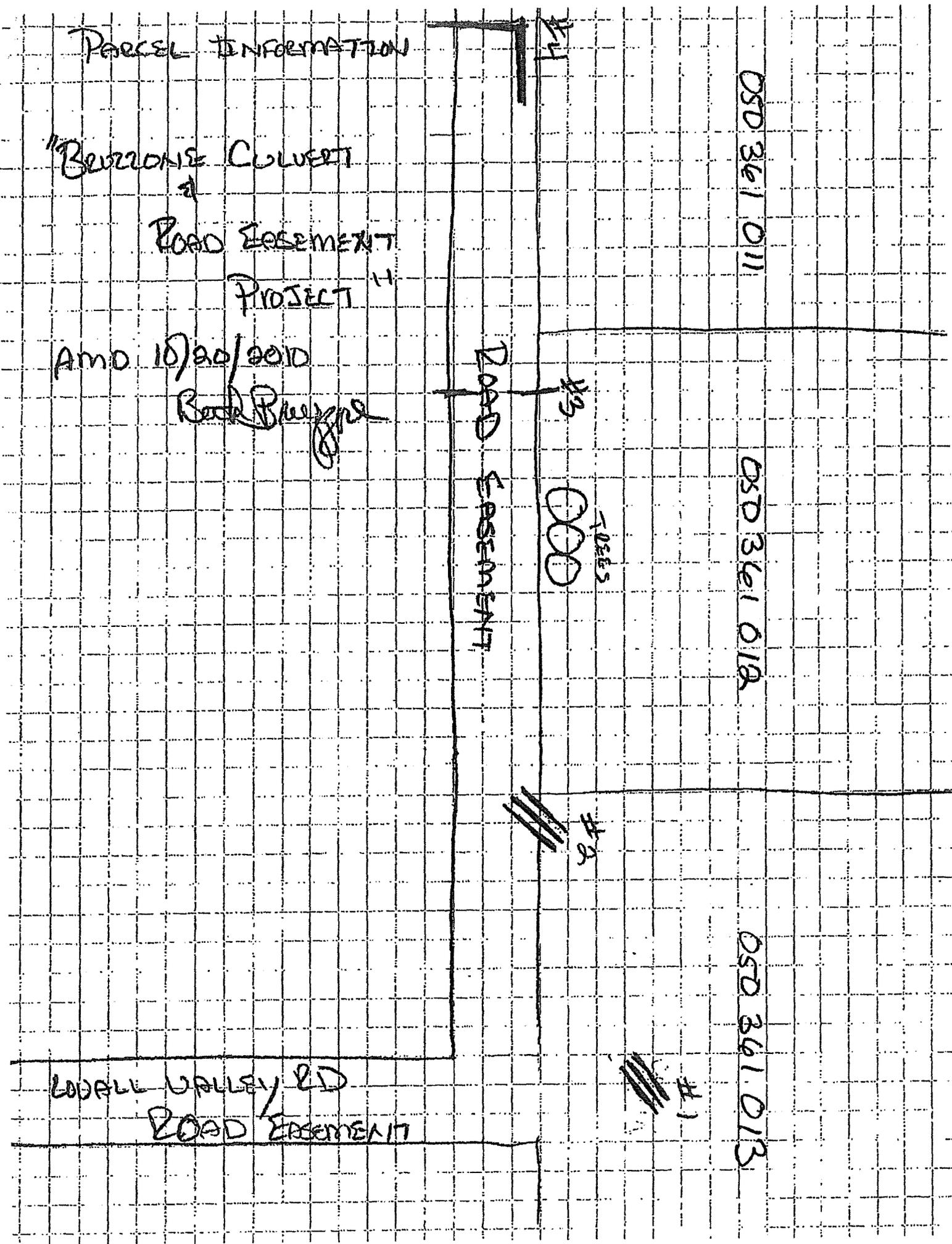
TOEES

H#2

H#1

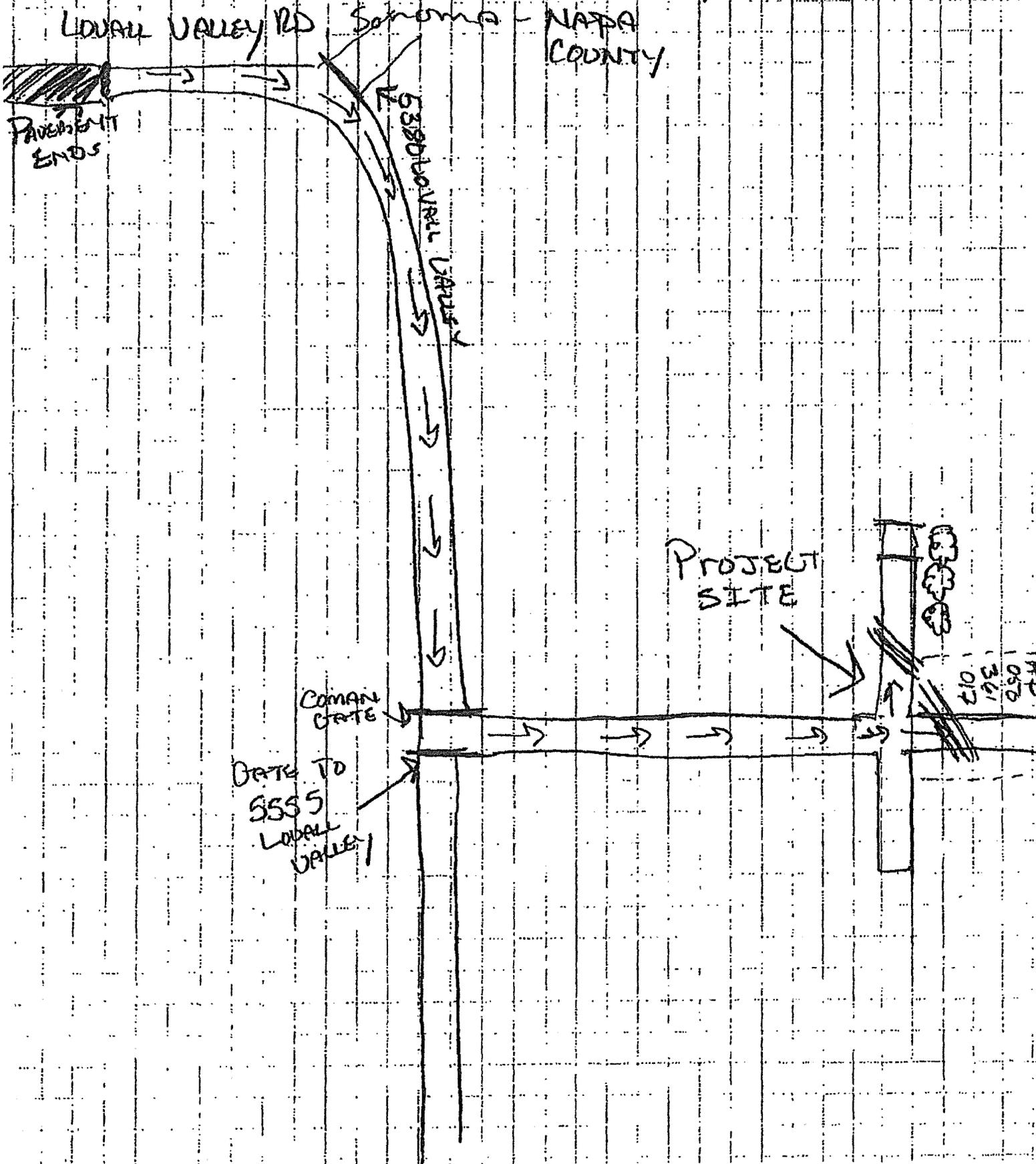
LOWELL VALLEY RD

ROAD EASEMENT



MAP TO PROJECT LOCATION

BRIZZONE CULVERT & ROAD EASEMENT PROJECT



APPLICATION CORRESPONDENCE



A Tradition of Stewardship
A Commitment to Service

Planning, Building & Environmental Services

1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

David Morrison
Director

MEMORANDUM

To: Pam Arifian, Planning	From: Raulton Haye, Engineering
Date: September 21, 2021	Re: P20-00269 Konolige & McLaughlin Driveway APN: 050-361-013

The Engineering Division has reviewed the use permit application P20-00269 for the driveway located on assessor’s parcel number 050-361-013. Based upon the information provided in the application, Engineering finds the application **complete** and recommends the following conditions of approval:

RECOMMENDED APPROVAL CONDITIONS:

PREREQUISITES FOR ISSUANCE OF PERMITS

1. Any roadway, access driveway, and parking areas, proposed new or reconstructed shall meet the requirements as outlined in the latest edition of the Napa County Road & Street Standards for Residential development at the time of use permit approval. The property owner shall obtain a grading permit for all proposed roadway improvements.
2. All on site civil improvements including but not limited to the excavation, fill, general grading, drainage, curb, gutter, surface drainage, storm drainage, parking and drive isles, shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by the Engineering Division of the Napa County Planning, Building, and Environmental Services Department (PBES) **prior to the commencement** of any on site land preparation or construction. Plans shall be wet signed and submitted with the building and/or grading permit documents at the time of permit application. A plan check fee will apply.
3. Grading and drainage improvements shall be constructed according to the current Napa County Road and Street Standards, Chapter 16.28 of the Napa County Code, and Appendix J of the California Building Code.
4. **Prior to issuance of a building permit** the owner shall submit the necessary documents for Erosion Control as determined by the area of disturbance of the proposed development in accordance with the Napa Countywide Stormwater Pollution Prevention program Erosion and Sediment Control Plan Guidance for Applicant and Review Staff dated December 2014.

5. **Prior to issuance of a building permit** the owner shall prepare a Single-Family Home/Small Development Project Stormwater Control Plan (SCP) in accordance with the latest edition of the BASMAA Post-Construction Manual for review and approval by the Engineering Division in PBES.
6. **Prior to issuance of a building permit**, an Operation and Maintenance Plan shall be submitted and tentatively approved by the Engineering Division in PBES. **Before final occupancy** the property owner must legally record the "Operation and Maintenance Agreement", approved by the Engineering Division in PBES.

PREREQUISITES DURING PROJECT CONSTRUCTION

7. Required on-site pre-construction meeting with the Napa County PBES Engineering Division **prior to start of construction**.

PREREQUISITES FOR TEMPORARY CERTIFICATE OF OCCUPANCY

8. All roadway improvements shall be completed **prior to execution** of any new entitlements approved under this Use Permit. **** If no temporary occupancy is requested, then this becomes a requirement prior to final occupancy.**

PREREQUISITES FOR FINAL CERTIFICATION OF OCCUPANCY

9. Site shall be completely stabilized to the satisfaction of the County Engineer prior to Final Occupancy.

Any changes in use may necessitate additional conditions for approval.

If you have any questions regarding the above items, please contact Raulton Haye from Napa County Planning, Building, and Environmental Services Department, Engineering Division, at (707)253-4621 or by email at Rauton.Haye@countyofnapa.org

October 6, 2021

HLS# 3567

Planning, Building & Environmental Services
1195 Third Street, Suite 210
Napa, CA 94559

Plan Check Response – P20-00269-UP

Site:

5575 Lovall Valley Road
Napa, California 95476
APN: 050-361-013-000

Plan reviewers:

Pam Arifian – Planning Division

Subject:

Konolige and McLaughlin Sonoma Driveway

Enclosures (electronic PDF via email):

- Revised Preliminary Grading & Drainage Roadway Design Plan
- Revised Figure 1: Vegetation Communities

Dear Pam,

Please find attached enclosures addressing revisions to the subject permit. Responses to your comments have been in red below.

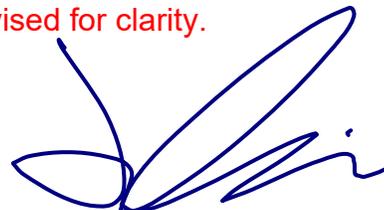
Planning Division

1. The vegetation mitigation requirements of 18.108.020(D) requires that location for preservation be prioritized as listed, including on site on land with slopes up to 50%. Please confirm the average slope of the proposed vegetation canopy cover mitigation area, or select a different area or plan that meets the mitigation criteria found in 18.108.020(D).
The vegetation mitigation area has been revised to be on land with slopes 50% or less. The average slope of the area has been added to the plan.
2. On Sheet C2, regarding Environmental Commitments, please make the following global edits:
 - a. Remove “MM-“ from each BIO commitment.
 - b. Replace “should” with “shall” in all environmental commitments (e.g., “nesting bird survey shall be performed. . .”; “felled trees shall be. . .”)

The environmental notes have been revised for clarity.



Hannah Chiu
Assistant Planner II



Jim Conklin, PE C92029
Civil Department Manager

“We’ll Get The Permit”



A Tradition of Stewardship
A Commitment to Service

September 28, 2021

Hogan Land Services, Inc. c/o Erik Lundquist
1702 4th Street
Santa Rosa, CA 95405

**Re: P20-00269-UP; Konolige and McLaughlin Sonoma Driveway
5575 Lovall Valley Road; APN 050-364-013
Application Status Letter 3**

Dear Mr. Lundquist:

Thank you for your August 31, 2021, submittal of the referenced Use Permit Exception to Conservation Regulations. An initial review of the subject application has been conducted. Upon review of your application staff has determined that your application is incomplete pursuant to Government Code Section 65943. The additional information listed below is needed to enable the County to continue with the review of your application.

PROJECT REVIEW STATUS BY DIVISION.			
DIVISION	REVIEW STATUS	REVIEWERS NAME	CONTACT INFO
PLANNING	See Comments	Pam Arifian	(707) 259-5934
BUILDING			
CODE ENFORCEMENT			
ENGINEERING	Approved	Raulton Hays	(707) 253-4621
ENV HEALTH	Approved	Darell Choate	(707) 251-1073
FIRE DEPARTMENT	Approved	Adam Mone	(707) 299-1466
PUBLIC WORKS			

Planning Division

1. The vegetation mitigation requirements of 18.108.020(D) requires that location for preservation be prioritized as listed, including on site on land with slopes up to 50%. Please confirm the average slope of the proposed vegetation canopy cover mitigation area, or select a different area or plan that meets the mitigation criteria found in 18.108.020(D).
2. On Sheet C2, regarding Environmental Commitments, please make the following global edits:
 - a. Remove "MM-" from each BIO commitment.
 - b. Replace "should" with "shall" in all environmental commitments (e.g., "nesting bird survey *shall* be performed..."; "felled trees *shall* be...")

Please be aware that this is an identification of information known to be necessary at this time to continue processing of your application. Further review of your project may necessitate the request for additional information, including supplemental reports in the event County staff determines that submitted reports have been prepared in a manner inconsistent with County protocol or otherwise inadequate for the purposes of application processing and evaluation under the California Environmental Quality Act (CEQA).

Thank you in advance for providing the above material. Please insure that all revised plans, reports, or other resubmitted documents are clearly marked "revised" and dated. When you are ready to submit a full resubmittal responding to all comments and requests for additional information, please contact me for instructions on use of the Napa County File Sharing website.

Please be advised that failure to provide the responsive information requested above, within 120 days of the date of this letter (January 26, 2021), shall cause the application to be deemed "abandoned" in accordance with Section 401(b)(2) of Napa County's Local Procedures for Implementing the California Environmental Quality Act, unless the Planning Director grants a request for an extension to that deadline as also provided in the Procedures. Once an application is deemed abandoned, County staff will do no further work on the proposed project without submission of a new application and payment of new fees.

You must be in compliance with the scope of your current entitlements at all times. While your application is in process you are not authorized to anything beyond your current entitlements. You should not begin the activities requested under this application until you receive approval.

If you have any questions about this letter or other matters relating to your application, please feel free to contact me at (707) 259-5934 or by e-mail at pamela.arifian@countyofnapa.org.

Sincerely,



Pam Arifian
Planner III

CC: John McDowell, Supervising Planner (via email)

Enclosures: Approval memo from Engineering Division dated 9/21/2021



A Tradition of Stewardship
A Commitment to Service

Planning, Building & Environmental Services

1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

David Morrison
Director

MEMORANDUM

To: Pam Arifian, Planning	From: Raulton Haye, Engineering
Date: September 21, 2021	Re: P20-00269 Konolige & McLaughlin Driveway APN: 050-361-013

The Engineering Division has reviewed the use permit application P20-00269 for the driveway located on assessor's parcel number 050-361-013. Based upon the information provided in the application, Engineering finds the application **complete** and recommends the following conditions of approval:

RECOMMENDED APPROVAL CONDITIONS:

PREREQUISITES FOR ISSUANCE OF PERMITS

1. Any roadway, access driveway, and parking areas, proposed new or reconstructed shall meet the requirements as outlined in the latest edition of the Napa County Road & Street Standards for Residential development at the time of use permit approval. The property owner shall obtain a grading permit for all proposed roadway improvements.
2. All on site civil improvements including but not limited to the excavation, fill, general grading, drainage, curb, gutter, surface drainage, storm drainage, parking and drive isles, shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by the Engineering Division of the Napa County Planning, Building, and Environmental Services Department (PBES) **prior to the commencement** of any on site land preparation or construction. Plans shall be wet signed and submitted with the building and/or grading permit documents at the time of permit application. A plan check fee will apply.
3. Grading and drainage improvements shall be constructed according to the current Napa County Road and Street Standards, Chapter 16.28 of the Napa County Code, and Appendix J of the California Building Code.
4. **Prior to issuance of a building permit** the owner shall submit the necessary documents for Erosion Control as determined by the area of disturbance of the proposed development in accordance with the Napa Countywide Stormwater Pollution Prevention program Erosion and Sediment Control Plan Guidance for Applicant and Review Staff dated December 2014.

5. **Prior to issuance of a building permit** the owner shall prepare a Single-Family Home/Small Development Project Stormwater Control Plan (SCP) in accordance with the latest edition of the BASMAA Post-Construction Manual for review and approval by the Engineering Division in PBES.
6. **Prior to issuance of a building permit**, an Operation and Maintenance Plan shall be submitted and tentatively approved by the Engineering Division in PBES. **Before final occupancy** the property owner must legally record the "Operation and Maintenance Agreement", approved by the Engineering Division in PBES.

PREREQUISITES DURING PROJECT CONSTRUCTION

7. Required on-site pre-construction meeting with the Napa County PBES Engineering Division **prior to start of construction.**

PREREQUISITES FOR TEMPORARY CERTIFICATE OF OCCUPANCY

8. All roadway improvements shall be completed **prior to execution** of any new entitlements approved under this Use Permit. **** If no temporary occupancy is requested, then this becomes a requirement prior to final occupancy.**

PREREQUISITES FOR FINAL CERTIFICATION OF OCCUPANCY

9. Site shall be completely stabilized to the satisfaction of the County Engineer prior to Final Occupancy.

Any changes in use may necessitate additional conditions for approval.

If you have any questions regarding the above items, please contact Raulton Haye from Napa County Planning, Building, and Environmental Services Department, Engineering Division, at (707)253-4621 or by email at Raulton.Haye@countyofnapa.org

August 30, 2021

HLS# 3567

Planning, Building & Environmental Services
1195 Third Street, Suite 210
Napa, CA 94559

Plan Check Response – P20-00269-UP

Site:
5575 Lovall Valley Road
Napa, California 95476
APN: 050-361-013-000

Plan reviewers:
Raulton Haye- Engineering
Adam Mone – Fire Department

Subject:
Lands of Konolige & McLaughlin - Preliminary Roadway Design

Enclosures (electronic PDF via email):

- Revised Preliminary Grading & Drainage Roadway Design Plan
- Revised Stormwater Control Plan
- Emergency Vehicle Access Analysis by W-Trans
- Revised Figure 1: Vegetation Communities
- Biological Resources Report – Response Letter, Dated August 27, 2021

Dear Pamela,

Please find attached enclosures addressing revisions to the subject permit. Responses to your comments have been in red below.

Planning Division

1. On November 30, 2020, the County received confirmation from Sonoma County that no discretionary permits are required; therefore, Napa County is the Lead Agency for CEQA for this project.

No response required.

2. Vegetation Canopy Cover

- a. Sheet C5 Tree removal table identifies 12 trees for removal but only 10 could be clearly identified with the symbology provided. Further, a close look at the grading plans shows a minimum of 15 more trees that are within the proposed new contoured areas. Please revise the Tree Removal Table and the symbology on the plans accordingly.

12 trees were shown to be removed on the last submittal. Two trees were added to the table. Please refer to the updated tree removal table on sheet C5 of the grading plans. Additional trees may be required to be removed if any proposed grading occurs within the drip line as shown on sheet C5 of the grading plans. This is solely per the owner's or project arborist's (if applicable) approval.

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b. The Addendum letter to the Biological Resources Report included Table 1. Non-Sensitive Communities and Impacts, along with Figure 1, Vegetation Communities, which together identify an impact of 0.35-acre of the 4.62 total acres of hardwood forest on the parcel.

i. As stated in the comment letter dated November 25, 2020, for the purpose of vegetation retention analysis, the Conservation Regulations defines “vegetation canopy cover” as “oak woodland, riparian oak woodland, and coniferous forest” (NCC 18.108.030). The use of the term “hardwood forest” is inconsistent with the definition; please revise the vegetation assessment to reflect the oak woodland and other communities on the parcel as identified in the Manual of California Vegetation.

Please see Sol Ecology response letter.

ii. It appears from the figure that the calculation is based on project development limits rather than on the removal of canopy cover that would result from the development. Please utilize the oak woodland biotic community or land cover type to identify canopy cover applicable to the vegetation retention requirements. Please note that the tree canopy cover should be based on crown area (i.e. upper story vegetation) of stands of trees as viewed from the aerial imagery from June 19, 2018 (pursuant to NCC 8.80.130B, Conservation regulations for fire-damaged properties). Identify the total canopy cover (within the oak woodland) and the proposed post-project canopy cover on an acreage basis. While it is evident that the proposed project would comply with the vegetation retention section of the Conservation Regulations (18.108.020C), the analysis is required in the record to make the finding.

Total canopy, based on 2018 oak woodland cover, is identified as 3.77 acres. Post project canopy has been determined at 3.56 acres. Total canopy removed is 0.21 acres. See revised Figure 1: Vegetation Communities.

Please see Sol Ecology response letter.

c. Identify the mitigation plan necessary to make the finding that the project complies with the vegetation mitigation requirements of 18.108.020D, which requires a 3:1 preservation or replacement on an acreage basis of the vegetation canopy cover proposed for removal.

Total canopy removed is 0.21 acres. At a 3:1 preservation acreage basis a total of 0.63 acres minimum is required. Figure 1 identifies a total 0.65 acres of preservation proposed.

Please see Sol Ecology response letter.

“We’ll Get The Permit”

3. Project Description:
- a. Provide clarification regarding total development area. The Response to Comment 3.a identifies 0.78 acres of disturbed area while Figure 1, Vegetation Communities, identifies 0.34-acre of impacted area. The SCP identifies a 0.85-acre disturbed area.
The disturbed area limits have been revised and matches on all submittal documents. The disturbed area limits have been revised to 0.79 acres and is updated on all locations referenced.
 - b. Include proposed mitigation plan pursuant to 18.108.020D.
Mitigation plan has been included.

Engineering Services

1. The Napa County Road and Street Standards (NCRSS) requires horizontal curves to have a minimum inside radius of 50 ft. However, a radius less than 50 ft may be acceptable provided the horizontal curve is designed and modeled by a licensed professional engineer demonstrating that a fire apparatus (fire apparatus to be determined by the Fire Marshal) can negotiate the proposed horizontal inside radius, and maintain the bumper and wheel clearance outlined in the NCRSS (pg. 14). Please revise horizontal curves to have a 50 ft minimum radius or, provide a model that demonstrates that a fire apparatus can negotiate the proposed inside radius while maintaining the appropriate clearances.
The Emergency Vehicle Access Analysis prepared by W-Trans on October 28, 2020 has been included in this resubmittal
2. The earthwork relating to the proposed driveway will require a separate grading permit.
Noted. No response required.
3. A separate permit will be required for retaining walls exceeding 4 feet. Please annotate plans to declare that the appropriate retaining wall will require a separate permit.
Noted on plan. No response required.
4. The treatment area of the bio-retention facility should be at least 4% of the impervious area which it treats. The bioretention facility (DMA 3) does not seem to be sized appropriately for treating the combined 18,987 ft² impervious areas of DMA's 1 and 2. Please revise.
We revised the project from a regulated project to a single-family home project. The plan has been revised to allow for discharge to drain to vegetation area sized at a 2:1 since project is being proposed for the future main residence under separate permit.

"We'll Get The Permit"

Fire Department

1. Please revise drawings to comply with Engineering Division comments.
The reduced turning radius for emergency vehicle access analysis has been provided included in this resubmittal. The analysis and model demonstrate that a fire apparatus will be able to access the road in its entirety.
2. Indicate location of municipal fire water/hydrant supply on plan set. If municipal hydrant is not within ½ mile measured along approved fire access road from the building it is to serve, then a water supply is required. Show location and details of wet draft fire hydrant and minimum 2,500 gallon water supply for residence under 6,000 sq feet in accordance with the above listed guidelines. The hydrant shall be located centered in a turnout area of a driveway and shall be within 5 feet to the edge of driveway. The fire hydrant turnout location shall be established in an area separate from the fire apparatus turn around to allow fire apparatus to be parked during drafting operations and shall not interfere with the fire department access to and from the structure. Hydrants shall be located no closer than 40 feet and no further than 150 feet from the residence or building.
The hydrant location has been revised and a turnout has been added to plan on sheet C5 of the grading plan to demonstrate the Napa County's standards.


Hannah Chiu
Assistant Planner II


Jim Conklin, PE C92029
Civil Department Manager

"We'll Get The Permit"



A Tradition of Stewardship
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April 19, 2021

Hogan Land Services, Inc. c/o Erik Lundquist
1702 4th Street
Santa Rosa, CA 95405

**Re: P20-00260-UP; Konolige and McLaughlin Sonoma Driveway
5575 Lovall Valley Road; APN 050-364-013
Application Status Letter**

Dear Mr. Lundquist:

Thank you for your March 10, 2021, submittal of the referenced Use Permit Exception to Conservation Regulations. An initial review of the subject application has been conducted. Upon review of your application staff has determined that your application is incomplete pursuant to Government Code Section 65943. The additional information listed below is needed to enable the County to continue with the review of your application.

PROJECT REVIEW STATUS BY DIVISION.			
DIVISION	REVIEW STATUS	REVIEWERS NAME	CONTACT INFO
PLANNING			
BUILDING			
CODE ENFORCEMENT			
ENGINEERING	See comments	Raulton Haye	
ENV HEALTH	Approved	Darell Choate	(707-251-1073
FIRE DEPARTMENT	See comments	Adam Mone	(707) 299-1466
PUBLIC WORKS			

Planning Division

1. On November 30, 2020, the County received confirmation from Sonoma County that no discretionary permits are required; therefore, Napa County is the Lead Agency for CEQA for this project.
2. Vegetation Canopy Cover
 - a. Sheet C5 Tree removal table identifies 12 trees for removal but only 10 could be clearly identified with the symbology provided. Further, a close look at the grading plans shows a minimum of 15 more trees that are within the proposed new contoured areas. Please revise the Tree Removal Table and the symbology on the plans accordingly.

- b. The Addendum letter to the Biological Resources Report included Table 1. Non-Sensitive Communities and Impacts, along with Figure 1, Vegetation Communities, which together identify an impact of 0.35-acre of the 4.62 total acres of hardwood forest on the parcel.
 - i. As stated in the comment letter dated November 25, 2020, for the purpose of vegetation retention analysis, the Conservation Regulations defines “vegetation canopy cover” as “oak woodland, riparian oak woodland, and coniferous forest” (NCC 18.108.030). The use of the term “hardwood forest” is inconsistent with the definition; please revise the vegetation assessment to reflect the oak woodland and other communities on the parcel as identified in the Manual of California Vegetation.
 - ii. It appears from the figure that the calculation is based on project development limits rather than on the removal of canopy cover that would result from the development. Please utilize the oak woodland biotic community or land cover type to identify canopy cover applicable to the vegetation retention requirements. Please note that the tree canopy cover should be based on crown area (i.e. upper story vegetation) of stands of trees as viewed from the aerial imagery from June 19, 2018 (pursuant to NCC 8.80.130B, Conservation regulations for fire-damaged properties). Identify the total canopy cover (within the oak woodland) and the proposed post-project canopy cover on an acreage basis. While it is evident that the proposed project would comply with the vegetation retention section of the Conservation Regulations (18.108.020C), the analysis is required in the record to make the finding.
 - c. Identify the mitigation plan necessary to make the finding that the project complies with the vegetation mitigation requirements of 18.108.020D, which requires a 3:1 preservation or replacement on an acreage basis of the vegetation canopy cover proposed for removal.
3. Project Description:
- a. Provide clarification regarding total development area. The Response to Comment 3.a identifies 0.78 acres of disturbed area while Figure 1, Vegetation Communities, identifies 0.34-acre of impacted area. The SCP identifies a 0.85-acre disturbed area.
 - b. Include proposed mitigation plan pursuant to 18.108.020D.

Engineering Services

1. The Napa County Road and Street Standards (NCRSS) requires horizontal curves to have a minimum inside radius of 50 ft. However, a radius less than 50 ft may be acceptable provided the horizontal curve is designed and modeled by a licensed professional engineer demonstrating that a fire apparatus (fire apparatus to be determined by the Fire Marshal) can negotiate the proposed horizontal inside radius, and maintain the bumper and wheel clearance outlined in the NCRSS (pg. 14). Please revise horizontal curves to have a 50 ft minimum radius or, provide a model that demonstrates that a fire apparatus can negotiate the proposed inside radius while maintaining the appropriate clearances.
2. The earthwork relating to the proposed driveway will require a separate grading permit.
3. A separate permit will be required for retaining walls exceeding 4 feet. Please annotate plans to declare that the appropriate retaining wall will require a separate permit.

4. The treatment area of the bio-retention facility should be at least 4% of the impervious area which it treats. The bioretention facility (DMA 3) does not seem to be sized appropriately for treating the combined 18,987 ft² impervious areas of DMA's 1 and 2. Please revise.

Environmental Health

1. Approved.

Fire Department

1. Please revise drawings to comply with Engineering Division comments.
2. Indicate location of municipal fire water/hydrant supply on plan set. If municipal hydrant is not within ½ mile measured along approved fire access road from the building it is to serve, then a water supply is required. Show location and details of wet draft fire hydrant and minimum 2,500 gallon water supply for residence under 6,000 sq feet in accordance with the above listed guidelines. The hydrant shall be located centered in a turnout area of a driveway and shall be within 5 feet to the edge of driveway. The fire hydrant turnout location shall be established in an area separate from the fire apparatus turn around to allow fire apparatus to be parked during drafting operations and shall not interfere with the fire department access to and from the structure. Hydrants shall be located no closer than 40 feet and no further than 150 feet from the residence or building.

Please be aware that this is an identification of information known to be necessary at this time to continue processing of your application. Further review of your project may necessitate the request for additional information, including supplemental reports in the event County staff determines that submitted reports have been prepared in a manner inconsistent with County protocol or otherwise inadequate for the purposes of application processing and evaluation under the California Environmental Quality Act (CEQA).

Thank you in advance for providing the above material. Please insure that all revised plans, reports, or other resubmitted documents are clearly marked "revised" and dated. When you are ready to submit a full resubmittal responding to all comments and requests for additional information, please contact me for instructions on use of the Napa County File Sharing website.

Please be advised that failure to provide the responsive information requested above, within 120 days of the date of this letter (August 17, 2021), shall cause the application to be deemed "abandoned" in accordance with Section 401(b)(2) of Napa County's Local Procedures for Implementing the California Environmental Quality Act, unless the Planning Director grants a request for an extension to that deadline as also provided in the Procedures. Once an application is deemed abandoned, County staff will do no further work on the proposed project without submission of a new application and payment of new fees.

You must be in compliance with the scope of your current entitlements at all times. While your application is in process you are not authorized to anything beyond your current entitlements. You should not begin the activities requested under this application until you receive approval.

If you have any questions about this letter or other matters relating to your application, please feel free to contact me at (707) 259-5934 or by e-mail at pamela.arifian@countyofnapa.org.

Sincerely,

Pamela Arifian

Pam Arifian
Planner III

CC: John McDowell, Supervising Planner (via email)

Enclosures: Email communication with Sonoma County, dated November 30, 2020.

January 21, 2021

HLS# 3567

Planning, Building & Environmental Services
1195 Third Street, Suite 210
Napa, CA 94559

Plan Check Response – P20-00269-UP

Site:
5575 Lovall Valley Road
Napa, California 95476
APN: 050-361-013-000

Plan Check Engineer:
Pamela Arifian
Planner II

Subject:
Lands of Konolige & McLaughlin - Preliminary Roadway Design

Enclosures (electronic PDF via email):

- Revised Preliminary Grading & Drainage Roadway Design Plan
- Original Drainage Report & Hydrology Map
- Revised Stormwater Control Plan
- Geotechnical Report
- Figure 1: Vegetation Communities
- ~~Addendum to July 16, 2020 Biological Resources Report~~
- Biological Resources Report

Dear Pamela,

Please find attached enclosures addressing revisions to the subject permit. Responses to your comments have been in red below.

Planning Division

Please clarify or provide the following information:

1. The application cannot be found complete until the Lead Agency for CEQA is determined by Napa County and Sonoma County staff. Sonoma County staff were contacted for comments by Napa County staff via email on November 17, 2020.

Noted.

2. Additional Findings: Napa County Code Section 18.108.040, Exceptions, includes two findings in addition to those found on the application form; please demonstrate conformance in your responses:

1g.108.040.A F—or structural/road development projects:

7. “An erosion control plan, or equipment NPDES stormwater management plan, has been prepared in accordance with Section 18.108.080 and has been approved by the director;”

“We’ll Get The Permit”

Project plans include Storm Mitigation Notes on Sheet C2, Erosion Control Plan on sheet C8, Storm Water Control Plan Exhibit on sheet C9, and the Storm Water Control Plan included in this submittal.

8. *“The proposed development does not result in a net increase in soil loss or runoff.”*

Please refer to the Storm Mitigation Notes on Sheet C2, the Erosion Control Plan on sheet C8, the Storm Water Control Plan on sheet C9, and the Storm Water Control Plan included in this submittal. Erosion control plan prevents soil loss as a result of erosion until final stabilization is achieved. The Storm Water Control Plan adheres to BASAMAA Post Construction Standards to achieve compliance with NDPDES rule E.12 and mitigates increases in runoff by providing onsite volume retention facilities.

3. Vegetation Canopy Cover Retention and Clearing Analysis: Pursuant to Napa County Code 18.108.020C, a minimum of 70% of the vegetation canopy cover (defined in 18.108.030, Definitions, as oak woodland, riparian oak woodland or coniferous forest based on the current Manual of California Vegetation (MCV)) as configured on the parcel existing on June 19, 2018'. Pursuant to NCC 18.108.020D, Vegetation Removal Mitigation, the removal of any vegetation canopy cover shall be mitigated by permanent replacement or preservation of comparable vegetation canopy cover on an acreage basis at a minimum 3:1 ratio.
- a. The symbology for trees and trees proposed for removal on Sheet C1 is inconsistent with the symbology provided on Sheet C4, which makes it hard to interpret how many trees are proposed for removal. Revise with consistent symbology, and provide a table that includes all trees to be removed, including species, size (diameter at breast height) and characteristics (e.g., dead, potential bat habitat).
The tree symbology has been revised on sheet C4 and a tree removal table has been provided on sheet C5. The portion of the parcel in Napa County is 8.7 acres. The total proposed disturbed area under this permit is 0.78 acres, far surpassing the requirement for vegetation preservation. please also refer to revised bio report for additional vegetation mitigation and removal calculations.
- b. Please provide in the plans a Vegetation Retention Analysis that details canopy coverage retention and removal pursuant to NCC section 18.108.020C. Please utilize the oak woodland biotic community or land cover type to identify canopy cover applicable to the vegetation retention requirements (refer to 3ai, below). Please note that the tree canopy cover should be based on crown area (i.e., upper-story vegetation) of stands of trees: canopy cover is the collective canopy cover of a grouping of woodland trees as viewed from applicable aerial imagery.
Refer to the addendum to the Biological Resources Report and Figure 1: Vegetation Communities included in this submittal.

“We’ll Get The Permit”

4. Include the recommended measures MM BIO-I through MM BIO-5 as environmental commitments on the General Notes Sheet C2 to ensure they are incorporated into project development.
The recommended measures MM BIO-1 through MM BIO-5 have been added to sheet C2 under the environmental commitment notes.
5. Supplemental Environmental Information
 - a. Biology Report: Revise or provide an addendum to the Biological Resources Report (Sol Ecology, July 16, 2020) to include:
 - i. A chart or table that includes acreage calculations of land cover types (or biotic communities) occurring within the entire parcel and proposed for removal.
Refer to the addendum to the Biological Resources Report and Figure 1: Vegetation Communities included in this submittal.
 - b. Geotechnical Report: The Geotechnical Plan Review prepared by PJC & Associates references the Geotechnical Investigation dated April 24, 2019 for this project. Please provide referenced report in your resubmittal.
Provided in this submittal.

6. Notification Information: A listing of the current owners of all properties located within 1,000 feet of the project site/holding will be necessary to circulate the CEQA document for public review and comment. The notification information shall include the property owner's names, their addresses, and the assessor's parcel numbers of the property owned. (Refer to the enclosed *Adjoining Property Owner List Requirements* instruction sheet.)

Information has been delivered to the County Office drop box on 12/17.

Fire Division

1. Proposed driveway design appears to meet the requirements of the Fire Division at this time.
Noted.
2. As the project is more than 1/2 mile from a municipal fire hydrant, an onsite water supply will be required. This will include a wet draft outlet and a tank (or swimming pool). For review by all divisions, please show these items on the plans. General guidance for this is as follows:
A potential future location for the fire hydrant, to be installed under separate permit, have been added to the plan on sheet C5 to serve the development on the Sonoma County side.

Thank you for your assistance with the plan check process. Please do not hesitate to contact me should you have any additional concerns.


Amber Conklin, EIT
Engineering Technician


Daniel Byrne, RCE 80078
Engineering Dept. Manager

"We'll Get The Permit"



A Tradition of Stewardship
A Commitment to Service

November 25, 2020

Hogan Land Services, Inc. c/o Erik Lundquist
1702 4th Street
Santa Rosa, CA 95405

Re: P20-00269-UP; Konolige and McLaughlin Sonoma Driveway
5575 Lovall Valley Road; APN 050-364-013
Application Status Letter

Dear Mr. Lundquist:

Thank you for your October 28, 2020, submittal of the referenced Use Permit Exception to Conservation Regulations. An initial review of the subject application has been conducted. Upon review of your application staff has determined that your application is incomplete pursuant to Government Code Section 65943. The additional information listed below is needed to enable the County to continue with the review of your application.

PROJECT REVIEW STATUS BY DIVISION.			
DIVISION	REVIEW STATUS	REVIEWERS NAME	CONTACT INFO
BUILDING	NO COMMENTS	STACIE GUTIERREZ	707-299-1337
CODE ENFORCEMENT	Select Review Status	Select Name	
ENGINEERING	NO COMMENTS	RAULTON HAYE	707-253-4621
ENV HEALTH	NO COMMENTS	DARELL CHOATE	707-251-1073
FIRE DEPARTMENT	SEE COMMENTS	ADAM MONE	707-299-1466
PUBLIC WORKS	NO COMMENTS	AHSAN KAZMI	707-259-8370

Planning Division

Please clarify or provide the following information:

1. The application cannot be found complete until the Lead Agency for CEQA is determined by Napa County and Sonoma County staff. Sonoma County staff were contacted for comments by Napa County staff via email on November 17, 2020.
2. Additional Findings: Napa County Code Section 18.108.040, Exceptions, includes two findings in addition to those found on the application form; please demonstrate conformance in your responses:

18.108.040.A For structural/road development projects:

7. *"An erosion control plan, or equivalent NPDES stormwater management plan, has been prepared in accordance with Section 18.108.080 and has been approved by the director;"*
8. *"The proposed development does not result in a net increase in soil loss and runoff."*

3. Vegetation Canopy Cover Retention and Clearing Analysis: Pursuant to Napa County Code 18.108.020C, a minimum of 70% of the vegetation canopy cover (defined in 18.108.030, Definitions, as oak woodland, riparian oak woodland or coniferous forest based on the current Manual of California Vegetation (MCV)) as configured on the parcel existing on June 19, 2018¹. Pursuant to NCC 18.108.020D, Vegetation Removal Mitigation, the removal of any vegetation canopy cover shall be mitigated by permanent replacement or preservation of comparable vegetation canopy cover on an acreage basis at a minimum 3:1 ratio.
 - a. The symbology for trees and trees proposed for removal on Sheet C1 is inconsistent with the symbology provided on Sheet C4, which makes it hard to interpret how many trees are proposed for removal. Revise with consistent symbology, and provide a table that includes all trees to be removed, including species, size (diameter at breast height) and characteristics (e.g., dead, potential bat habitat).
 - b. Please provide in the plans a Vegetation Retention Analysis that details canopy coverage retention and removal pursuant to NCC section 18.108.020C. Please utilize the oak woodland biotic community or land cover type to identify canopy cover applicable to the vegetation retention requirements (refer to 3ai, below). Please note that the tree canopy cover should be based on crown area (i.e., upper-story vegetation) of stands of trees: canopy cover is the collective canopy cover of a grouping of woodland trees as viewed from applicable aerial imagery.
4. Include the recommended measures MM BIO-1 through MM BIO-5 as environmental commitments on the General Notes Sheet C2 to ensure they are incorporated into project development.
5. Supplemental Environmental Information:
 - a. Biology Report: Revise or provide an addendum to the Biological Resources Report (Sol Ecology, July 16, 2020) to include:
 - i. A chart or table that includes acreage calculations of land cover types (or biotic communities) occurring within the entire parcel and proposed for removal.
 - b. Geotechnical Report: The Geotechnical Plan Review prepared by PJC & Associates references the Geotechnical Investigation dated April 24, 2019 for this project. Please provide referenced report in your resubmittal.
6. Notification Information: A listing of the current owners of all properties located within 1,000 feet of the project site/holding will be necessary to circulate the CEQA document for public review and comment. The notification information shall include the property owner's names, their

¹ NCC 18.108.020C requires a minimum of 70% vegetation canopy cover as configured on the parcel existing on June 16, 2016; however, since this property was burned by the 2017 Nuns Fire, it is subject to NCC 8.80.130B, Conservation regulations for fire-damaged properties, which allows use of **June 19, 2018** as the baseline for the vegetation canopy cover analysis.

addresses, and the assessor's parcel numbers of the property owned. (Refer to the enclosed *Adjoining Property Owner List Requirements* instruction sheet.)

Fire Division-

1. Proposed driveway design appears to meet the requirements of the Fire Division at this time.
2. As they project is more than ½ mile from a municipal fire hydrant, an onsite water supply will be required. This will include a wet draft outlet and a tank (or swimming pool). For review by all divisions, please show these items on the plans. General guidance for this is as follows:

“Indicate location of municipal fire water/hydrant supply on plan set. If municipal hydrant is not within ½ mile measured along approved fire access road from the building it is to serve, then a water supply is required. Show location and details of wet draft fire hydrant and minimum 2,500 gallon water supply for residence under 6,000 sq feet in accordance with the above listed guidelines. The hydrant shall be located centered in a turnout area of a driveway and shall be within 5 feet to the edge of driveway. The fire hydrant turnout location shall be established in an area separate from the fire apparatus turn around to allow fire apparatus to be parked during drafting operations and shall not interfere with the fire department access to and from the structure. Hydrants shall be located no closer than 40 feet and no further than 150 feet from the residence or building.”

Please be aware that this is an identification of information known to be necessary at this time to continue processing of your application. Further review of your project may necessitate the request for additional information, including supplemental reports in the event County staff determines that submitted reports have been prepared in a manner inconsistent with County protocol or otherwise inadequate for the purposes of application processing and evaluation under the California Environmental Quality Act (CEQA).

Thank you in advance for providing the above material. Please insure that all revised plans, reports, or other resubmitted documents are clearly marked “revised” and dated. When you are ready to submit a full resubmittal responding to all comments and requests for additional information, please contact me for instructions on use of the Napa County File Sharing website.

Please be advised that failure to provide the responsive information requested above, within 120 days of the date of this letter, shall cause the application to be deemed “abandoned” in accordance with Section 401(b)(2) of Napa County's Local Procedures for Implementing the California Environmental Quality Act, unless the Planning Director grants a request for an extension to that deadline as also provided in the Procedures. Once an application is deemed abandoned, County staff will do no further work on the proposed project without submission of a new application and payment of new fees.

You must be in compliance with the scope of your current entitlements at all times. While your application is in process you are not authorized to anything beyond your current entitlements. You should not begin the activities requested under this application until you receive approval.

If you have any questions about this letter or other matters relating to your application, please feel free to contact me at (707) 259-5934 or by e-mail at pamela.arifian@countyofnapa.org.

Sincerely,



Pamela Arifian
Planner II

Attachments: NCC 18.108 Conservation Regulations
Adjoining Property Owner List Requirements

CC: Brian Bordona, Deputy Director (via email)
John McDowell, Supervising Planner (via email)
Chris Apallas, Deputy County Counsel (via email)
Kurt Konolige and Janet McLaughlin, Property Owners, 865 College Avenue, Menlo Park, CA 94025 (w/ enclosures)



A Tradition of Stewardship
A Commitment to Service

Planning, Building & Environmental Services

1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

David Morrison
Director

NEW PROJECT SUBMITTAL COURTESY NOTICE

DATE: February 22, 2021

SUBJECT: P20-00269-UP; Konolige McLaughlin Residence Driveway
5575 Lovall Valley Road, Sonoma CA 95476; APN 050-361-013

On October 28, 2020, the Napa County Planning Division received a request for a Use Permit Exception to the Conservation Regulations and the Napa County Road and Street Standards. The property is within Napa County and Sonoma County, is located at 5575 Lovall Valley Road and is zoned Agricultural Watershed (AW).

The changes requested with this Use Permit include the following: construction of a driveway for a new residence on a parcel having slopes of 30% or more. The property for which the project is proposed is owned by Kurt Konolige and Janet McLaughlin. The project sponsor is Hogan Land Services, inc. c/o Erik Lundquist, at phone number 707-544-2104 and email address elundquist@hoganls.com.

The Planning Division has commenced review and processing of the application referenced above. During that time, County Staff will work with the applicant on documenting and analyzing the project's potential to result in environmental impacts, as well as evaluating the project for consistency with the County General Plan, Zoning Code, and applicable ordinances. Once County Staff has completed review the proposal will be scheduled for a public hearing before the Planning Commission. If you have received this courtesy notice by direct mail from County Staff, you will be included in the mailing of the formal notice of public hearing to consider this application.

Additional information about this proposed Use Permit is available for review at the Planning, Building and Environmental Services Department located on the second floor of the County Administration Building, 1195 Third Street, Napa. Information can also be viewed online at the Planning Division's current projects webpage: <https://www.countyofnapa.org/2876/Current-Projects-Explorer>.

If you have any questions regarding the application or the process, please contact Pam Arifian, by telephone at (707) 259-5934 or by e-mail at Pamela.Arifian@countyofnapa.org.