

TOWN OF PORTOLA VALLEY
Regular Meeting of the Town Council
Wednesday, July 24, 2024
CLOSED SESSION 6:30PM
REGULAR MEETING 7:00 PM

Sarah Wernikoff, Mayor
 Judith Hasko, Vice Mayor
 Jeff Aalfs, Councilmember
 Mary Hufty, Councilmember
 Craig Taylor, Councilmember

CLOSED SESSION AND REGULAR SESSION HYBRID MEETING

HISTORIC SCHOOLHOUSE- 765 Portola Road, Portola Valley, CA 94028

Remote Public Comments: Meeting participants are encouraged to submit public comments in writing in advance of the meeting. Please submit your comments using this [online form](#) by 1:00 PM on the day of the meeting. Time permitting, your correspondence will be uploaded to the website. All received questions will be forwarded to Council, Commission, or Committee members for consideration during the meeting and included in the public record. Additionally, technology permitting, the public body will take questions using the Raise Hand button for those who attend the meeting online or by phone. Phone callers may provide comments by pressing *9 on their phone to "raise your hand" and *6 to mute/unmute themselves. The meeting Chair will call on people to speak by the phone number calling in. Remote participation is provided as a supplemental way to provide public comment, but this method does not always work. The public is encouraged to attend in person to ensure full participation.

Assistance for People with Disabilities: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Town Clerk at (650) 851-1700 or by email at towncenter@portolavalley.net. Notification 48 hours prior to the meeting will enable the Town to make reasonable arrangements to ensure accessibility to this meeting.

Sarah Wernikoff will be attending the meeting remotely at the following public location:

LAMBERT'S COVE INN, "THE WOODS" ROOM
 90 MANAQUAYAK ROAD
 WEST TISBURY, MA 02568

VIRTUAL PARTICIPATION VIA ZOOM

To access the meeting by computer:

<https://us06web.zoom.us/j/85269116615?pwd=BINp4bfTfddisuYHwalvhMzZBl3vH.1>

Webinar ID: 852 6911 6615

Passcode: 3 3 2 6 6 9

To access the meeting by phone:

1-669-900-6833 or 1-888-788-0099 (toll-free)

*Mute/Unmute – Press *6 / Raise Hand – Press *9*

1. CALL TO ORDER
2. CLOSED SESSION
 - a. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Govt. Code section 54957)
Town Manager Sharif Etman
3. CALL TO ORDER – REGULAR SESSION
4. PRESENTATIONS/PROCLAMATIONS

5. TOWN MANAGER REPORT

There are no written materials, and the Town Council does not take action under this agenda item.

6. ORAL COMMUNICATIONS

Persons wishing to address the Town Council on any subject may do so now. Please note, However, the Council is not able to undertake extended discussion or action tonight on items not on the agenda. Each speaker's time is limited to three minutes

7. CONSENT AGENDA

- a. **Approval** of Warrant List 7/24/2024
- b. **Approval** of Resolutions authorizing the San Mateo County Controller to apply charges to the 2024-2025 tax roll for the two road maintenance districts, and authorizing the tax collector to collect the taxes at the same time and in the same manner as the general county taxes are collected.

8. REGULAR AGENDA

- a. **Conduct a Study Session** to Consider Sample California Environmental Quality Act ("CEQA") Local Procedural Guidelines and provide direction to staff regarding bringing forward a policy for consideration at a future meeting of the Town Council.

9. COUNCIL SUBCOMMITTEE, LIAISON COMMITTEE, AND REGIONAL AGENCIES REPORTS

Oral and written reports arising out of Council subcommittee and liaison appointments to both in-town and regional committees and initiatives. The Town Council does not take action under this agenda item.

10. ADJOURNMENT

The next Regular Town Council meeting will be held on August 28, 2024, at 7:00 PM

Land Acknowledgement:

The Town of Portola Valley acknowledges the colonial history of this land we dwell upon the unceded territory of the Ramaytush (rah-my-toosh) Ohlone, Tamien Nation, and Muwekma (mah-WEK-mah) Ohlone, who endured a human and cultural genocide that included removal from their lands and their sacred relationship to the land. Portola Valley recognizes that we profit from the commodification of land seized from indigenous peoples and now bear the ecological consequences. We seek to understand the impact of these legacies on all beings and to find ways to make repair.

Item 4

There are no written materials for this Item.

Item 5

There are no written materials for this Item.



TOWN OF PORTOLA VALLEY STAFF REPORT

TO: Mayor and Members of the Town Council
FROM: Tony McFarlane, Finance Director
DATE: July 24, 2024
RE: Warrant List exceptions

There were 5 checks printed off-cycle between the warrant list dates of 06/26/2024 and 07/24/2024 for the following reasons.

Check No	Date	Payee	Amount
4346	06/20/2024	John Badger	\$1,500.00
4347	07/18/2024	Gregory Posten	\$1,729.50
4348	07/18/2024	Aaron Katz	\$500.00
4349	07/18/2024	Fog City Swampers	\$2,000.00
4350	07/19/2024	James Gaskin	\$2,000.00

Check No. 4346 payable to John Badger as a deposit refund for PV Palooza. This check should have been included in the 06/26/2024 Warrant List.

Check No. 4347 payable to Gregory Posten as payment for sound services at the PV Summer Concert Series on 07/18/2024. Payment was due at the time of the event.

Check No. 4348 payable to Aaron Katz as a deposit refund for field rentals. This check should have been included in the 06/26/2024 Warrant List.

Check No. 4349 payable to Fog City Swampers as payment for performance at the PV Summer Concert Series on 07/18/2024. Payment was due at the time of the event. However, this check was issued to the wrong payee and has been voided.

Check No. 4350 payable to James Gaskin who is the Fog City Swampers manager as a correction to Check No. 4349.

Check Register

Check Number	Vendor Number	Vendor Name	Check Amount	Check Date	BW	Check Type
Checks for Cash Account: 910-11011-000						
4346	732	JOHN BADGER	1,500.00	06/20/24		
Check totals:			1,500.00			
ACH totals:						
EFTPS totals:						
Wire transfer totals:						
Payment Manager totals:						
GRAND TOTALS			1,500.00			
Check totals:			1,500.00			
ACH totals:						
EFTPS totals:						
Wire transfer totals:						
Payment Manager totals:						
GRAND TOTALS			1,500.00			

TOWN OF PORTOLA VALLEY
Warrant Disbursement Journal
June 28, 2024

Claims totaling \$408,218.55 having been duly examined by me and found to be correct are hereby approved and verified by me as due bills against the Town of Portola Valley.

Date _____

Sharif Etman, Town Manager

Motion having been duly made and seconded, the above claims are hereby approved and allowed for payment.

Signed and sealed this (Date) _____

Corie Stocker , Assistant Town Manager

Mayor

Check Register

Check Number	Vendor Number	Vendor Name	Check Amount	Check Date	BW	Check Type
Checks for Cash Account: 910-11011-000						
4351	1	A&B ROOFING	1,000.00	07/24/24		
4352	41	AT&T	1,771.19	07/24/24		
4353	49	BAY AREA GEOTECH GROUP	5,610.00	07/24/24		
4354	71	BW CONSTRUCTION	1,324.00	07/24/24		
4355	75	CALIFORNIA BLDG STANDARDS COMM	151.20	07/24/24		
4356	78	CALIFORNIA WATER SERVICE CO	18,904.39	07/24/24		
4357	121	SCA OF CA, LLC	1,990.56	07/24/24		
4358	129	COTTON SHIRES & ASSOC. INC.	9,240.75	07/24/24		
4359	135	CSG CONSULTANTS INC	75,568.39	07/24/24		
4360	156	DEPARTMENT OF CONSERVATION	385.23	07/24/24		
4361	167	ECS IMAGING	2,571.26	07/24/24		
4362	176	EXCEL LD	13.08	07/24/24		
4363	193	GO NATIVE INC	6,720.00	07/24/24		
4364	195	GOOD CITY COMPANY	51,430.00	07/24/24		
4365	213	HILLYARD INC	984.86	07/24/24		
4366	214	HINDERLITER DE LLAMAS & ASSOC	750.00	07/24/24		
4367	215	HORIZON	437.49	07/24/24		
4368	218	MISSIONSQUARE RETIREMENT	5,303.25	07/24/24		EFTPS
4369	234	J. W. ENTERPRISES	546.88	07/24/24		
4370	261	JON MYERS	500.00	07/24/24		
4371	267	KARI CHINN	53.57	07/24/24		
4372	275	KRUPKA CONSULTING	5,512.50	07/24/24		
4373	276	KUTZMANN & ASSOCIATES	6,365.40	07/24/24		
4374	324	MIRANDAS LANDSCAPE	3,349.64	07/24/24		
4375	330	NAVIA BENEFIT SOLUTIONS	200.00	07/24/24		
4376	334	NOLTE ASSOCIATES INC	23,739.48	07/24/24		
4377	367	PG&E	1,390.92	07/24/24		EFTPS
4378	374	PLAN JPA	841.50	07/24/24		
4379	375	PLATINUM FACILITY SERVICES	4,936.68	07/24/24		
4380	376	PORTOLA VALLEY HARDWARE	323.12	07/24/24		
4381	403	RON RAMIES AUTOMOTIVE INC.	1,198.47	07/24/24		
4382	431	SIERRA PACIFIC TURF SUPPLY INC	1,883.99	07/24/24		
4383	445	STANDARD INSURANCE CO.	1,589.04	07/24/24		
4384	489	VERIZON WIRELESS	744.52	07/24/24		EFTPS
4385	505	WOODSIDE FIRE PROTECTION DISTR	33,522.33	07/24/24		
4386	518	GOT GOPHERS?	1,050.00	07/24/24		
4387	522	NEW PATH LANDSCAPE SERVICES	22,360.72	07/24/24		
4388	545	W H DEMPSEY ENGINEERING LLC	5,450.00	07/24/24		
4389	642	CYBERTARY.COM	190.55	07/24/24		
4390	765	JOSEPH MURAD	4,527.82	07/24/24		
4391	803	CODA TECHNOLOGY GROUP	165.00	07/24/24		
4392	847	LISA WISE CONSULTING	29,973.75	07/24/24		
4393	860	STEPFORD	600.00	07/24/24		
4394	864	DAILY POST	168.75	07/24/24		
4395	935	LADRIS TECHNOLOGIES, INC	6,700.00	07/24/24		

Check Register

Check Number	Vendor Number	Vendor Name	Check Amount	Check Date	BW	Check Type
4396	977	LORAL LANDSCAPING INC	13,276.00	07/24/24		
4397	1016	SHUTE, MIHALY & WEINBERGER LLP	23,873.50	07/24/24		
4398	1018	V&B GRADING INC.	15,000.00	07/24/24		
4399	1036	BAKER TILLY US, LLP	7,450.00	07/24/24		EFTPS
4400	1067	KRISCH & COMPANY	2,700.00	07/24/24		
4401	1118	STERICYCLE, LNC. DBA SHRED-LT	112.53	07/24/24		
4402	1151	CORIE STOCKER	406.24	07/24/24		
4403	1169	DALE KANE	1,660.00	07/24/24		
4404	1170	AMAR PATEL	500.00	07/24/24		
4405	1171	MICHELLE JASEN	100.00	07/24/24		
4406	1172	CIQU CONSTRUCTION	1,000.00	07/24/24		
4407	1174	PEARL WOON-TAI	100.00	07/24/24		
Check totals:			393,329.86			
ACH totals:						
EFTPS totals:			14,888.69			
Wire transfer totals:						
Payment Manager totals:						
GRAND TOTALS			408,218.55			
Check totals:			393,329.86			
ACH totals:						
EFTPS totals:			14,888.69			
Wire transfer totals:						
Payment Manager totals:						
GRAND TOTALS			408,218.55			

Check Date	Check Number	Special Information	Net Check Amount	Total Invoices Paid	Invoice Number
Vendor: 07/24/24	1 4351	A&B ROOFING Deposit Refund - 19 Valley Oak	1,000.00	1,000.00	BLDR0047-2024
Vendor:	41 4352	AT&T June Statement June Statement Fiber Optics	1,771.19	56.69 1,714.50	000021958570 000021958571
Vendor: 4353	49	BAY AREA GEOTECH GROUP 2022-2023 Street Resurfacing - Various Locations 2024 Street Resurfacing Project Various Locations	5,610.00	2,360.00 3,250.00	58217 58218
Vendor: 4354	71	BN CONSTRUCTION Reimbursement - Road Cleanup	1,324.00	1,324.00	1114
Vendor: 4355	75	CALIFORNIA BLDG STANDARDS COMM Building Standards Administration Fee Report	151.20	151.20	Q2_2024
Vendor: 4356	78	CALIFORNIA WATER SERVICE CO Water Service 6/12/24 - 7/12/24	18,904.39	18,904.39	JUNE-2024
Vendor: 4357	121	SCA OF CA, LLC June Litter/Street Clean	1,990.56	1,990.56	2024-006593
Vendor: 4358	129	COTTON SHIRES & ASSOC. INC. June 24 Applicant Charges	9,240.75	9,240.75	2024-JUNE
Vendor: 4359	135	CSG CONSULTANTS INC May Code Enforcement, Bldg Svcs, In House, Proj 2023-PW01 Jun Code Enforcement, Bldg Svcs, In House, Proj 2023-PW01	75,568.39	50,574.75 24,993.64	MAY-2024 JUN-2024
Vendor: 4360	156	DEPARTMENT OF CONSERVATION Strong Motion Instrumentation and Seismic Hazard Mapping Fee	385.23	385.23	Q2_2024
Vendor: 4361	167	ECS IMAGING Scanning and Planning	2,571.26	2,571.26	18870
Vendor: 4362	176	EXCEL LD June Telephone LD Services	13.08	13.08	1198291227
Vendor: 4363	193	GO NATIVE INC Town Center Landscape Maint, June	6,720.00	6,720.00	3858
Vendor: 4364	195	GOOD CITY COMPANY Planning Consultant Services - June 2024	51,430.00	51,430.00	3660

Check Date	Check Number	Special Information	Net Check Amount	Total Invoices Paid	Invoice Number
Vendor:	213	HILLYARD INC			
	4365	Janitorial Supplies	984.86	984.86	605524659
Vendor:	214	HINDERLITER DE LLAMAS & ASSOC			
	4366	Contract Services Sales Tax Apr-Jun 2024	750.00	750.00	SIN039861
Vendor:	215	HORIZON			
	4367	Chainsaw maintenance	437.49	437.49	1N594030
Vendor:	218	MISSIONSQUARE RETIREMENT			
	4368	Deferred Comp - June 30, 2024	5,303.25	5,303.25	JUNE-202430
Vendor:	234	J. W. ENTERPRISES			
	4369	Handicap Unit Rental & Services	546.88	315.44	259580
		Handicap Unit Rental & Services		231.44	259581
Vendor:	261	JON MYERS			
	4370	Field Rental Deposit Refund	500.00	500.00	PROF-24-4
Vendor:	267	KARI CHINN			
	4371	Employee Recognition	53.57	53.57	FRRS-24-12
Vendor:	275	KRUPKA CONSULTING			
	4372	Traffic Planning & Flashing Beacons	5,512.50	5,512.50	1409
Vendor:	276	KUTZMANN & ASSOCIATES			
	4373	June Plan Checks	6,365.40	6,365.40	470782
Vendor:	324	MIRANDAS LANDSCAPE			
	4374	June Landscape Maintenance Services	3,349.64	2,704.00	663
		June Landscape Maintenance Services		645.64	665
Vendor:	330	NAVIA BENEFIT SOLUTIONS			
	4375	June 2024 Monthly Fee	200.00	200.00	10865196
Vendor:	334	NOLTE ASSOCIATES INC			
	4376	May Applicant Charges & PW Support	23,739.48	23,739.48	MAY-2024
Vendor:	367	PG&E			
	4377	Jun Statement 2	1,390.92	1,390.92	JUN-2024 2ND
Vendor:	374	PLAN JPA			
	4378	General Liability Claims- June 2024	841.50	229.50	PLAN-2024-0102
		General Liability Claims- May 2024		612.00	INV0046

Check Date	Check Number	Special Information	Net Check Amount	Total Invoices Paid	Invoice Number
Vendor:	375	PLATINUM FACILITY SERVICES			
	4379	Janitorial Services - June 2024	4,936.68	4,488.67	48882
		Janitorial Services - June 2024. Fridays disinfection svcs		448.01	48883
Vendor:	376	PORTOLA VALLEY HARDWARE			
	4380	June Statement	323.12	323.12	193-JUN24
Vendor:	403	RON RAMIES AUTOMOTIVE INC.			
	4381	Vehicle Maintenance	1,198.47	534.55	77823
		May Fuel Statement		663.92	G20240531-2
Vendor:	431	SIERRA PACIFIC TURF SUPPLY INC			
	4382	Fields Fertilizer	1,883.99	1,883.99	01012649
Vendor:	445	STANDARD INSURANCE CO.			
	4383	LTD/Life Premium	1,589.04	529.68	2024-JUN
		LTD/Life Premium		529.68	2024-APR
		LTD/Life Premium		529.68	2024-MAY
Vendor:	489	VERIZON WIRELESS			
	4384	June Cellular	744.52	744.52	9967511382
Vendor:	505	WOODSIDE FIRE PROTECTION DISTR			
	4385	06/01/24-6/30/24 Fire Mitigation Crew Support	33,522.33	33,522.33	WFPDCREW2024-06
Vendor:	518	GOT GOPHERS?			
	4386	Town Fields Gopher Trapping- June 2024	1,050.00	1,050.00	65708
Vendor:	522	NEW PATH LANDSCAPE SERVICES			
	4387	Roadside Mowing Weed Abatement Maintenance	22,360.72	22,360.72	7799
Vendor:	545	W H DEMPSEY ENGINEERING LLC			
	4388	Open Space Mowing Frog Pond, Ford, Buck Meadows	5,450.00	5,450.00	1941
Vendor:	642	CYBERTARY.COM			
	4389	June, Transcription Services	190.55	190.55	4841
Vendor:	765	JOSEPH MURAD			
	4390	Deposit Refund, 627 Westridge	4,527.82	1,368.75	BLDM0007-2021
		Deposit Refund, 627 Westridge		2,559.07	PLNARCH00082021
		Deposit Refund, 627 Westridge		600.00	PLNPAR00012021
Vendor:	803	CODA TECHNOLOGY GROUP			
	4391	Remote Support - Council Chambers network failure.	165.00	165.00	7985

Check Date	Check Number	Special Information	Net Check Amount	Total Invoices Paid	Invoice Number
Vendor:	847	LISA WISE CONSULTING			
	4392	Professional Services: May 2024	29,973.75	29,973.75	4842
Vendor:	860	STEPFORD			
	4393	Remote Onsite Service - JUN 24	600.00	600.00	2406357
Vendor:	864	DAILY POST			
	4394	PH Notice Budget 20242025 Advertisement- June	168.75	168.75	88927
Vendor:	935	LADRIS TECHNOLOGIES, INC			
	4395	Evacuation Simulator/Operator Data Studio	6,700.00	6,700.00	1302
Vendor:	977	LORAL LANDSCAPING INC			
	4396	Landscape Maintenance Trails	13,276.00	13,276.00	85970
Vendor:	1016	SHUTE, MIHALY & WEINBERGER LLP			
	4397	May Legal Service	23,873.50	23,873.50	MAY-24-SMW
Vendor:	1018	V&B GRADING INC.			
	4398	Larry Lane x Hayforks Trail	15,000.00	15,000.00	5110
Vendor:	1036	BAKER TILLY US, LLP			
	4399	Council Goal Setting Workshop 2024	7,450.00	7,450.00	BT2756136
Vendor:	1067	KRISCH & COMPANY			
	4400	Professional Services - June 2024	2,700.00	2,700.00	54052
Vendor:	1118	STERICYCLE, LNC. DBA SHRED-LT			
	4401	Paper Shredding Services	112.53	112.53	8007616900
Vendor:	1151	CORIE STOCKER			
	4402	Employee Appreciation	406.24	406.24	FRRS-24-11
Vendor:	1169	DALE KANE			
	4403	Deposit Refund - 3 Hillbrook	1,660.00	1,660.00	BLDM0006-2023 2
Vendor:	1170	AMAR PATEL			
	4404	Field Rental Deposit Refund	500.00	500.00	PROF-24-8
Vendor:	1171	MICHELLE JASEN			
	4405	Deposit Picnic Rental Refund	100.00	100.00	PROF-24-26
Vendor:	1172	CIQU CONSTRUCTION			
	4406	Deposit Refund - 121 Ash	1,000.00	1,000.00	BLDR0164-2022

Check Date	Check Number	Special Information	Net Check Amount	Total Invoices Paid	Invoice Number
Vendor:	1174	PEARL WOON-TAI			
	4407	Deposit Picnic Table Refund	100.00	100.00	PROF-24-28
Vendor:	50	BAY AREA PAVING			
	4408	Woodside Highlands District Re-paving project	45,000.00	45,000.00	C60-190
Vendor:	80	CALPERS			
	4409	July Unfunded Liability	10,961.84	10,961.84	100000017591282
Vendor:	124	COMCAST			
	4410	WIFI-07.16.2024-08.15.2024	496.87	496.87	7290-JUL24
Vendor:	218	MISSIONSQUARE RETIREMENT			
	4411	Deferred Comp - July 15, 2024	3,784.86	3,784.86	JULY-202415
Vendor:	259	JOINT VENTURE S.V. NETWORK			
	4412	FY2024- 2025 Annual Contribution	1,100.00	1,100.00	118220NETPORTOL
Vendor:	364	PERS HEALTH			
	4413	July Health	23,643.88	23,643.88	100000017575751
Vendor:	373	PITNEY BOWES INC.			
	4414	Postage Meter Rental, Equipment	4,741.21	4,741.21	1025639131
Vendor:	374	PLAN JPA			
	4415	FY24-25 Gen Liability/Property Program Contributions	217,037.00	217,037.00	INV0077
Vendor:	380	PURCHASE POWER			
	4416	Postage Meter	603.75	603.75	7931-JUL24
Vendor:	437	SMALL BUSINESS BENEFIT PLAN TR			
	4417	Aug Dental/Vision	3,784.86	3,784.86	AUG-2024
Vendor:	532	COUNTY OF SAN MATEO			
	4418	FY 2024-25 Animal Care Shelter Construction Costs	5,293.00	5,293.00	ASC24-25-PORTOL
Vendor:	547	ALPINE W. MENLO LITTLE LEAGUE			
	4419	Field Deposit Refund	500.00	500.00	PROF-24-6
Vendor:	578	COUNTY OF SAN MATEO - LAFCO			
	4420	FY2024-25 LAFCO Apportionment	911.00	911.00	FY2024-25_LAFCO
Vendor:	744	PATTY DEMES			
	4421	Expenses for the 60th Anniversary Tea celebrating the reside	980.92	980.92	FRRC-24-6

Check Date	Check Number	Special Information	Net Check Amount	Total Invoices Paid	Invoice Number
Vendor:	860	STEPFORD			
	4422	Titan HQ Email Archiving set-up/support/subscription	9,908.00	3,200.00	2401328
		Monthly Service Charges 07/01/2024 THRU 07/31/2024		3,920.00	2401371
		Veeam Backup and Replication for Disaster Recovery - JUL 24		593.50	2401372
		Adobe Acrobat Pro Renewal		2,194.50	2401394
Vendor:	914	UNITED MECHANICAL INC			
	4423	Plumbing - Community Hall	4,525.00	1,945.00	91431
		Plumbing - Community Hall		2,580.00	91440
Vendor:	979	MMANC			
	4424	Membership Renewal - Full Member (through July 30, 2025)	95.00	95.00	10417
Vendor:	1152	AMAZON CAPITAL SERVICES, INC			
	4425	Office Supplies	32.51	32.51	11FW-3T9W-3JJV
Vendor:	1175	ELIZABETH WINKELMAN			
	4426	Deposit Refund	100.00	100.00	PROF-24-9
Check Date Totals			741,718.25		
Grand Total			741,718.25		

TOWN OF PORTOLA VALLEY
Warrant Disbursement Journal
July 10, 2024

Claims totaling \$4,229.50 having been duly examined by me and found to be correct are hereby approved and verified by me as due bills against the Town of Portola Valley.

Date _____

Sharif Etman, Town Manager

Motion having been duly made and seconded, the above claims are hereby approved and allowed for payment.

Signed and sealed this (Date) _____

Corie Stocker , Assistant Town Manager

Mayor

Check Register

Check Number	Vendor Number	Vendor Name	Check Amount	Check Date	BW	Check Type
Checks for Cash Account: 910-11011-000						
4347	996	GREGORY POSTEN	1,729.50	07/18/24		
4348	1122	AARON KATZ	500.00	07/18/24		
4349	1173	FOG CITY SWAMPERS	2,000.00	07/18/24		
Check totals:			4,229.50			
ACH totals:						
EFTPS totals:						
Wire transfer totals:						
Payment Manager totals:						
GRAND TOTALS			4,229.50			
Check totals:			4,229.50			
ACH totals:						
EFTPS totals:						
Wire transfer totals:						
Payment Manager totals:						
GRAND TOTALS			4,229.50			

Check Date	Check Number	Special Information	Net Check Amount	Total Invoices Paid	Invoice Number
Vendor: 07/18/24	996 4347	GREGORY POSTEN Summer Concert Series 2024	1,729.50	1,729.50	ESPA-24-2
Vendor:	1122 4348	AARON KATZ Refund Field Deposit	500.00	500.00	PROF-23-58
Vendor:	1173 4349	FOG CITY SWAMPERS PV Summer Concert July 2024	2,000.00	2,000.00	ESPA-24-1
Check Date Totals			4,229.50		
Grand Total			4,229.50		

Check Register

Check Number	Vendor Number	Vendor Name	Check Amount	Check Date	BW	Check Type
Checks for Cash Account: 910-11011-000						
4350	1176	JAMES GASKIN	2,000.00	07/19/24		
Check totals:			2,000.00			
ACH totals:						
EFTPS totals:						
Wire transfer totals:						
Payment Manager totals:						
GRAND TOTALS			2,000.00			
Check totals:			2,000.00			
ACH totals:						
EFTPS totals:						
Wire transfer totals:						
Payment Manager totals:						
GRAND TOTALS			2,000.00			

TOWN OF PORTOLA VALLEY
Warrant Disbursement Journal
July 24, 2024

Claims totaling \$333,499.70 having been duly examined by me and found to be correct are hereby approved and verified by me as due bills against the Town of Portola Valley.

Date _____

Sharif Etman, Town Manager

Motion having been duly made and seconded, the above claims are hereby approved and allowed for payment.

Signed and sealed this (Date) _____

Corie Stocker , Assistant Town Manager

Mayor

Check Register

Check Number	Vendor Number	Vendor Name	Check Amount	Check Date	BW	Check Type
Checks for Cash Account: 910-11011-000						
4408	50	BAY AREA PAVING	45,000.00	07/24/24		
4409	80	CALPERS	10,961.84	07/24/24		EFTPS
4410	124	COMCAST	496.87	07/24/24		
4411	218	MISSIONSQUARE RETIREMENT	3,784.86	07/24/24		EFTPS
4412	259	JOINT VENTURE S.V. NETWORK	1,100.00	07/24/24		
4413	364	PERS HEALTH	23,643.88	07/24/24		EFTPS
4414	373	PITNEY BOWES INC.	4,741.21	07/24/24		
4415	374	PLAN JPA	217,037.00	07/24/24		
4416	380	PURCHASE POWER	603.75	07/24/24		
4417	437	SMALL BUSINESS BENEFIT PLAN TR	3,784.86	07/24/24		
4418	532	COUNTY OF SAN MATEO	5,293.00	07/24/24		
4419	547	ALPINE W. MENLO LITTLE LEAGUE	500.00	07/24/24		
4420	578	COUNTY OF SAN MATEO - LAFCO	911.00	07/24/24		
4421	744	PATTY DEWES	980.92	07/24/24		
4422	860	STEPFORD	9,908.00	07/24/24		
4423	914	UNITED MECHANICAL INC	4,525.00	07/24/24		
4424	979	MMANC	95.00	07/24/24		
4425	1152	AMAZON CAPITAL SERVICES, INC	32.51	07/24/24		EFTPS
4426	1175	ELIZABETH WINKELMAN	100.00	07/24/24		
Check totals:			295,076.61			
ACH totals:						
EFTPS totals:			38,423.09			
Wire transfer totals:						
Payment Manager totals:						
GRAND TOTALS			333,499.70			
Check totals:			295,076.61			
ACH totals:						
EFTPS totals:			38,423.09			
Wire transfer totals:						
Payment Manager totals:						
GRAND TOTALS			333,499.70			

Check Date	Check Number	Special Information	Net Check Amount	Total Invoices Paid	Invoice Number
Vendor: 07/24/24	1 4351	A&B ROOFING Deposit Refund - 19 Valley Oak	1,000.00	1,000.00	BLDR0047-2024
Vendor:	41 4352	AT&T June Statement June Statement Fiber Optics	1,771.19	56.69 1,714.50	000021958570 000021958571
Vendor: 4353	49	BAY AREA GEOTECH GROUP 2022-2023 Street Resurfacing - Various Locations 2024 Street Resurfacing Project Various Locations	5,610.00	2,360.00 3,250.00	58217 58218
Vendor: 4354	71	BN CONSTRUCTION Reimbursement - Road Cleanup	1,324.00	1,324.00	1114
Vendor: 4355	75	CALIFORNIA BLDG STANDARDS COMM Building Standards Administration Fee Report	151.20	151.20	Q2_2024
Vendor: 4356	78	CALIFORNIA WATER SERVICE CO Water Service 6/12/24 - 7/12/24	18,904.39	18,904.39	JUNE-2024
Vendor: 4357	121	SCA OF CA, LLC June Litter/Street Clean	1,990.56	1,990.56	2024-006593
Vendor: 4358	129	COTTON SHIRES & ASSOC. INC. June 24 Applicant Charges	9,240.75	9,240.75	2024-JUNE
Vendor: 4359	135	CSG CONSULTANTS INC May Code Enforcement, Bldg Svcs, In House, Proj 2023-PW01 Jun Code Enforcement, Bldg Svcs, In House, Proj 2023-PW01	75,568.39	50,574.75 24,993.64	MAY-2024 JUN-2024
Vendor: 4360	156	DEPARTMENT OF CONSERVATION Strong Motion Instrumentation and Seismic Hazard Mapping Fee	385.23	385.23	Q2_2024
Vendor: 4361	167	ECS IMAGING Scanning and Planning	2,571.26	2,571.26	18870
Vendor: 4362	176	EXCEL LD June Telephone LD Services	13.08	13.08	1198291227
Vendor: 4363	193	GO NATIVE INC Town Center Landscape Maint, June	6,720.00	6,720.00	3858
Vendor: 4364	195	GOOD CITY COMPANY Planning Consultant Services - June 2024	51,430.00	51,430.00	3660

Check Date	Check Number	Special Information	Net Check Amount	Total Invoices Paid	Invoice Number
Vendor:	213	HILLYARD INC			
	4365	Janitorial Supplies	984.86	984.86	605524659
Vendor:	214	HINDERLITER DE LLAMAS & ASSOC			
	4366	Contract Services Sales Tax Apr-Jun 2024	750.00	750.00	SIN039861
Vendor:	215	HORIZON			
	4367	Chainsaw maintenance	437.49	437.49	1N594030
Vendor:	218	MISSIONSQUARE RETIREMENT			
	4368	Deferred Comp - June 30, 2024	5,303.25	5,303.25	JUNE-202430
Vendor:	234	J. W. ENTERPRISES			
	4369	Handicap Unit Rental & Services	546.88	315.44	259580
		Handicap Unit Rental & Services		231.44	259581
Vendor:	261	JON MYERS			
	4370	Field Rental Deposit Refund	500.00	500.00	PROF-24-4
Vendor:	267	KARI CHINN			
	4371	Employee Recognition	53.57	53.57	FRRS-24-12
Vendor:	275	KRUPKA CONSULTING			
	4372	Traffic Planning & Flashing Beacons	5,512.50	5,512.50	1409
Vendor:	276	KUTZMANN & ASSOCIATES			
	4373	June Plan Checks	6,365.40	6,365.40	470782
Vendor:	324	MIRANDAS LANDSCAPE			
	4374	June Landscape Maintenance Services	3,349.64	2,704.00	663
		June Landscape Maintenance Services		645.64	665
Vendor:	330	NAVIA BENEFIT SOLUTIONS			
	4375	June 2024 Monthly Fee	200.00	200.00	10865196
Vendor:	334	NOLTE ASSOCIATES INC			
	4376	May Applicant Charges & PW Support	23,739.48	23,739.48	MAY-2024
Vendor:	367	PG&E			
	4377	Jun Statement 2	1,390.92	1,390.92	JUN-2024 2ND
Vendor:	374	PLAN JPA			
	4378	General Liability Claims- June 2024	841.50	229.50	PLAN-2024-0102
		General Liability Claims- May 2024		612.00	INV0046

Check Date	Check Number	Special Information	Net Check Amount	Total Invoices Paid	Invoice Number
Vendor:	375	PLATINUM FACILITY SERVICES			
	4379	Janitorial Services - June 2024	4,936.68	4,488.67	48882
		Janitorial Services - June 2024. Fridays disinfection svcs		448.01	48883
Vendor:	376	PORTOLA VALLEY HARDWARE			
	4380	June Statement	323.12	323.12	193-JUN24
Vendor:	403	RON RAMIES AUTOMOTIVE INC.			
	4381	Vehicle Maintenance	1,198.47	534.55	77823
		May Fuel Statement		663.92	G20240531-2
Vendor:	431	SIERRA PACIFIC TURF SUPPLY INC			
	4382	Fields Fertilizer	1,883.99	1,883.99	01012649
Vendor:	445	STANDARD INSURANCE CO.			
	4383	LTD/Life Premium	1,589.04	529.68	2024-JUN
		LTD/Life Premium		529.68	2024-APR
		LTD/Life Premium		529.68	2024-MAY
Vendor:	489	VERIZON WIRELESS			
	4384	June Cellular	744.52	744.52	9967511382
Vendor:	505	WOODSIDE FIRE PROTECTION DISTR			
	4385	06/01/24-6/30/24 Fire Mitigation Crew Support	33,522.33	33,522.33	WFPDCREW2024-06
Vendor:	518	GOT GOPHERS?			
	4386	Town Fields Gopher Trapping- June 2024	1,050.00	1,050.00	65708
Vendor:	522	NEW PATH LANDSCAPE SERVICES			
	4387	Roadside Mowing Weed Abatement Maintenance	22,360.72	22,360.72	7799
Vendor:	545	W H DEMPSEY ENGINEERING LLC			
	4388	Open Space Mowing Frog Pond, Ford, Buck Meadows	5,450.00	5,450.00	1941
Vendor:	642	CYBERTARY.COM			
	4389	June, Transcription Services	190.55	190.55	4841
Vendor:	765	JOSEPH MURAD			
	4390	Deposit Refund, 627 Westridge	4,527.82	1,368.75	BLDM0007-2021
		Deposit Refund, 627 Westridge		2,559.07	PLNARCH00082021
		Deposit Refund, 627 Westridge		600.00	PLNPAR00012021
Vendor:	803	CODA TECHNOLOGY GROUP			
	4391	Remote Support - Council Chambers network failure.	165.00	165.00	7985

Check Date	Check Number	Special Information	Net Check Amount	Total Invoices Paid	Invoice Number
Vendor:	847	LISA WISE CONSULTING			
	4392	Professional Services: May 2024	29,973.75	29,973.75	4842
Vendor:	860	STEFFORD			
	4393	Remote Onsite Service - JUN 24	600.00	600.00	2406357
Vendor:	864	DAILY POST			
	4394	PH Notice Budget 20242025 Advertisement- June	168.75	168.75	88927
Vendor:	935	LADRIS TECHNOLOGIES, INC			
	4395	Evacuation Simulator/Operator Data Studio	6,700.00	6,700.00	1302
Vendor:	977	LORAL LANDSCAPING INC			
	4396	Landscape Maintenance Trails	13,276.00	13,276.00	85970
Vendor:	1016	SHUTE, MIHALY & WEINBERGER LLP			
	4397	May Legal Service	23,873.50	23,873.50	MAY-24-SMW
Vendor:	1018	V&B GRADING INC.			
	4398	Larry Lane x Hayforks Trail	15,000.00	15,000.00	5110
Vendor:	1036	BAKER TILLY US, LLP			
	4399	Council Goal Setting Workshop 2024	7,450.00	7,450.00	BT2756136
Vendor:	1067	KRISCH & COMPANY			
	4400	Professional Services - June 2024	2,700.00	2,700.00	54052
Vendor:	1118	STERICYCLE, LNC. DBA SHRED-LT			
	4401	Paper Shredding Services	112.53	112.53	8007616900
Vendor:	1151	CORIE STOCKER			
	4402	Employee Appreciation	406.24	406.24	FRRS-24-11
Vendor:	1169	DALE KANE			
	4403	Deposit Refund - 3 Hillbrook	1,660.00	1,660.00	BLDM0006-2023 2
Vendor:	1170	AMAR PATEL			
	4404	Field Rental Deposit Refund	500.00	500.00	PROF-24-8
Vendor:	1171	MICHELLE JASEN			
	4405	Deposit Picnic Rental Refund	100.00	100.00	PROF-24-26
Vendor:	1172	CIQU CONSTRUCTION			
	4406	Deposit Refund - 121 Ash	1,000.00	1,000.00	BLDR0164-2022

Check Date	Check Number	Special Information	Net Check Amount	Total Invoices Paid	Invoice Number
Vendor:	1174	PEARL WOON-TAI			
	4407	Deposit Picnic Table Refund	100.00	100.00	PROF-24-28
Vendor:	50	BAY AREA PAVING			
	4408	Woodside Highlands District Re-paving project	45,000.00	45,000.00	C60-190
Vendor:	80	CALPERS			
	4409	July Unfunded Liability	10,961.84	10,961.84	100000017591282
Vendor:	124	COMCAST			
	4410	WIFI-07.16.2024-08.15.2024	496.87	496.87	7290-JUL24
Vendor:	218	MISSIONSQUARE RETIREMENT			
	4411	Deferred Comp - July 15, 2024	3,784.86	3,784.86	JULY-202415
Vendor:	259	JOINT VENTURE S.V. NETWORK			
	4412	FY2024- 2025 Annual Contribution	1,100.00	1,100.00	118220NETPORTOL
Vendor:	364	PERS HEALTH			
	4413	July Health	23,643.88	23,643.88	100000017575751
Vendor:	373	PITNEY BOWES INC.			
	4414	Postage Meter Rental, Equipment	4,741.21	4,741.21	1025639131
Vendor:	374	PLAN JPA			
	4415	FY24-25 Gen Liability/Property Program Contributions	217,037.00	217,037.00	INV0077
Vendor:	380	PURCHASE POWER			
	4416	Postage Meter	603.75	603.75	7931-JUL24
Vendor:	437	SMALL BUSINESS BENEFIT PLAN TR			
	4417	Aug Dental/Vision	3,784.86	3,784.86	AUG-2024
Vendor:	532	COUNTY OF SAN MATEO			
	4418	FY 2024-25 Animal Care Shelter Construction Costs	5,293.00	5,293.00	ASC24-25-PORTOL
Vendor:	547	ALPINE W. MENLO LITTLE LEAGUE			
	4419	Field Deposit Refund	500.00	500.00	PROF-24-6
Vendor:	578	COUNTY OF SAN MATEO - LAFCO			
	4420	FY2024-25 LAFCO Apportionment	911.00	911.00	FY2024-25_LAFCO
Vendor:	744	PATTY DEMES			
	4421	Expenses for the 60th Anniversary Tea celebrating the reside	980.92	980.92	FRRC-24-6

Check Date	Check Number	Special Information	Net Check Amount	Total Invoices Paid	Invoice Number
Vendor:	860	STEPFORD			
	4422	Titan HQ Email Archiving set-up/support/subscription	9,908.00	3,200.00	2401328
		Monthly Service Charges 07/01/2024 THRU 07/31/2024		3,920.00	2401371
		Veeam Backup and Replication for Disaster Recovery - JUL 24		593.50	2401372
		Adobe Acrobat Pro Renewal		2,194.50	2401394
Vendor:	914	UNITED MECHANICAL INC			
	4423	Plumbing - Community Hall	4,525.00	1,945.00	91431
		Plumbing - Community Hall		2,580.00	91440
Vendor:	979	MMANC			
	4424	Membership Renewal - Full Member (through July 30, 2025)	95.00	95.00	10417
Vendor:	1152	AMAZON CAPITAL SERVICES, INC			
	4425	Office Supplies	32.51	32.51	11FW-3T9W-3JJV
Vendor:	1175	ELIZABETH WINKELMAN			
	4426	Deposit Refund	100.00	100.00	PROF-24-9
Check Date Totals			741,718.25		
Grand Total			741,718.25		



TOWN OF PORTOLA VALLEY

STAFF REPORT

TO: Mayor and Members of the Town Council

FROM: Anthony (Tony) McFarlane, Finance Director

DATE: July 24, 2024

RE: **2024-25 Woodside Highlands and Wayside II Road Maintenance District Tax Assessments.**

RECOMMENDATION

Staff recommends that the Town Council adopt the attached Resolutions authorizing the San Mateo County Controller to apply charges to the 2024-2025 tax roll for the two road maintenance districts, and authorizing the tax collector to collect the taxes at the same time and in the same manner as the general county taxes are collected.

BACKGROUND

In July 1997, the Town Council acting as the Governing Boards for the Woodside Highlands and Wayside II Road Maintenance Districts, adopted Ordinances 1997-300 and 1977-301 respectively, imposing special taxes for private road maintenance on each improved parcel in the Districts. In November 1997, more than two-thirds of the voters within each district approved Measure C (Woodside Highlands) and Measure D (Wayside II), enacting the taxes. In June 2012, more than two-thirds of the voters within Wayside II approved Measure V, increasing their districts special tax.

DISCUSSION

On an annual basis, the San Mateo County Controller's Office requires the submittal of updated assessment information and resolutions authorizing the tax collector to collect the taxes at the same time and in the same manner as the general county taxes are collected. The attached resolutions authorize this tax collection.

FISCAL IMPACT

None.

ATTACHMENT

1. Resolution for the Woodside Highlands Road Maintenance District
2. Resolution for the Wayside II Road Maintenance District

RESOLUTION NO. _____ 2024

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PORTOLA VALLEY AUTHORIZING THE SAN MATEO COUNTY CONTROLLER TO APPLY THE SPECIAL TAX FOR THE WOODSIDE HIGHLANDS ROAD MAINTENANCE DISTRICT TO THE 2023-2024 TAX ROLL AND TO COLLECT THE TAX AT THE SAME TIME AS GENERAL COUNTY TAXES

WHEREAS, at its June 25, 1997 meeting, the Portola Valley Town Council, acting as the Governing Board for the Woodside Highlands Road Maintenance District, adopted Ordinance No. 1997-300, imposing a special tax for private road maintenance; and

WHEREAS, in November 1997, more than two-thirds of the voters within the Woodside Highlands Road Maintenance District approved Measure C on the ballot enacting the special tax; and

WHEREAS, each improved parcel within the Woodside Highlands Road Maintenance District is required to remit \$250 annually; and

WHEREAS, Ordinance No. 1997-300 has not been amended and none of the parcels have been modified over the past year.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Portola Valley that:

1. The Town of Portola Valley authorizes the San Mateo County Controller to apply the charges to the 2023-2024 tax roll in accordance with documents supplied by the Woodside Highlands Road Maintenance District; and
2. The Town of Portola Valley authorizes the tax collector to collect the taxes at the same time and in the same manner as the general county taxes are collected.

PASSED AND ADOPTED this 24th day of July 2024.

By: _____
Mayor

ATTEST:

Town Clerk

RESOLUTION NO. _____-2024

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PORTOLA VALLEY AUTHORIZING THE SAN MATEO COUNTY CONTROLLER TO APPLY THE SPECIAL TAX FOR THE WAYSIDE II ROAD MAINTENANCE DISTRICT TO THE 2023-2024 TAX ROLL AND TO COLLECT THE TAX AT THE SAME TIME AS GENERAL COUNTY TAXES

WHEREAS, at its July 9, 1997 meeting, the Portola Valley Town Council, acting as the Governing Board for the Wayside II Road Maintenance District, adopted Ordinance No. 1997-301, imposing a special tax for private road maintenance; and

WHEREAS, in November 1997, more than two-thirds of the voters within the Wayside II Road Maintenance District approved Measure D on the ballot enacting the special tax; and

WHEREAS, in June 2012, more than two-thirds of the voters within the District approved Measure V on the ballot increasing the special tax;

WHEREAS, each improved parcel within the Wayside II Road Maintenance District is required to remit \$950 annually; and

WHEREAS, Ordinance No. 1997-301 has not been amended and none of the parcels have been modified over the past year.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Portola Valley that:

1. The Town of Portola Valley authorizes the San Mateo County Controller to apply the charges to the 2023-2024 tax roll in accordance with documents supplied by the Wayside II Road Maintenance District; and
2. The Town of Portola Valley authorizes the tax collector to collect the taxes at the same time and in the same manner as the general county taxes are collected.

PASSED AND ADOPTED this 24th day of July, 2024.

By: _____
Mayor

ATTEST:

Town Clerk



TOWN OF PORTOLA VALLEY STAFF REPORT

TO: Mayor and Members of the Town Council

FROM: Catherine Engberg, Town Attorney
Jon Biggs, Extra Help

DATE: July 24, 2024

RE: Study Session to Consider Sample Local CEQA Procedural Guidelines

RECOMMENDED ACTION:

Conduct a Study Session to Consider Sample California Environmental Quality Act (“CEQA”) Local Procedural Guidelines and provide direction to staff regarding bringing forward a policy for consideration at a future meeting of the Town Council.

BACKGROUND:

CEQA is a state law requiring varying levels of environmental review in connection with agency approval of projects, unless those projects qualify for an exemption. CEQA requires public agencies to adopt an “ordinance, resolution, rule or regulation” that provides “objectives, criteria, and procedures for the evaluation of projects” and preparation of environmental review documents. (Public Res. Code § 21082; CEQA Guidelines §15022.) These local procedural guidelines must be consistent with CEQA’s statutory provisions and the State CEQA Guidelines.¹

CEQA allows local agencies to comply with this requirement by adopting the State CEQA Guidelines through incorporation by reference. (CEQA Guidelines §15022(d).) The Town currently takes this approach. (PVMC 14.04.010 “The town shall follow the state guidelines for implementation of the California Environmental Quality Act, 14 California Code of Regulations, Chapter 3, Sections 15000, et seq., as they may be amended from time to time, in evaluating projects and conducting environmental review.”)

¹ The State CEQA Guidelines (also “CEQA Guidelines”) are found at California Code of Regulations, Title 14, Section 15000 *et seq.*

CEQA authorizes public agencies to adopt two general types of local guidelines: (1) Procedural guidelines, which govern the particular processes the agency employs when conducting CEQA review (e.g., which department within the agency is responsible for overseeing CEQA compliance; whether the agency has the authority to retain consultants; whether project applicants are required to pay the costs of CEQA review); and (2) Thresholds of significance, which are quantitative or qualitative standards established to determine if a project's impacts should be considered "significant," and thus require mitigation, under CEQA (e.g., if a project causes 100 additional vehicle miles travelled, it has a significant traffic impact).

At the September 13, 2023 Town Council meeting, the Council Subcommittee on the Post-Adoption Housing Element Plan (Hasko and Taylor) presented an update on the Post-Adoption Plan. The Council provided direction to staff related to implementation of the Post-Adoption Plan, including direction to move forward with establishing local procedural CEQA Guidelines.

The purpose of this item is to solicit Council feedback regarding the potential adoption of local CEQA procedural guidelines consistent with the Council's post-Adoption plan.

DISCUSSION:

Staff has identified local guidelines from the City of Sonora, the County of Napa, and the City of Chino Hills, which provide a range of options from the more straightforward (Sonora) to the highly detailed (Napa County). The City of Chino Hills has taken a simpler approach and, like the Town of Portola Valley, has incorporated the State CEQA Guidelines by reference. A copy of each jurisdiction's local guidelines is attached.

The City of Sonora's Local CEQA Implementation Guidelines were adopted in 2014. Sonora's local guidelines define the responsibilities and authority of various city departments and the City Council over the CEQA review process, explicitly provide that all environmental documents used to support determinations made under CEQA must reflect the city's independent judgment and analysis and require project applicants to bear the cost of preparing environmental documents.

The Napa County Local Procedures for Implementing the California Environmental Quality Act are quite extensive. In addition to providing procedural guidelines, Napa County's guidelines contain appendices that include lists of projects the County has declared are ministerial or categorically exempt, and thus not subject to CEQA review. Napa County's guidelines also include many provisions which are substantively identical to provisions already included in the State CEQA Guidelines and the Public Resources Code.

The City of Chino adopted local CEQA Guidelines in 1991, which were subsequently updated in 1996 and 2002. In 2020, Chino Hills formally adopted the State Guidelines through incorporation by reference. The adopting resolution explains that the City decided to adopt the State Guidelines in order to avoid confusion, streamline the environmental

process, and promote compliance with the current and future updates to the environmental review requirements of State CEQA Statutes and Guidelines. In addition, the City of Chino Hills Administrative Compliance Policy delineates the authority and responsibilities of various city departments over distinct components of the CEQA review process, provides a detailed roadmap explaining how projects are reviewed, and states that project applicants are required to bear all costs associated with CEQA review.

Regardless of which example the Town Council indicates it prefers, staff recommends that any local CEQA procedural guidelines adopted by the Town include a provision incorporating the State CEQA Guidelines and applicable Public Resources Code provisions by reference and explicitly providing that, in the event of an inconsistency between the local and state law, state law controls. (CEQA Guidelines § 15022(d).)

Staff recommends that the Council provide direction to staff regarding bringing forward a policy for consideration at a future meeting of the Town Council. For example, staff will be seeking direction on the following policy issues:

1. Does Council believe a change is needed?
2. If so, are any of the attached sample guidelines well-suited to serve as a model for the Town's CEQA procedural guidelines?

ATTACHMENTS

1. City of Sonoma Local Implementation Guidelines – California Environmental Quality Act (September 2014)
2. Napa County's Local Procedures for Implementing the California Environmental Quality Act (rev. February 2020)
3. City of Chino Hills California Environmental Quality Act Compliance Policy, Adopting Resolution, and Staff Report (January 2020).



CITY OF SONORA LOCAL IMPLEMENTATION GUIDELINES - CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

(Adopted 09-15-14)

The following are the City of Sonora's (City) local procedures for implementing the California Environmental Quality Act (CEQA) and are adopted pursuant to this Act and Section 15022 of the State CEQA Guidelines. The City of Sonora, under Resolution No. 09-15-2014-A, has adopted the State CEQA Guidelines and any revision thereto. These Local Implementation Guidelines shall be revised as needed to be kept current with changes to the State CEQA Guidelines which shall take precedence even if the local procedures are not updated.

1. The City will serve as the Lead Agency for those projects in which the City has the principal responsibility for carrying out or approving a project.
2. The procedures established under these Guidelines are applicable to both public and private projects under the jurisdiction of the City.
3. No application for a project which is subject to CEQA review will be approved or issued a permit by the City until all procedures required by the State and City Guidelines have been complied with. A copy of any application for a permit that requires environmental review shall be promptly forwarded to the Community Development Department.
4. Whenever City staff proposes to engage in an activity with possible CEQA implementations, such as a public construction project or the adoption of any City ordinance, that individual shall consult with the Community Development Director.
5. The Community Development Director is responsible for determining whether or not an Initial Study is required or whether the project is excluded or exempt from review under CEQA. If determined that the project is excluded or exempt from review under CEQA, no further environmental review is required and it shall be documented in the record. The Community Development Department may also prepare and file a Notice of Exemption.
6. If a proposed project is not excluded or exempt from review under CEQA an Initial Study may be prepared to determine whether a Negative/Mitigated Negative Declaration or EIR is required for the proposed project.
7. A project is defined as the "whole of an action" and may not be segmented nor divided into smaller parts in an attempt to avoid full consideration of its environmental impacts. All of the separate permits and approvals for a particular project shall be considered together when determining the project's environmental effects.
8. The City may from time to time use consultants to fulfill its obligations under CEQA, including, but not limited to, the preparation of Initial Studies, Negative/Mitigated Negative Declarations

and EIRs. Consultants hired by the City will be selected using the City's procurement requirements. The project applicant will be provided an opportunity to review the consultant's proposal for the project and provide comments.

9. All consultant prepared environmental documents utilized shall be prepared under contract with the City. Environmental consultants shall work at the direction of City staff. Previously prepared technical reports may be submitted and will be evaluated by the Community Development Director, or his/her designee, for completeness.
10. No firm or person having a financial interest in a project shall be employed to prepare environmental documents on that project.
11. For projects not eligible for an exemption or exclusion from CEQA, the project applicant shall pay the full costs of draft and final document preparation. The amount to cover these costs will be deposited with the City. No work will proceed on the environmental documentation until a deposit has been received by the City. Funds deposited with the City shall be adequate to cover the cost of work being authorized by the City.
12. The City shall accept consultant prepared work products as final only when the Community Development Director determines them to be impartial and complete.
13. The Community Development Director shall make a concerted effort to provide early notice and solicit comments on environmental documents from the public and interested organizations/agencies so that a broad range of interests and opinions are available to decision makers regarding the impacts of projects.
14. The City's decision makers shall confirm that the environmental documents reflect the Lead Agency's independent judgment and analysis. The decision making body shall mean the City Council, Planning Commission or City Official that has the ultimate responsibility for approving the permit/project under consideration.
15. When the City Council is the decision making body on a project, the City Council is responsible for:
 - a. Certifying the Final EIR, adopting the Negative/Mitigated Negative Declaration or determining that the project is exempt from environmental review
 - b. Considering the environmental document prepared prior to taking action on the project
 - c. Making the findings required by State CEQA Guidelines Section 15091 (Findings) and 15093 (Statement of Overriding Considerations)
16. The City Council shall also act as the appeal board for Planning Commission, Community Development Director and staff actions on environmental determinations.
17. The City Council shall set the procedures for the City's implementation of CEQA and shall be responsible for adopting thresholds of significance if so desired.
18. When the Planning Commission is the decision making body on a project, the Planning Commission is responsible for:

- a. Certifying the Final EIR, adopting the Negative/Mitigated Negative Declaration or determining that the project is exempt from environmental review
 - b. Considering the environmental document prepared prior to taking action on the project
 - c. Making the findings required by State CEQA Guidelines Section 15091 (Findings) and 15093 (Statement of Overriding Considerations)
19. When the Sonora Planning Commission is required to make a recommendation on a project to the City Council, the Planning Commission shall hold any hearings required on the proposed environmental documents produced, review all comments made and the responses prepared and make a recommendation regarding certification of the Final EIR or adoption of the Negative/Mitigated Negative Declaration involved. If the Planning Commission believes that the project is exempt for environmental review, it shall recommend that the City Council make such a finding.
20. The Community Development Department is responsible for:
- a. Carrying out all environmental reviews undertaken by the City including those requested on behalf of other agencies.
 - b. Obtaining comments from other agencies/organizations and the public on the expected environmental effects of a project.
 - c. Identifying appropriate measures to reduce the potentially significant effects of a project to non-significant levels.
 - d. Preparing and processing all environmental documents prepared by the City.
 - e. Preparing the Mitigation Monitoring and Reporting Programs where required.
 - f. Reviewing and commenting on environmental documents submitted to the City by other public agencies.
 - g. Preparing, distributing and filing applicable environmental notices, including a Notice of Intent, Notice of Preparation, Notice of Completion, Notices of Exemption and Notices of Determination.
 - h. Collecting State Fish and Game fees and recording fees for transmittal to the County of Tuolumne.
 - i. Developing, coordinating and implementing the City's environmental review procedures consistent with the policy direction provided by the City Council.
21. The project applicant is responsible for payment of all filing fees, recordation fees and the monitoring costs of all mitigation measures including, but not limited to, those incurred by the City.



A Tradition of Stewardship
A Commitment to Service

Napa County's Local Procedures for Implementing the:

The graphic for the California Environmental Quality Act (CEQA) features the title "California Environmental Quality Act" in a large, black, serif font. Each word is preceded by a large, bold, black letter: "C" for California, "E" for Environmental, "Q" for Quality, and "A" for Act. To the left of each letter is a small, square inset image: a landscape with rolling hills and a sunset for "C"; yellow flowers for "E"; green grass for "Q"; and a house with a red roof for "A". The background is a collage of images including a map of California, a bunch of grapes, and a person's hands holding a bunch of grapes.

California Environmental Quality Act

Revised February 2020

Napa County's
Local Procedures
For Implementing the
California Environmental Quality Act

Revised February 2020

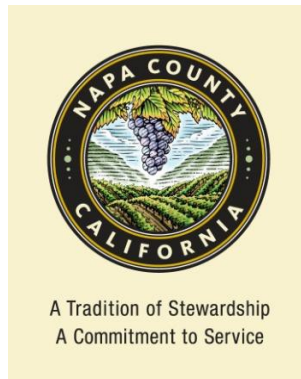


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NAPA COUNTY'S LOCAL PROCEDURES FOR IMPLEMENTING THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

State CEQA Guidelines Section 15022(a) requires that each public agency issue local procedures for implementing the *State CEQA Guidelines* in order to ensure the orderly evaluation and preparation of environmental documents. Such procedures shall be revised when needed to be kept current with changes to the *State CEQA Guidelines*; however, *State CEQA Guidelines* shall take precedence even if the local procedures are not updated.

CHAPTER 1. INTENT AND GENERAL PROVISIONS

Section 100. Intent.

These local County CEQA guidelines are established, adopted and intended to meet the requirements of Section 15022(a) of the *State CEQA Guidelines* and to provide the public with information on the procedures used by the County in the environmental review process.

Section 101. Applicability. [State CEQA Guidelines §15022(b)]

The procedures established in these guidelines are applicable to both public and private projects under the jurisdiction of the County and may be used by districts whose boundaries are coterminous with or are entirely encompassed by the County.

Section 102. Compliance Required Prior to Project Approval. [State CEQA Guidelines §15004]

No application for a permit shall be approved nor shall any permit be issued or approval given by any County official or body until all procedures required by the *State* and *County CEQA Guidelines* have been completed, including if required the preparation and certification of a Final Environmental Impact Report (FEIR) by the County. Compliance with CEQA shall be included in the planning process as early as possible in order to allow incorporation of environmental considerations into the design of the project.

Section 103. Public Records. [Public Records Act]

- (a) All final documents prepared pursuant to these procedures shall be available for public inspection in the Planning Department. Drafts and working papers shall not be considered final documents.
- (b) All reports and documents submitted other than proprietary reports, confidential archaeological and special status species location studies and other confidential information shall be available for public inspection in the Planning Department.

Section 104. Use of Consultants.

- (a) The County may from time to time use consultants to fulfill its obligations under CEQA including, but not limited to, the preparation of technical studies, monitoring reports, restoration plans, Initial Studies, Negative/Mitigated Negative Declarations, and EIRs.

- (b) All consultant-prepared environmental documents, such as Initial Studies, Negative Declarations, and EIRs utilized shall be prepared under contract with the County using the most current version of the County's Professional Services Agreement. Subject to the County's independent judgment, applicant sponsored technical reports and environmental surveys utilized in the preparation of the application and project design may be utilized by the County.
- (c) The project sponsor shall pay the full costs of technical studies and draft and final document preparation including both consultant and County oversight and review costs. A deposit to cover County costs shall be paid at the time of application in conformance with applicable sections of the County Policy Manual. The deposit shall be made prior to the County contracting with a consultant and prior to commencement of document preparation and in no case later than thirty (30) days after issuance of the letter from the Planning Director indicating the estimated cost to produce the document(s) involved.
- (d) When the Planning Director determines that it is necessary to contract with a consultant to prepare an environmental document or document(s) for a public or private project, the Planning Director may select a consultant through a separate Request for Proposals (RFP) process. For private projects, the Planning Director, in consultation with the applicant, may either enter into a contract with a qualified consultant without requiring a separate RFP.
- (e) No firm or person having a financial interest in a project shall be employed to prepare environmental documents on that project.
- (f) Environmental consultants shall work at the direction of County staff and the County shall accept consultant-prepared work products as final only when the Planning Director determines them to be impartial, technically adequate, and complete. The County decision-makers shall confirm that the environmental documents reflect the lead agency's independent judgment and analysis. (History: Reso 06-176)
- (g) The project sponsor may submit technical studies along with their application submittal or at the County's request but a project sponsor may not contract directly with a consultant for preparation of a complete environmental document including, but not limited to, preparation of an Environmental Impact Report, Negative Declaration or Mitigated Negative Declaration.

Section 105. Notice Generally. *[State CEQA Guidelines §§15072 and 15087]*

- (a) The Planning Director should make a concerted effort to provide early notice and solicit comments on environmental documents from the public and interested organizations so that a broad range of interests and opinions are available to decision-makers regarding the impacts of projects.
- (b) Any required notice shall be deemed given on the date of mailing, the date of posting or the first day of publication, whichever is later.
- (c) Errors, irregularities or neglect in the preparation of any required notice shall not in any way affect the validity or legality of the adoption or certification of environmental documents or approval or disapproval of a project unless such error, irregularity or neglect is clearly substantial and prejudicial and that by reason of such error, irregularity or neglect the party complaining suffered substantial injury and that a different result would have been probable if such error, irregularity or neglect had not occurred.

- (d) In addition to providing notice to those property owners required to receive notice under State law, planning staff shall endeavor to notice additional property owners and residents who may have an interest in the project, such as those who share a private, dead-end road with a proposed project.

CHAPTER 2. DEFINITIONS

Section 200. General.

The following definitions which are specific to Napa County are intended to supplement the definitions found in Article 20 of the *State CEQA Guidelines*:

“Baseline Data Report” (BDR) refers to the comprehensive inventory of the environmental and resource conditions completed in 2005 and updated as needed to describe the baseline for analysis of environmental impacts in a given area of the County. Information from the BDR may be incorporated by reference into future environmental documents consistent with *State CEQA Guidelines* Section 15150.

“Board” means the Board of Supervisors of Napa County or when a referral has been received from a district listed in Section 101, the governing board of said district.

“County” means Napa County.

“County Official” means the department head or other county staff member or, when a referral has been received from an outside agency, agency staff member, responsible for approving the permit under consideration.

“Days” means business days, Saturdays, Sundays and County-recognized holidays, unless otherwise stated.

“Decision-Making Body” means the Board, Commission, or County Official that has the ultimate responsibility for approving the permit/project under consideration.

“Environmental Resource Mapping System” means a set of hardcopy and electronic maps and related information maintained by the Planning, Building and Environmental Services Department delineating, among other things, environmental resources and hazards within the County.

“Environmentally Sensitive Area” means an area containing one or more environmental resources or hazards that may affect or be affected by the specific project involved.

“General Rule Finding” means a finding that it can be seen with certainty that there is no possibility the proposed action may have a significant effect on the environment and therefore CEQA is not applicable. [*State CEQA Guidelines* §15061(b)(3)]

“Groundwater Deficient Area” means the area shown on Map 13-1 (as may be amended), in Chapter 13.15 of the Napa County Code as well as any additional area formally identified by an ordinance adopted by the Board of Supervisors.

“Permit” means any permit, lease, license, certificate, approval, or other entitlement for use.

“Planning Commission” means the Napa County Planning Commission.

“Planning Department” means the Planning, Building and Environmental Services Department of the County.

“**Planning Director**” means the Director of the Planning, Building and Environmental Services Department of the County or his/her designee.

CHAPTER 3. RESPONSIBILITIES

The responsibilities for implementation of CEQA in Napa County are as follows:

Section 300. Board of Supervisors.

When the Board of Supervisors is the decision-making body on a project, the Board is responsible for certifying the Final EIR, adopting a Negative/Mitigated Negative Declaration, or determining that the project is exempt from environmental review; considering the environmental document prepared prior to taking action on the project; and for making the findings required by *State CEQA Guidelines* Sections 15091 (Findings) and 15093 (Statement of Overriding Considerations).

The Board of Supervisors shall also act as the appeal board for Planning Commission, Zoning Administrator and staff actions on environmental determinations, Negative/Mitigated Negative Declaration adoptions, determinations that an EIR is required, and Final EIR certifications. In addition, the Board shall set the procedures for implementing CEQA in the County by adopting *County CEQA Guidelines*, and shall be responsible for adopting thresholds of significance pursuant to *State CEQA Guidelines Section 15064.7* if desired.

Section 301. Planning Commission.

When the Planning Commission is the decision-making body on a project, the Planning Commission is responsible for certifying the Final EIR, adopting a Negative/Mitigated Negative Declaration, or determining that the project is exempt from environmental review; considering the environmental document prepared prior to taking action on the project; and for making the findings required by *State CEQA Guideline* Sections 15091 (Findings) and 15093 (Statement of Overriding Considerations).

When the Planning Commission is required to make a recommendation on a project to the Board of Supervisors, the Planning Commission shall hold any hearings required on the proposed environmental documents produced, review all comments made and the responses prepared, and make a recommendation regarding certification of the Final EIR or adoption of the Negative/Mitigated Negative Declaration involved. If the Planning Commission believes that the project is exempt from environmental review, it shall recommend that the Board make such a finding.

Section 302. Zoning Administrator, Planning Director, or County Official.

When the Zoning Administrator (ZA), Planning Director, or other County Official is the decision-making body on a project, he/she is responsible for certifying the Final EIR, adopting a Negative/Mitigated Negative Declaration, or determining that the project is exempt from environmental review; considering the environmental document prepared prior to taking action

on the project; and for making the findings required by *State CEQA Guidelines* Sections 15091 (Findings) and 15093 (Statement of Overriding Considerations).

Section 303. Planning, Building and Environmental Services Department.

The Planning and Engineering and Conservation Divisions of the Planning Department are responsible for:

- (a) carrying out all environmental reviews undertaken by the County including those requested on behalf of other agencies;
- (b) obtaining comments from other agencies on the expected environmental effects of a project;
- (c) identifying appropriate measures to reduce the potentially significant effects of a project to non-significant levels;
- (d) preparing and processing all environmental documents prepared by the County;
- (e) preparing Mitigation Monitoring and Reporting Programs where required;
- (f) reviewing and commenting on environmental documents submitted to the County by other public agencies;
- (g) preparing, distributing and filing applicable environmental notices, including a Notice of Intent, Notice of Preparation, and Notice of Completion, and those Notices of Exemption and Notices of Determination for projects approved by the Board, Planning Commission, Zoning Administrator, or Planning Director;
- (h) collecting State Fish and Game fees and recording fees for transmittal to the County Clerk/Recorder;
- (i) developing, coordinating and implementing the County's environmental review procedures consistent with policy direction provided by the Board of Supervisors;
- (j) establishing informal working thresholds of significance and proposing formal thresholds; **AND**
- (k) maintaining the County Environmental Resource Mapping System and updating the Baseline Data Report as needed.

Section 304. County Clerk/Recorder.

The County Clerk/Recorder is responsible for filing and posting all Notices of Intent, Completion, Exemption, and Determination for projects approved by: (a) the County; (b) cities and districts within the County; and (c) other state and local agencies carrying out projects effecting lands within the County. In addition, the Clerk/Recorder receives all Fish and Game fees collected by the Planning Department and distributes them to the State.

CHAPTER 4. INITIAL ENVIRONMENTAL REVIEW

Section 400. Project Submittal.

- (a) A copy of any application for a permit that requires environmental review shall be promptly forwarded to the Planning Department along with copies of all plans and other associated information.

- (b) Whenever any County Official or employee proposes to engage in an activity with possible CEQA implications, such as a public construction project or the adoption of any County ordinance, rule or regulation or has a more general question with respect to the applicability of CEQA to a particular governmental activity, that individual shall consult with the Planning Director.

Section 401. Project Completeness and Acceptance for Filing. [*State CEQA Guidelines §§15101 and 15111*]

- (a) No application for a permit shall be deemed complete until:
 - (1) all information required by the Planning Director to complete an Initial Study or make a determination that the underlying project is categorically exempt has been received, **OR**
 - (2) the Planning Director has determined pursuant to these and the *State CEQA Guidelines* that the underlying project is not a project under CEQA, is ministerial rather than discretionary in nature, clearly has no potential to have a significant effect on the environment, or is statutorily exempt from environmental review.

The Planning Director shall develop, disseminate, and update as necessary an Application Completeness Checklist listing information that is typically required for the types of permits normally requested.
- (b) If the Planning Director determines that adequate information has not been submitted to complete a preliminary environmental review and, if necessary, an Initial Study, the project sponsor shall be notified in writing within thirty (30) days of application receipt that the application is incomplete. Any such notification shall state what additional information including fees must be submitted before the application can be considered complete.
 - (1) This preliminary determination of incompleteness may be challenged by the project sponsor in writing within ten (10) working days and appealed to the Board if re-confirmed by the Planning Director.
 - (2) Failure to provide the required information within one-hundred twenty (120) days of issuance of a Completeness Determination or thirty (30) days of issuance of a Request For Deposit Submission shall cause the application to be deemed “abandoned” without further notice or action unless the Planning Director gives a written extension to the deadline involved. Once an application is deemed abandoned, no further work shall be done on the project without submission of a new application and payment of new fees.
- (c) Notwithstanding subsection (a), accepting an application as complete does not limit the County’s authority to require the applicant to submit additional information needed for environmental evaluation of the project if the applicant makes changes to the project or if there are changes in circumstances that could not be anticipated during the initial review. Failure to provide this information within one hundred twenty (120) days of issuance of a Request For Additional Environmental Information or a Request For Additional Deposit Submission shall be treated in the same manner as failure to provide the information requested in a Completeness Determination (see Section 401(b)(2) above).

Section 402. Project Segmenting. *[State CEQA Guidelines §15378]*

A project is defined as the “whole of an action” and may not be segmented nor divided into smaller parts in an attempt to avoid full consideration of its environmental impacts. Thus, all of the separate permits and approvals for a particular project shall be considered together (along with the underlying activity itself) when determining the project’s environmental effects. The environmental review of a project must include an analysis of the environmental effects of future expansion or other action if: (a) such future expansion or other action is a reasonably foreseeable consequence of the initial project; and (b) the future expansion or action will be significant in that it will likely change the scope or nature of the initial project or its environmental effects. When actions are remote or speculative, so that meaningful information regarding their impacts is unavailable, they are not reasonably foreseeable parts of a particular project and therefore need not be considered at the same time.

Section 403. Project Revisions.

Any revised or amended project shall be treated as a new project for purposes of determining the time period within which CEQA processing must be completed and the project approved or denied unless the revision is found by the Planning Director to be minor and/or technical. Project revisions shall be documented via submission of a Project Revision Statement.

Section 404. Early Consultation. *[State CEQA Guidelines §15063(g)]*

The Planning Department shall distribute a request for comments on the expected environmental effects of the project to all responsible agencies, trustee agencies, and other agencies and organizations that in the opinion of the Planning Director have an interest in the project or applicable special expertise. The request may occur before or after an application is deemed complete, and may be combined with the request for comments on the project itself. At a minimum, such requests shall include a request to identify potential impacts, possible mitigation measures, and needed project revisions. At the discretion of the Planning Director, submission of a Project Revision Statement by the project applicant may result in additional consultation.

Section 405. Preliminary Environmental Evaluation. *[State CEQA Guidelines §§15060 and 15061]*

The Planning Director is responsible for conducting a preliminary evaluation to decide whether or not an Initial Study is required, or whether the project is excluded or exempt from review under CEQA. A list of non-discretionary (ministerial) projects for the County is contained in Appendix A. The County projects that are typically categorically exempt are identified in Appendix B.

If the Planning Director determines that a proposal is excluded or exempt from review under CEQA, no further environmental review is required and the Planning Department shall document this finding in the record. The Planning Department may also prepare and file a Notice of Exemption.

Section 406. Initial Study Preparation. *[State CEQA Guidelines §§15063 and 15064]*

If a proposed project is not excluded or exempt from review under CEQA, the Planning Department shall prepare an Initial Study to determine whether a Negative/Mitigated Negative Declaration or an EIR is required for the proposed project. If it is clear that the project may have an unavoidable significant effect on the environment, the Planning Department may proceed with preparation of an EIR without preparing an Initial Study if desired. A standard Initial Study checklist form is contained in Appendix C.

If the Initial Study determines, based on substantial evidence in light of the whole record, that the project has no potential to have a significant effect on the environment then a negative declaration must be prepared (see Chapter 6). If the project may have one or more significant impacts on the environment, then preparation of an EIR (see Chapter 7) is required. However, if revisions or mitigation measures can be applied to the project that would clearly reduce all impacts to a level of insignificance, **AND** the applicant agrees to these in writing via submittal of a Project Revision Statement prior to release of the document for public review, then a mitigated negative declaration may be prepared (see Chapter 6).

Section 407. [Reserved]

Section 408. Previous Prepared County Environmental Document. *[State CEQA Guidelines §15162(a)]*

If a previous EIR or Negative/Mitigated Negative Declaration has been certified/adopted by the County and the Planning Director determines that none of the circumstances requiring the preparation of a subsequent environmental document exist, the Planning Department shall document that determination in the record, and the decision-making body shall utilize the earlier document. Documentation of the Planning Director's determination may take the form of a memorandum, or may be based on preparation of an Initial Study if desired.

CHAPTER 5. EXEMPT PROJECTS

Section 500. General.

Projects that are ministerial in nature, meet General Rule findings, are statutorily exempt, are categorically exempt, or are denied do not require the preparation of an Initial Study, an EIR, or a Negative/Mitigated Negative Declaration.

Section 501. Ministerial Projects. *[State CEQA Guidelines §15268]*

Appendix A contains the list of projects in the County that the Board has found to be ministerial in nature. However, when a project involves elements, some of which are ministerial in nature and some of which are discretionary, the overall project will be deemed discretionary and subject to CEQA review.

Section 502. General Rule. *[State CEQA Guidelines §15061(b)(3)]*

CEQA does not apply to a project where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment.

Section 503. Statutory Exemptions. *[State CEQA Guidelines §15260]*

Those exemptions granted by the State legislature are listed in *State CEQA Guidelines* sections 15260 through 15285, and as may be amended.

Section 504. Categorical Exemptions. *[State CEQA Guidelines §15301-15332]*

In addition to those specific projects listed above, the Board has found several other kinds of projects that typically do not have a significant impact on the environment. Therefore pursuant to Section 15300.4 of the *State CEQA Guidelines*, Napa County hereby adds the activities and permits listed in Appendix B to the list of Class Numbers 1, 3, 4, and 5 activities that are categorically exempt in the County.

Section 505. Categorical Exemption Use Limitations. *[State CEQA Guidelines §15300.2]*

A categorical exemption shall not be used if the conditions in State CEQA Guidelines Section 15300.2 apply.

Section 506. Denial of Projects. *[State CEQA Guidelines §15061(b)(4)]*

Projects that the County rejects or disapproves are not subject to CEQA. This provision, however, does not relieve an applicant from paying the costs for an EIR, Negative/Mitigated Negative Declaration, Initial Study, or preliminary environmental evaluation if prepared.

Section 507. Notice of Exemption. *[State CEQA Guidelines §15062]*

If the Planning Department finds that a project is exempt for CEQA pursuant to this Chapter, a Notice of Exemption (NOE or Notice) may be filed.

- (a) The Notice shall be filed with the county clerk, if at all, after approval of the project and shall include:
 - (1) A brief description of the project,
 - (2) The location of the project (either by street address and cross street for a project in an urbanized area or by attaching a specific map, preferably a copy of a U.S.G.S. 15' or 7-1/2' topographical map identified by quadrangle name),
 - (3) A finding that the project is exempt from CEQA, including a citation to the State Guidelines section or statute under which it is found to be exempt,
 - (4) A brief statement of reasons to support the finding, and
 - (5) The applicant's name, if any.
- (b) The NOE shall be posted within 24 hours of receipt in the office of the county clerk. Each notice shall remain posted for a period of 30 days for public inspection. Thereafter, the clerk shall return the notice to the Planning Department with a notation of the period it was posted. The Planning Department shall retain the notice for not less than 12 months.
- (c) When the Planning Department approves an applicant's project, either the Planning Department or the applicant may file a NOE. A Notice filed by the applicant is subject to the same posting and time requirements as a Notice filed by a public agency.
- (d) When an applicant files the NOE with the county clerk it shall contain the information required together with a certified document issued by the Planning Department stating

that the Planning Department has found the project to be exempt. The certified document may be a certified copy of an existing document or record of the Planning Department.

- (e) The filing of a NOE and the posting on the list of notices start a 35 day statute of limitations period on legal challenges to the Planning Department's decision that the project is exempt from CEQA. If a Notice of Exemption is not filed, a 180 day statute of limitations will apply.

CHAPTER 6. NEGATIVE/MITIGATED NEGATIVE DECLARATION PROCESS

The following provisions are added as procedural clarifications of *State CEQA Guidelines* Sections 15070 - 15075 with respect to Negative/Mitigated Negative Declarations in the County.

Section 600. Negative Declaration. [*State CEQA Guidelines §15070*]

If the Planning Director finds, based on the Initial Study that there is no substantial evidence, in light of the whole record, that the project may have a significant effect on the environment, the Planning Director shall direct the Planning Department to prepare a Negative Declaration for consideration by the decision-making body for the permit(s) involved.

Section 601. Mitigated Negative Declaration. [*State CEQA Guidelines §15070*]

If the Planning Director finds, based on the Initial Study that the proposed project may have possible adverse significant impacts on the environment, but through revisions to the project or imposition of mitigation measures, such impacts would be mitigated or avoided so that no significant impacts remain, **AND** there is no substantial evidence in the record as a whole that significant impacts would result from the revised project; then the Planning Director shall notify the project sponsor(s) and provide them with a copy of the list of proposed mitigation measures that the project could incorporate to avoid all potentially significant effects. If the project sponsor agrees to these or functionally equivalent revisions/mitigation measures by signing a Project Revision Statement so indicating, the Planning Department will then prepare a Mitigated Negative Declaration for public review and consideration by the decision-making body on the permit(s) involved.

Section 602. Contents. [*State CEQA Guidelines §15071*]

The Negative/Mitigated Negative Declaration must contain all items required by *State CEQA Guidelines* Section 15071.

Section 603. Public Notice and Review. [*State CEQA Guidelines §15072 and 15073*]

A Notice of Intent to Adopt a Negative/Mitigated Negative Declaration shall be provided in accordance with *State CEQA Guidelines* Section 15072.

- (a) The County shall provide such notice in the following manner:
 - (1) Publication at least one time in a newspaper of general circulation in the area potentially impacted;

- (2) Mailing of the notice to the owners of all parcels within 1,000 feet of the boundaries of the parcel(s) on which the project is located plus those parcel owners adjacent to areas to be disturbed by off-site work at their last known address on the latest equalized assessment roll;
 - (3) Mailing of the notice to responsible agencies, trustee agencies, the State Clearinghouse, and the County Clerk/Recorder; **AND**
 - (4) Mailing of the notice to organizations and individuals who have requested notice in writing.
- (b) If a comment is not received during the public review period from an agency or person, it shall be assumed, absent a request for a specific extension of time that said agency or person has no comment to make.

Section 604. Notice of Determination. *[State CEQA Guidelines §15075]*

- (a) Whenever the Board, Planning Commission, Zoning Administrator, or Planning Director approves a permit or authorizes a project for which a Negative/Mitigated Negative Declaration has been prepared, the Planning Department shall file within 5 **working** days of their action a Notice of Determination with the County Clerk/Recorder.
- (b) In instances where multiple approval actions are required, the Notice of Determination shall be filed after the final decision to approve a project.
- (c) If the project requires discretionary approvals from one or more state agencies, the Notice of Determination shall also be filed with the State Office of Planning and Research within this same 5-day period.
- (d) Payment of any Fish and Game fees due to the State at the time a Notice of Determination is filed is the responsibility of the project sponsor. Payment must be received by the Planning Department before the decision-making body holds a hearing on or decides on the adequacy of the Negative/Mitigated Negative Declaration prepared. The Planning Department shall forward the fee to the Clerk/ Recorder with a filing fee. The Clerk/Recorder in turn forwards the fee to the State.

**CHAPTER 7. ENVIRONMENTAL IMPACT REPORT (EIR)
PROCESS**

The following provisions are added as procedural clarifications of *State CEQA Guidelines* Sections 15080–15097, 15120–15132, and 15140–15154 with respect to the preparation and processing of EIRs in the County.

Section 700. EIR Preparation. *[State CEQA Guidelines §§15081 and 15081.5]*

If the Planning Director finds during preliminary review or based on an Initial Study that there is substantial evidence in the record as a whole that a project may have a significant adverse effect on the environment, or if an EIR is required by statute, the Planning Director shall notify the project sponsor in writing within thirty (30) days that an EIR must be prepared. The Planning Director's decision may be appealed pursuant to Napa County Code Chapter 2.88.

Section 701. Contents of an EIR. [State CEQA Guidelines §15120-15132]

An EIR produced by/for the County must contain all items required by *State CEQA Guidelines* Sections 15120-15132, and must meet the requirements of *State CEQA Guidelines* Sections 15140-15152 and 15154.

Section 702. Notice of Preparation (NOP). [State CEQA Guidelines §15082]

A Notice of Preparation notifying responsible and interested agencies about the project and soliciting their comments on the scope and content of the EIR shall be prepared by the Planning Department. This notice shall be sent by certified mail to the project sponsor, all responsible and trustee agencies, and all federal agencies involved in approving or funding the project. If State agencies are involved then the NOP shall also be sent to the State Clearinghouse. A copy of the NOP shall also be delivered to the County Clerk/Recorder for posting for thirty (30) days. A list of agencies that are typically sent the NOP shall be maintained by the Planning Department.

Section 702.1 Scoping. [State CEQA Guidelines §15083]

The scope of the EIR prepared is determined using the following sources: the Initial Study, if one is produced, previous environmental documents, responses to the NOP, consultation with other agencies, and public scoping meetings, if held. A public scoping meeting may be incorporated into the NOP process and is typically held by the consultant preparing the EIR with assistance from the Planning Department.

Section 702.2 Preparation of Administrative Draft EIR.

The pre-circulation draft of an EIR is referred to as the administrative draft. This draft is considered a working document to be circulated among County staff for their comment on its accuracy and adequacy. It is not available for public review and shall be destroyed upon release of the DEIR.

Section 702.3 Public Review of Draft EIR. [State CEQA Guidelines §§15085, 15087, 15105]

- (a) The Planning Director shall provide public notice of the availability of the Draft EIR for review and comment in the same manner as specified in Section 603(a)-(c) for a Negative Declaration. In addition, a copy of the Draft EIR shall be sent to the nearest branch of the Napa City/County Library at the same time a Notice of Completion is sent to the State Office of Planning and Research. The contents of the public notice shall be as specified in *State CEQA Guidelines* Section 15087(c).
- (b) The normal public review period for a Draft EIR in the County shall be 45 days unless a shorter period of not less than 30 days is approved by the State Clearinghouse. [State CEQA Guidelines §15105] In special circumstances, the Planning Director may require a public review period of up to 60 days.
- (c) Requests for extensions of time beyond 60 days shall be considered and either granted or denied by the Planning Commission. Planning Commission decisions regarding requests for extensions of time are not appealable to the Board of Supervisors pursuant to Napa County Code Chapter 2.88.
- (d) A public hearing on a Draft EIR is not required under CEQA and is not typically held by the County when the decision-making body is a department head or other staff member.

When the decision-making body is a board or commission, a public hearing should be held during the public review period to solicit public comments.

Section 702.4 Final EIR. *[State CEQA Guidelines §15132]*

The Final EIR consists of the text of the Draft EIR revised as necessary to reflect those comments received that require text changes, all comments received on the Draft EIR, the County's responses to said comments, a list of all persons and agencies that were asked to comment or commented on the Draft EIR, and any other information added by the County.

Section 702.5 Notice of Determination (NOD). *[State CEQA Guidelines §15094]*

After certification of the final EIR and approval of the project, the Planning Department or decision-making body shall prepare and file a Notice of Determination with the County Clerk/Recorder following the same procedure and with the same restrictions as specified in Section 604.

CHAPTER 8. MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

Section 800. General. *[State CEQA Guidelines §15097]*

Pursuant to Public Resources Code Section 21081.6, all jurisdictions must have a method for monitoring compliance and implementation of adopted mitigation measures. The County Mitigation Monitoring and Reporting programs (i.e., MMRPs) shall be in conformance with *State CEQA Guidelines* Section 15097 as augmented by the provisions listed below.

Section 801. Adoption. *[State CEQA Guidelines §15097]*

- (a) At the time the County makes the required CEQA findings regarding the Mitigated Negative Declaration or EIR being used, the decision-making body shall adopt a program for monitoring and reporting on the mitigation measures as part of the project. Conformance with this program shall be a condition of project approval.
- (b) The resultant adopted MMRP shall be distributed to all agencies, departments, and parties with monitoring or review responsibility thereunder.

Section 802. Contents.

MMRPs shall include at a minimum the following information for each mitigation measure:

- (a) identification of the individual, department, agency, or other entity responsible for performing the mitigation measure;
- (b) identification of the timing for implementation of the mitigation measure;
- (c) identification of the specific results or performance standards that the mitigation is intended to accomplish if not clearly stated in the mitigation measure;
- (d) identification of the individual, department, agency, or other entity responsible for ensuring implementation of the mitigation measure;
- (e) identification of the frequency of inspections or other monitoring activities;
- (f) identification of when compliance completed;

- (g) a statement that the project sponsor shall pay all monitoring costs including but not limited to those incurred by the County; **AND**
- (h) a signature block for the project sponsor and the property owner (for private projects only).

Section 803. Compliance Assurance Responsibilities.

- (a) Overall compliance shall be coordinated by the project planner unless otherwise indicated in the adopted MMRP.
- (b) The Planning Department may hire an outside consultant where mitigation measure compliance cannot be verified through the planning clearance process, where monitoring requires specialized expertise, or when County staff is unavailable to do the necessary work. The cost of said consultant shall be paid by the project sponsor.
- (c) Mitigation measure compliance shall be monitored by the appropriate County Department, generally through the County’s existing building clearance issuance and finalization process. This process allows the Planning Department and other County departments to review the building plans and the “as built” project for compliance with the mitigation measures imposed.
- (d) Other agencies shall monitor the mitigation measures that they request or that are within their area of expertise. The project planner shall notify these agencies of the mitigation monitoring required. These agencies shall inform the County in writing when each of their mitigation measures has been complied with completely.

Section 804. Fees. [State CEQA Guidelines §15045]

- (a) The County shall charge and collect from the project sponsor a fee in an amount equal to the actual costs to the County of implementing the adopted MMRP. This includes the costs associated with use of an outside consultant where the Planning Director finds said use to be either necessary and/or convenient.
- (b) An initial deposit in an amount equal to the County’s total estimated costs of implementing the adopted MMRP for the first three (3) years shall be submitted to the Planning Department prior to issuance of the first building permit needed to commence work on the project. Any unused portion of this initial deposit that is not needed to pay for permanent or long-term monitoring will be refunded to the project sponsor upon fulfillment of all those MMRP provisions that do not involve such monitoring.
- (c) The project sponsor shall replenish the initial deposit every two (2) years so that the balance is high enough to pay for the estimated costs of monitoring compliance for three (3) years for those measures that require long-term or ongoing monitoring.

CHAPTER 9. NAPA COUNTY AS A RESPONSIBLE AGENCY

[State CEQA Guidelines §§15096 and 15253]

The following provisions are added as procedural clarifications of *State CEQA Guidelines* Sections 15096 and 15253 with respect to the responsible agency process in the County.

Section 900. Commenting on a Lead Agency's Environmental Document. [*State CEQA Guidelines §15096*]

- (a) The Planning Department shall make every effort to provide written comments on the draft Negative/Mitigated Negative Declaration, Notice of Preparation and/or Draft EIR prepared by the Lead Agency within the time frames specified in the *State CEQA Guidelines*.
- (b) The comments provided shall be limited to activities within the County's area of expertise or jurisdiction. They shall at a minimum identify County permit requirements, potentially significant impacts, alternatives to be analyzed, and any mitigation measures to be considered. In addition, a recommendation as to whether a Negative/Mitigated Negative Declaration, or EIR is the appropriate document for the Lead Agency to prepare may be provided. The focus of the comments shall be to assist the Lead Agency in producing a defensible environmental document that meets the County's needs.

Section 901. Failure of Lead Agency to Consult With County or Adequately Respond to Comments Provided. [*State CEQA Guidelines §15096*]

- (a) If the Lead Agency fails to consult with the County prior to adopting a Negative/Mitigated Negative Declaration or certifying an EIR for a project over which the County has permit authority, the Planning Department will review the document prepared. If the Planning Director finds based on the review that the document is adequate for County purposes, the County shall follow the procedures specified in Sections 903 and 904 below. However, if the Planning Director finds that the document is inadequate for County purposes then the County may take over the role of Lead Agency. The Planning Department shall in that case follow the procedures specified herein in Chapters 4, 5 and 6 to prepare and process the environmental document needed.
- (b) If the Lead Agency fails in the opinion of the Planning Director to adequately respond to the comments provided, the Planning Director shall consult with County Counsel and jointly recommend a course of action pursuant to CEQA Guidelines Section 15096(e).

Section 902. [Reserved]

Section 903. Approval of Project By County Acting as a Responsible Agency. [*State CEQA Guidelines §15096*]

- (a) In issuing approvals or taking any other discretionary action on a project for which the County is a responsible agency, the County shall certify that it has reviewed and considered the environmental effects of the project as shown in the Negative/Mitigated Negative Declaration or EIR prepared by the Lead Agency.
- (b) If an EIR has been produced, the County decision-making body shall adopt findings as set forth in *State CEQA Guidelines* Sections 15091 and 15093, if necessary.
- (c) Where the County decision-making body requires the implementation of mitigation measures or other project changes to substantially lessen or avoid significant environmental effects of activities under its statutory control, a MMRP consistent with Chapter 8 of these guidelines covering those changes and measures shall be adopted at the time of project approval.

Section 904. Limitations on the Power of County as a Responsible Agency to Require Changes in Project.

- (a) When the County acts as a responsible agency for a project, it may only require those changes in a project that lessen or avoid the effects, either direct or indirect, of that part of the project that the County will be called upon to carry out or approve.
- (b) When the County acts as a responsible agency, it may refuse to approve a project only in order to avoid direct or indirect adverse environmental effects of that part of the project the County must carry out or approve.

Section 905. Certified Equivalent Program: Use of Environmental Document Prepared In Lieu of a Negative/Mitigated Negative Declaration or EIR. [State CEQA Guidelines §§15250-15253]

An environmental analysis document prepared for a project pursuant to a certified equivalent program shall be used by the County as a substitute for an EIR or Negative Declaration/Mitigated Negative Declaration and no additional environmental document shall be required if the conditions in *State CEQA Guideline* Section 15253(b) are met.

CHAPTER 10. APPEALS

Section 1000. Appeals Permitted. [Local Procedure]

- (a) Any interested person may appeal the determination that a project is/is not exempt from review, or that an EIR is required at the time that such determination is issued by the Planning Director. Appeals procedures and requirements are provided by Chapter 2.88 of the County Code.
- (b) Any decision by the Planning Director, the Planning Commission, or other directors/commissions to adopt a negative declaration, to adopt a mitigated negative declaration, or to certify a Final EIR may also be appealed to the Board pursuant to Chapter 2.88 of the County Code.
- (c) Appeal of an environmental determination, adoption of a negative declaration, adoption of a mitigated negative declaration, or certification of a Final EIR will suspend any further consideration of the project until a decision on the appeal is made by the Board.

APPENDICES

- A. Ministerially Exempt Projects in Napa County**
- B. Additional Categorically Exempt Projects in Napa County**
- C. Initial Study Checklist**
- D. Memorandum of Understanding between EIR/Environmental Consultants and Project Applicants**

APPENDIX A

MINISTERIALLY EXEMPT PROJECTS IN NAPA COUNTY

Pursuant to Sections 15022 and 15268 of the *State CEQA Guidelines* issuance/approval of the following permits in the County shall be conclusively presumed to be ministerially exempt from the requirements of CEQA and thus preparation of an environmental document is not required. However, where a project involves an approval that contains elements of both a ministerial action and a discretionary action, the project will be deemed discretionary and will be subject to the requirements of CEQA.

Building and Related Permits:

1. Building and related permits, including driveways up to 300 feet (e.g. demolition, plumbing, electrical, solar panels).
2. Any permits for historic structures, as defined by the Secretary of Interior, are exempt only if the Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings are met.
3. Any permits subject to the Viewshed Ordinance are exempt only if the standards in County Code Section 18.106.040 for administrative review are met.
4. (Reserved.)

Environmental Health Permits:

5. Class 1 well permit (outside groundwater deficient area).
6. Reconstruction/destruction of a well permit.
7. Groundwater permit exemption finding.
8. Single family dwelling or agricultural re-development groundwater permit if it meets the requirements of County Code Section 13.15.030(c).
9. Septic system permit (non-experimental systems only).
10. Mobilehome park operating permit.
11. Refuse disposal site operating permit.

Grading and Related Earth Disturbing Permits:

12. A grading permit; that meets the following criteria:
 - (a) Is not located in an environmentally sensitive area; and
 - (b) Does not involve grading in excess of 2,000 cubic yards if the average slope is less than 10% or 1,000 cubic yards if the average slope is 10% or greater; and
 - (c) Does not result in a new driveway over 300 feet in length.
13. Structural Erosion Control measures and Best Management Plan (BMPs) processed in accordance with the requirements of the National Pollution Discharge Elimination System (NPDES) program, as implemented by Napa County, where slopes involved are less than 30% as calculated by County Code Chapter 18.108.
14. Conservation Regulation Exemptions (County Code Section 18.108.050).
15. Track II vineyard replant.

16. Vineyard replant under 1-acre.

Planning Permits:

17. Agricultural preserve contract non-renewals.
18. Entry structure permit.
19. Fence permit.
20. Home occupation permit.
21. Landmark designation.
22. Off site parking plan.
23. Peddlers permit.
24. Sign permit (including directional, identification, temporary off-site and /or agricultural signs, and comprehensive sign plans).
25. Site plan.
26. Farmworker housing (where permitted by right).
27. Telecommunication facility maintenance/removal agreement.
28. Telecommunication facility minor antenna standards compliance finding.
29. Temporary event license.
30. Temporary trailer permit.
31. Time extension.
32. Administrative permits for wineries pursuant to Napa County Code section 18.126.065.

Land Divisions:

33. Final land division maps.
34. Recorded map technical modification.
35. Lot line adjustments involving four or fewer parcels, except when processed concurrently with a related application that is discretionary (e.g. variance, use permit).
36. Unconditional certificate of compliance.
37. Voluntary merger of parcels.
38. Record of survey map recording.

APPENDIX B

ADDITIONAL CATEGORICALLY EXEMPT PROJECTS IN NAPA COUNTY

In addition to the exemptions contained in the *State CEQA Guidelines*, pursuant to Sections 15022(a)(1)(C) and 15300.4 of the *State CEQA Guidelines* the Board has found that the following types of projects typically do not have a significant effect on the environment and therefore qualify for a categorical exemption under the class of categorical exemptions listed below:

Class 1: Existing Facilities [*State CEQA Guidelines §15301*]

1. Existing roads, streets, highways, bicycle and pedestrian paths, and appurtenant facilities. Repair, maintenance, reconstruction, replacement and minor expansion including, but not limited to:
 - (a) reconstructing, resurfacing and/or seal coating of the pavement;
 - (b) paving existing unpaved shoulders;
 - (c) widening the paved roadway by less than 8 feet or adding up to 4-foot wide unpaved shoulders;
 - (d) adding short auxiliary lanes when required for localized purposes such as weaving, turning, climbing, lane changing or accelerating or decelerating;
 - (e) adding non-motorized trails and walkways parallel to the existing roadway to separate such non-motorized uses from motorized traffic;
 - (f) installing landscaping within road right-of-ways that involves minimal earth disturbing activities;
 - (g) working on clear-span bridge structures, reconstructing existing stream crossings and making minor operational improvements to drainage facilities, provided that the construction of temporary stream bypasses is not involved;
 - (h) modifying to improve existing roadside safety features such as curbs, pikes, headwalls, slopes and ditches within the right of way, adding or replacing devices such as fencing, guardrails, safety barriers, guideposts, and markers, or installing, removing, or modifying regulatory, warning, or informational signs;
 - (i) adding, removing and/or replacing distinctive roadway, runway, or taxiway markings such as painted stripes, raised pavement markers thermoplastic, tape or raised bars; **OR**
 - (j) abandoning dead-end roads when provisions for ongoing, long-term maintenance have been made or the road right-of-way has been returned to a natural state from a hydrologic standpoint.
2. Existing telecommunication facilities: Modification and renewal of the permits thereof.
3. Very Minor and Minor modifications of existing use permits in conformance with Section 18.124.130(B) and (F) of the County Code. This section does not apply to modifications to winery use permits.
4. Existing erosion control plans: Modification thereof when:
 - (a) the footprint of the area disturbed is not expanded;
 - (b) the amount of sediment delivered from the site as calculated by a qualified

- professional is not increased; **AND**
 - (c) groundwater use is not increased.
- 5. Vineyard replants: Replantings or other modifications to existing vineyards under a Track I Erosion Control Plan process when:
 - (a) the footprint of the area to be replanted is within the footprint of the vineyard on June 16, 1993 or as on an approved erosion control plan;
 - (b) the amount of sediment delivered from the site as calculated by a qualified professional is not increased; **AND**
 - (c) groundwater use is not increased.
- 6. Tentative map revisions: Revisions to approved maps that do not involve the relocation of either building sites or access roads.
- 7. Approved oil, gas, and geothermal wells: Revisions that do not involve disturbance of previously undisturbed areas.
- 8. Existing mining operations: Temporary cessation thereof.

Class 3: New Construction or Conversion of Small Structures *[State CEQA Guidelines §15303]*

- 9. Farmworker housing: Construction and operation thereof where not permitted by right.
- 10. Construction and operation of small wineries, other agricultural processing facilities, and farm management uses that:
 - (a) are less than 5,000 square feet in size excluding caves;
 - (b) will involve either no cave excavation, or excavation sufficient to create no more than 5,000 additional square feet with all of the excavated cave spoils to be used on site;
 - (b) will produce 30,000 gallons or less per year;
 - (c) will generate less than 40 vehicle trips per day and 5 peak hour trips except on those days when marketing events are taking place;
 - (d) will hold no more than 10 marketing events per year, each with no more than 30 attendees, except for one wine auction event with up to 100 persons in attendance; **AND**
 - (e) will hold no temporary events.
- 10.5 Construction and operation of small public/emergency service facilities, including sheriff's communication towers and power generators and buildings of less than 5,000 feet on less than 30% slopes involving less than 2,000 cubic yards of grading/excavation.
- 11. Wells: Installation and/or operation thereof pursuant to a groundwater permit when the amount of groundwater proposed to be used in total on the parcel is less than or equal to the amount of groundwater historically used (i.e., during the last 3 years).

Class 4: Minor Alterations to Land *[State CEQA Guidelines §15304]*

- 12. New vineyards: Installation and operation of new vineyards that would:
 - (a) disturb less than 5½ acres of land and have an average slope of 15% or less;
 - (b) are located in a drainage 5½% or less of which is known to have been converted to vineyard since 1993;

- (c) do not increase overall groundwater use on the parcel, if the parcel is within a groundwater deficient area. In all other areas would not consume in total with all other uses on the parcel groundwater exceeding the Phase 1 groundwater standard determined by the Department of Public Works; **AND**
 - (d) are located more than half a mile from a designated Mineral Resource Area, or an active or potentially active mine or quarry.
13. New access roads and driveways (longer than 300 feet and resulting in less than 2,000 cubic yards of grading) that would:
- (a) not disturb more than 2 acres of land;
 - (b) not traverse slopes that are steeper than 29.9%; **AND**
 - (c) not discharge concentrated runoff within a stream setback area.

Class 5: Minor Alterations in Land Use Limitations *[State CEQA Guidelines §15305]*

- 14. Zone changes: Implementation of zone changes that do not increase the maximum intensity of land use allowed.
- 15. Parcel mergers: Implementation of parcel mergers pursuant to sections of the County Code implementing the Subdivision Map Act.
- 16. Temporary public road closures: Closures for special events pursuant to Chapter 10.24 of the County Code.
- 17. Variances to standards for projects that are allowed by right under zoning.

APPENDIX C
COUNTY OF NAPA
PLANNING, BUILDING AND ENVIRONMENTAL SERVICES DEPARTMENT
1195 THIRD STREET SUITE 210
NAPA, CA 94559
(707) 253-4417

Initial Study Checklist
(form updated January 2019)

1. Project Title:
2. Property Owner:
3. County Contact Person, Phone Number and email:
4. Project Location and Assessor's Parcel Number (APN):
5. Project sponsor's name and address:
6. General Plan description:
7. Zoning:
8. Background/Project History:
9. Description of Project:
10. Describe the environmental setting and surrounding land uses.
11. Other agencies whose approval is required (e.g., permits, financing approval, or participation agreement).

Responsible (R) and Trustee (T) Agencies

Other Agencies Contacted

12. **Tribal Cultural Resources.** Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resource, procedures regarding confidentiality, etc.?

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

ENVIRONMENTAL IMPACTS AND BASIS OF CONCLUSIONS:

The conclusions and recommendations contained herein are professional opinions derived in accordance with current standards of professional practice. They are based on a review of the Napa County Environmental Resource Maps, the other sources of information listed in the file, and the comments received, conversations with knowledgeable individuals; the preparer's personal knowledge of the area; and, where necessary, a visit to the site. For further information, see the environmental background information contained in the permanent file on this project.

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a (SUBSEQUENT) NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A (SUBSEQUENT) MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature _____ Date _____

Name: _____
Napa County
Planning, Building and Environmental Services Department

I. AESTHETICS. Except as provided in Public Resources Code Section 21099, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

Mitigation Measures:

II. AGRICULTURE AND FOREST RESOURCES. ¹ Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land as defined in Public Resources Code Section 12220(g), timberland as defined in Public Resources Code Section 4526, or timberland	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

¹ "Forest land" is defined by the State as "land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits." (Public Resources Code Section 12220(g)) The Napa County General Plan anticipates and does not preclude conversion of some "forest land" to agricultural use, and the program-level EIR for the 2008 General Plan Update analyzed the impacts of up to 12,500 acres of vineyard development between 2005 and 2030, with the assumption that some of this development would occur on "forest land." In that analysis specifically, and in the County's view generally, the conversion of forest land to agricultural use would constitute a potentially significant impact only if there were resulting significant impacts to sensitive species, biodiversity, wildlife movement, sensitive biotic communities listed by the California Department of Fish and Wildlife, water quality, or other environmental resources addressed in this checklist.

zoned Timberland Production as defined in Government Code Section 51104(g)?

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|--------------------------|
| d) Result in the loss of forest land or conversion of forest land to non-forest use in a manner that will significantly affect timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, or other public benefits? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Discussion:

Mitigation Measures:

III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

Mitigation Measures:

IV. BIOLOGICAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?
- c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, Coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Discussion:

Mitigation Measures:

V.	CULTURAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

Mitigation Measures:

VI.	ENERGY. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Result in potentially significant environmental impact due to wasteful, inefficient or unnecessary consumption of energy resources during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

Mitigation Measures:

VII.	GEOLOGY AND SOILS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
	i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	d) Be located on expansive soil creating substantial direct or indirect risks to life or property? Expansive soil is defined as soil having an expansive index greater than 20, as determined in accordance with ASTM (American Society of Testing and Materials) D 4829.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?
- f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Discussion:

Mitigation Measures:

VIII.	GREENHOUSE GAS EMISSIONS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Generate a net increase in greenhouse gas emissions in excess of applicable thresholds adopted by the Bay Area Air Quality Management District or the California Air Resources Board which may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b) Conflict with a county-adopted climate action plan or another applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

Mitigation Measures:

IX.	HAZARDS AND HAZARDOUS MATERIALS. Would the project	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?
- f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wild-land fires?

Discussion:

Mitigation Measures:

X.	HYDROLOGY AND WATER QUALITY. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces which would:				
i)	result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii)	substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii)	create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv)	impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Discussion:

Mitigation Measures:

XI. LAND USE AND PLANNING. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

Mitigation Measures:

XII. MINERAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

Mitigation Measures:

XIII. NOISE. Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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- | | | | | |
|---|--------------------------|--------------------------|--------------------------|--------------------------|
| a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Generation of excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Discussion:

Mitigation Measures

XIV. POPULATION AND HOUSING. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

Mitigation Measures:

XV. PUBLIC SERVICES. Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which				

could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- | | | | | |
|-----------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| i) Fire protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| ii) Police protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| iii) Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| iv) Parks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| v) Other public facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Discussion:

Mitigation Measures:

XVI.	RECREATION. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

Mitigation Measures:

XVII.	TRANSPORTATION. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system and/or conflict with General Plan Policy CIR-38, which seeks to maintain an adequate Level of Service (LOS) at signalized and unsignalized intersections, or reduce the effectiveness of existing transit services or pedestrian/bicycle facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	c) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	d) Substantially increase hazards due to a geometric design feature, (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	f) Conflict with General Plan Policy CIR-14, which requires new uses to meet their anticipated parking demand, but to avoid providing excess parking which could stimulate unnecessary vehicle trips or activity exceeding the site's capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

Mitigation Measures:

XVIII.	TRIBAL CULTURAL RESOURCES. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k); or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Discussion:

Mitigation Measures:

XIX.	UTILITIES AND SERVICE SYSTEMS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Require or result in the relocation or construction of a new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

Mitigation Measures:

XX.	WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b) Due to slope, prevailing winds and other factors, exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

Mitigation Measures:

XXI.	MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

Mitigation Measures:

OPTIONAL		Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XXII.	SUBSEQUENT NEGATIVE (OR MITIGATED) DECLARATION				
a)	Are substantial changes proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b)	Are substantial changes proposed in the project which will require major revisions of the previous EIR or negative declaration due to a substantial increase in the severity of previously identified significant effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c)	Have substantial changes occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d)	Have substantial changes occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to a substantial increase in the severity of previously identified significant effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e)	Has new information of substantial importance been identified, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted which shows any of the following	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i)	The project will have one or more significant effects not discussed in the previous EIR or negative declaration.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii)	Significant effects previously examined will be substantially more severe than shown in the previous EIR.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii)	Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents have declined to adopt the mitigation measure or alternative.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv)	Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents have declined to	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

adopt the mitigation measure or alternative.

Discussion:

Mitigation Measures:

City Council Regular
Meeting Date: 01/14/2020

13.

SUBJECT:

UPDATED LOCAL PROCEDURES FOR IMPLEMENTING THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND ADMINISTRATIVE POLICY

RECOMMENDATION:

1. Adopt a resolution approving the Updated Local Procedures for Implementing the California Environmental Quality Act (CEQA), and determining that the update is not a "project" under CEQA.
2. Approve the update to the California Environmental Quality Act Compliance Administrative Policy.

BACKGROUND/ANALYSIS:

In accordance with the CEQA (California Public Resources Code §§ 21000, et seq.) and CEQA Guidelines (14 California Code of Regulations §§ 15000, et seq.), public agencies are required to adopt procedures to implement the provisions of CEQA. Consistent with CEQA Guidelines Section 15022(a), local procedures are necessary to ensure the orderly evaluation and preparation of environmental documents. Such procedures shall be revised when needed to be kept current with changes to the state CEQA Guidelines.

The City adopted local procedures beginning in November 1991, with updates in October 1996, and again in January 2002. Each of these local procedures outlined the steps for processing the state CEQA Guidelines for both private and public projects. The procedures outlined followed the state guidelines with no notable deviations. Since the January 2002 update, the City has followed the state CEQA Guidelines consistent with CEQA Guidelines Section 15022(a), which specify that the state CEQA Guidelines take precedence even if the local procedures are not updated.

CEQA Guidelines Section 15022(d) allows a public agency to adopt the state CEQA Guidelines through incorporation by reference. Staff is recommending that the City formally adopt the state Guidelines through incorporation by reference. Using only the state Guidelines will avoid confusion, streamline the environmental process, and promote compliance with the current and future updates to the environmental review requirements of state CEQA Statutes and Guidelines.

City CEQA Compliance Administrative Policy

In 1994, the City of Chino Hills adopted an Administrative Policies and Procedures Manual to reflect the City's organizational structure that existed at that time. Policies within the manual generally describe the roles of various City officials and departments in implementing various City functions and responsibilities. These policies are updated periodically.

The CEQA Compliance Administrative Policy has been updated to be consistent with the proposed update to the local procedures for implementing CEQA. The Administrative Policy identifies the responsibilities of City Departments to ensure CEQA compliance for both private and City initiated projects. These responsibilities include those of the Community Development Department as well as the Public Works Department for City capital improvement projects. The City Public Works Director has reviewed and concurs with the updated Administrative Policy.

Planning Commission Review

On November 19, 2019, the Planning Commission reviewed the updated Local Procedures for Implementing CEQA and the associated Administrative Policy. The Commission recommended approval of these items, with inclusion of additional wording to the Administrative Policy defining the reference to Project Manager and clarifying that the Planning Commission will review and forward to the City Council future updates to the Administrative Policy. This additional wording is contained in the CEQA Administrative Policy, attached.

ENVIRONMENTAL (CEQA) REVIEW:

In accordance with the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA") and CEQA regulations (14 California Code of Regulations §§ 15000, et seq.), and CEQA Guideline Section 15378(b)(5), the proposed update to the local procedures for implementing CEQA is not a "project" under CEQA as it is an administrative activity of government and will not result in a direct or indirect physical change to the environment.

FISCAL IMPACT:

There is no fiscal impact with this item.

Attachments

Resolution

CEQA Administrative Policy

RESOLUTION NO. 2020R-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHINO HILLS, CALIFORNIA, APPROVING UPDATED LOCAL PROCEDURES FOR IMPLEMENTING THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND DETERMINING THAT THE UPDATE OF THE LOCAL PROCEDURES IS NOT A PROJECT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

THE CITY COUNCIL OF THE CITY OF CHINO HILLS DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City Council does hereby make the following findings of fact:

- A. In accordance with the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA") and CEQA Guidelines (14 California Code of Regulations §§ 15000, et seq.), the City of Chino Hills is required to adopt procedures to implement the provisions of CEQA.
- B. Consistent with CEQA Guidelines Section 15022(a), local procedures are necessary to ensure the orderly evaluation and preparation of environmental documents. Such procedures shall be revised when needed to be kept current with changes to the State CEQA Guidelines; however, state CEQA Guidelines shall take precedence even if the local procedures are not updated.
- C. The City Council of the City of Chino Hills adopted local procedures specifically suited to its needs and such procedures were put into effect in November 1991 and were revised in October 1996, and again in January 2002. Since that last update, the City has followed the state CEQA Guidelines consistent with CEQA Guidelines Section 15022(a).
- D. CEQA Guidelines Section 15022(d) allows a public agency to adopt the state CEQA Guidelines through incorporation by reference.
- E. The Planning Commission of the City of Chino Hills held a duly noticed public meeting on November 19, 2019, to review the proposed update of the City's Local Procedures for Implementing CEQA, and recommended approval of the update to the City Council.
- F. The City Council of the City of Chino Hills held a duly noticed public meeting on January 14, 2020, to review the proposed update of the City's Local Procedures for Implementing CEQA.

SECTION 2. In accordance with the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA") and CEQA regulations (14 California Code of Regulations §§ 15000, et seq.), and CEQA Guideline Section 15378(b)(5), the proposed update to the local procedures for implementing CEQA is not a "project" under CEQA as it is an administrative activity of government and will not result in a direct or indirect physical change to the environment.

SECTION 3. Based upon oral and written testimony and other evidence received at the public meeting held on the proposed update of the City's Local Procedures for Implementing CEQA, and upon studies and investigations made by the City Council and on its behalf, the Planning Commission does further find as follows:

- A. The adoption of the state CEQA Guidelines, through incorporation by reference, will avoid confusion, streamline the environmental process, and promote compliance with the environmental review requirements of state CEQA Statutes and Guidelines.
- B. The adoption of the state CEQA Guidelines through incorporation by reference is consistent with the procedures the City of Chino Hills has followed since its last update of the local procedures for implementing CEQA in January 2002, and will ensure the City's continued conformance with subsequent updates to the state CEQA Guidelines.

SECTION 4. The City Council determines:

- A. The City's Local Procedures for Implementing CEQA be amended and updated as set forth in this Resolution, adopting by reference the state CEQA Guidelines.
- B. This updated Local Procedures for Implementing CEQA shall supersede any and all Local Procedures and Guidelines that have been previously adopted by the City of Chino Hills.

SECTION 5. The City Clerk shall certify as to the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2020.

ART BENNETT, MAYOR

ATTEST:

CHERYL BALZ, CITY CLERK

APPROVED AS TO FORM:

MARK D. HENSLEY, CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO) ss.
CITY OF CHINO HILLS)

I, Cheryl Balz, City Clerk of the City of Chino Hills, DO HEREBY CERTIFY that the foregoing Resolution No. 2020R- was duly adopted at a regular meeting of the City Council of the City of Chino Hills held on the ___ day of _____, 2020, by the following vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Chino Hills, California, this ___ day of _____, 2020.

CHERYL BALZ, CITY CLERK

CITY OF CHINO HILLS

ADMINISTRATIVE POLICIES AND PROCEDURES MANUAL

CALIFORNIA ENVIRONMENTAL QUALITY ACT COMPLIANCE POLICY

Date Adopted: MM/DD/YY

Last Revised: MM/DD/YY

Section: 3.1

1. PURPOSE

To provide administrative guidelines to ensure the City of Chino Hills (City) is in compliance with the California Environmental Quality Act (CEQA) Guidelines, a statewide environmental law contained in California Public Resources Code Sections 21000–21177.

2. RESPONSIBILITY

2.1. The Community Development Director or designee (referred to herein as Community Development Director) is responsible for the following:

2.1.1. To oversee the City's CEQA processing, monitoring, reporting, and compliance procedures in accordance with the *State CEQA Guidelines* (CEQA Guidelines) and the *City of Chino Hills' Local Guidelines and Procedures for Implementing the California Environmental Quality Act* (City adopted resolution). This includes projects for which the City serves as lead agency, before, during, and after project implementation.

2.1.2. To coordinate the CEQA process with all City Departments.

2.2. The Public Works Director or designee (referred to herein as Public Works Director), is responsible for the following:

2.2.1. To ensure that all Capital Improvement Projects (CIP) projects and maintenance projects that require CEQA documentation are coordinated with the Community Development Director.

2.2.2. To review the status of projects originating in the Public Works Department to ensure timely CEQA documentation.

2.2.3. To provide any required assistance to the Community Development Director in initiating, processing, reviewing, reporting, implementing, and monitoring CIP projects in accordance with the CEQA Guidelines and City adopted resolution.

2.2.4. To provide the appropriate budget for the entire CEQA process for CIP and maintenance projects.

- 2.2.5. To ensure that training for CEQA Guidelines is provided to Public Works staff so that staff can properly identify CIP and maintenance projects that require CEQA documentation.

3. POLICY

- 3.1. The Community Development Director will act within the full scope and responsibilities of the City adopted resolution for implementing CEQA Guidelines for City projects.
- 3.2. The most current definition of “project” as it is defined in the CEQA Guidelines shall be used for the purposes of this policy. Concisely, the current CEQA definition of “project” means an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and which is any of the following:
 - 3.2.1 An activity directly undertaken by any public agency.
 - 3.2.2 An activity undertaken by a person which is supported, in whole or in part, through contracts, grants, subsidies, loans, or other forms of assistance from one or more public agencies.
 - 3.2.3 An activity that involves the issuance to a person of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies.
- 3.3. City staff and/or qualified consultants approved by the Community Development Director will complete CEQA studies and reports as deemed necessary and appropriate by the Community Development Director. When consultant services are utilized, the Community Development Director will be responsible to oversee the consultant’s work and ensure the completion of the CEQA process.
- 3.4. This policy is intended to be in conformance with the CEQA Guidelines as implemented and tailored to the specific operations of the City of Chino Hills. If any section of this policy is in conflict with or contrary to any provision of the CEQA Guidelines, the CEQA Guidelines and the City adopted resolution shall control in that order.

4. PROCEDURES

- 4.1. Funding for CEQA documentation and implementation for City projects shall be budgeted as part of the project.

- 4.2. The Project Manager, which is the staff person assigned by the applicable department's Director to manage the project, will be responsible for ensuring all required notices are correctly completed and filed.
- 4.3. For all City initiated projects, the Project Manager will provide a summary project description to the Community Development Director at project initiation. The Community Development Director will advise the Project Manager as to whether the project is a "project" under CEQA, or if the project is exempt.
 - 4.3.1. If the proposal is determined to be a "project" as defined by CEQA, the Community Development Director, in joint effort with the Project Manager, will process the project through the CEQA process according to the provisions of the CEQA Guidelines.
 - 4.3.2. If the proposal is determined to be exempt from CEQA, the Community Development Director will advise the Project Manager on which exemption applies.
- 4.4. For all developer or other non-City initiated projects, once the application is deemed complete, the Project Manager will conduct a preliminary assessment to determine whether the proposal is determined to be a "project" under CEQA, or if the project is exempt.
 - 4.4.1. If the proposal is determined to be a "project" as defined by CEQA, the Community Development Director will coordinate with the Project Manager to identify the expected type of CEQA documentation and supporting technical studies required. The Project Manager will then initiate the CEQA report process in accordance with the CEQA Guidelines and as outlined in this policy.
 - 4.4.2. All costs associated with CEQA documentation and implementation including mitigation measures shall be the responsibility of the developer or project applicant.
 - 4.4.3. For projects and/or mitigation areas the developer is required to construct or develop, the developer shall be responsible for required resource agency clearances and permits.
 - 4.4.4. When a project and/or mitigation area will be turned over to a non-City entity for maintenance (i.e., Homeowners Association), the developer shall complete required mitigation and obtain all necessary environmental clearances and permits from resource agencies prior to turning over the project or mitigation area.

- 4.4.5. If the proposal is determined to be exempt from CEQA, the Community Development Director will advise the Project Manager on which exemption applies.
- 4.5. This Administrative Policy requires Planning Commission review and recommendation to the City Council.



TOWN OF PORTOLA VALLEY

Liaison Memo

TO: Members of the Town Council

FROM: Judith Hasko, Vice Mayor

DATE: Saturday, July 13, 2024

RE: Geologic Safety Committee

July 8th Meeting

OVERVIEW:

I attended the meeting of the Geologic Safety Committee on July 8, 2024 at 10 am.

A subcommittee reported on urgent geologic safety issues and suggested the development of a safety tip checklist that provides a reminder to the public of resources available for information on earthquake, fire and other safety matters in Portola Valley. The Committee members noted the need to coordinate this with other safety-related committees in Town such as the Emergency Preparedness Committee, the Public Works Committee and potentially the Woodside Fire Protection District. A subcommittee will focus on outreach to connect with these other bodies. The need to understand how public utilities are planning to handle various challenges was noted.

The Committee also covered potential updates to the Town geologic fault map, focusing in particular on the Berrocal fault. The Committee reviewed extensive work they did to understand past reports of the fault's traces. Some follow up work will be performed and a final review will occur by the Committee at their next meeting.



TOWN OF PORTOLA VALLEY

Liaison Memo

TO: Members of the Town Council

FROM: Judith Hasko, Vice Mayor

DATE: Saturday, July 13, 2024

RE: ASCC July 8th Meeting

OVERVIEW:

They reviewed first a project at 440 Cervantes. Public comment included a question on the involvement of the Trails and Paths Committee and the BPTS Committee in reviewing the applications being discussed. There was some confusion on whether the Conservation Committee was supposed to obtain input on these projects from these other 2 committees or whether these other committees should directly review and comment.

After some comments regarding lighting reduction and the need for further landscaping review by a member of the ASCC, the project was approved.

The second project reviewed was at 857 Westridge. There was a site review conducted in the afternoon before the meeting. Comments were made that the ASCC and staff should consider the process to make the public notice for any site review clearer. Discussions of the project included topics relating to fencing approaches, proposed tree removal, landscaping approaches, screening from neighbors' properties, and proposed height of certain portions of the buildings. Public comment included concerns regarding the notice period to neighbors for considering the project, the need for a collaborative approach with neighbors on projects of similar scope and the short notice period for such a lengthy package to be reviewed and understood (recognizing the project was reviewed after the 4th of July holiday). Other concerns related to the placement of the entrance to the bike storage area, tennis court stability and preserving wildlife, as well as the need to be mindful of tree health when placing the septic system and some discrepancies in the packet.

The project was approved subject to several conditions including additional review by a member of the ASCC on certain points.