

CITY OF CALISTOGA
PLANNING COMMISSION
RESOLUTION NO. 2014-__

**ADOPTING A MITIGATED NEGATIVE DECLARATION FOR THE IMPER PROJECT
AT 1998 CEDAR STREET**

1 **WHEREAS**, the applicants have submitted a design review application (DR
2 2012-3) for modifications to an existing residence and accessory buildings located at
3 1998 Cedar Street (APN 011-410-015); and

4 **WHEREAS**, in accordance with the California Environmental Quality Act (CEQA),
5 an Initial Study/Mitigated Negative Declaration was prepared that identified potentially-
6 significant impacts to the environment in the areas of biological resources, cultural
7 resources, geology/soils and hydrology/water quality; and

8 **WHEREAS**, the applicants have agreed to amend the proposed project to
9 incorporate mitigation measures that would reduce the potential impacts to a less than
10 significant level; and

11 **WHEREAS**, the Planning Commission reviewed the Initial Study/Mitigated
12 Negative Declaration during a public hearing on November 12, 2014, and during its
13 review, considered the public record, including the staff report, findings, and written
14 materials and public testimony; and

15 **WHEREAS**, that on the basis of the Initial Study prepared for the project the
16 Planning Commission has determined that with the incorporation of mitigation measures
17 the Imper Project will not have a significant effect on the environment and, therefore, a
18 Mitigated Negative Declaration should be adopted based on the finding that the project
19 will not have a significant adverse impact on the environment.

20 **NOW, THEREFORE, BE IT RESOLVED**, based on the above findings, the
21 Planning Commission hereby adopts the Imper Project Mitigated Negative Declaration,
22 subject to the following Mitigation Measures and Monitoring Program:

23 Biological Resources

24 Mitigation Measure BIO-1: Department of Fish and Wildlife Permits

25 Any permits required by the California Department of Fish and Wildlife shall be
26 obtained prior to any disturbance below the top of the creek bank, including the
27 installation of landscaping or retaining structures.

28 Mitigation Measure BIO-2: Tree Protection Plan

29 Prior to issuance of a building permit for the project, a Tree Protection and
30 Replacement Plan consistent with Calistoga Municipal Code Chapter 19.01 shall
31 be reviewed and approved by the Public Works Department. All requirements
32 and restrictions contained in Chapter 19.01 shall be complied with, including the

33 incorporation of replacement trees for those trees slated for removal, if
34 appropriate, as well as any recommendations of the project arborist.

35 Cultural Resources

36 Mitigation Measure CR-1: Barn Renovation

37 Chemical and physical treatments shall be undertaken using the gentlest means
38 possible. Treatments that cause damage to historic materials shall not be used.
39 New materials on the barn shall be consistent with the historic materials for the
40 barn. Salvage materials shall be used to the maximum extent feasible.

41 Mitigation Measure CR-2: Construction Monitoring

- 42 1. Construction personnel shall be informed that collecting archaeological,
43 historical and paleontological materials discovered during construction is
44 prohibited by law.
- 45 2. During ground-disturbing activities, a qualified Native American monitor and
46 tribal member shall be present to monitor the site and activities.

47 Mitigation Measure CR-3: Treatment of Discovered Resources

- 48 1. If archaeological, historical or paleontological resources are encountered
49 during construction, all activity in the immediate vicinity shall cease.
- 50 2. The find shall be inspected by a qualified archaeologist. If the archaeologist
51 determines that the find is potentially significant (e.g., meets the definition of
52 historic resource or unique archaeological resource), the archaeologist shall
53 record the find and implement appropriate treatment of it.

54 Mitigation Measure CR-4: Treatment of Human Remains, Associated Grave
55 Goods, and Items of Cultural Patrimony

- 56 1. If human remains are encountered during construction activities, there shall
57 be no further excavation or disturbance of the remains or nearby area until
58 the Napa County Coroner has made the necessary findings as to origin.
- 59 2. If the Coroner believes the human remains to be those of a Native American,
60 he or she shall contact, by telephone within 24 hours, the Native American
61 Heritage Commission.
- 62 3. Upon notification, the Commission shall immediately notify the most likely
63 descendent (MLD). The remains shall not be damaged or disturbed by further
64 development until the City has discussed and conferred with the MLD
65 regarding their recommendations.
- 66 4. The descendent shall inspect the site of the discovery and may recommend
67 the means for treating or disposing, with appropriate dignity, the human
68 remains and any associated grave goods. The descendants shall complete
69 their inspection and make their recommendation within 48 hours of their
70 notification by the Commission.

71 Geology and Soils

72 Mitigation Measure GEO-1: Design Level Geotechnical Report and
73 Implementation

74 Prior to the issuance of a grading or building permit for any portion of the project
75 site, a final design-level geotechnical report prepared by a qualified geotechnical
76 engineer, and that reflects the recommendations contained in the project's
77 geotechnical investigation, shall be submitted to the Planning and Building
78 Department for review and approval. Any recommendations contained in the
79 report shall be implemented.

80 Mitigation Measure GEO-2: Geotechnical Monitoring

81 A qualified geotechnical engineer shall provide intermittent geotechnical
82 engineering observations, along with necessary field and laboratory testing,
83 during 1) the beginning of grading and foundation excavation operations, 2)
84 removal of weak soils, 3) fill placement and compaction, 4) preparation and
85 compaction of subgrade and 5) completed footing excavations. Upon completion
86 of the project, a final inspection shall be performed by the engineer prior to
87 occupancy.

88 Hydrology and Water Quality

89 Mitigation Measure HYD-1: Stormwater Drainage Plan

90 Prior to issuance of a grading or building permit, the permit holder shall submit a
91 stormwater drainage plan for approval by the Planning and Building Department in
92 conformity with the National Pollution Discharge Elimination System and including
93 Best Management Practices (BMP) as described in the California Stormwater BMP
94 Handbook or equivalent.

APPROVED AND ADOPTED by the Planning Commission of the City of Calistoga at a regular meeting held this **12th day of November, 2014**, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

JEFF MANFREDI, Chairman

ATTEST:

LYNN GOLDBERG, Planning Commission Secretary