

CALISTOGA PLANNING COMMISSION
STAFF REPORT

To: Calistoga Planning Commission
From: Lynn Goldberg, Planning & Building Director
Derek Rayner, Interim Public Works Director
Meeting Date: December 11, 2019
Subject: **Calistoga Wastewater Treatment Plant Riverside Ponds Improvement Project Use Permit (UP 2019-17)**

1 **ITEM**

2 Consideration of a use permit application to abandon the City of Calistoga's four
3 wastewater storage ponds adjacent to the Napa River; rebuild two ponds with raised
4 berms with liners; stabilize river channel banks; reroute storm drainage; remove trees
5 and restore a vegetated riparian buffer; and install piping and valve controls at 1100
6 Dunaweal Lane

7 **PROJECT SETTING**

8 The City of Calistoga (City) Riverside Ponds Relocation Project (Project) site is located
9 west of the Dunaweal Wastewater Treatment Plant (WWTP), approximately 0.6 miles
10 west of the treatment plant entrance on Dunaweal Lane. The riverside ponds are
11 located between the Napa Valley Vine Trail (Vine Trail) to the north, and the Oat Hill
12 Mine Ditch and Napa River to the south. The WWTP facility is located between
13 Dunaweal Lane and Simmons Creek, a tributary to the Napa River. The City maintains
14 four wastewater storage ponds between Simmons Creek and the Oat Hill Mine Ditch
15 that are a critical part of the final wastewater treatment process. The wastewater
16 storage ponds were built in 1974 and contain tertiary-treated effluent. The WWTP
17 headworks structure is located about 115 feet from the ponds adjacent to Simmons
18 Creek and contains raw, untreated sewer influent.

19 Topography throughout the area is relatively flat except where the slopes descend
20 southward to the Napa River. The immediately-surrounding environs consist of riparian
21 and perennial stream habitats, which are surrounded by agricultural and urban land use
22 areas. The areas adjacent to the Napa River are dominated by large over-hanging trees
23 and riparian forest species.

24 **PROJECT BACKGROUND**

25 The San Francisco Bay Area Regional Water Quality Control Board has adopted a
26 Cease and Desist Order (CDO) mandating that the City either abandon the riverside
27 ponds or line them. Given the fact that these ponds are a critical part of our wastewater
28 treatment plant infrastructure for storage and discharge purposes, the City cannot
29 abandon the ponds and will be lining them to comply with the CDO.

30 Heavy erosion of the Napa River bank has also occurred and significantly progressed
31 towards the edge of the storage ponds, and catastrophic failure of the bank is possible
32 without corrective action. Significant creek bank erosion has progressed towards the

33 edge of the headworks structure and catastrophic failure of the bank is possible without
34 corrective action.

35 **PROJECT DESCRIPTION**

36 After evaluating several alternatives, the City has designed a project that would
37 abandon the four wastewater storage ponds adjacent to the Napa River; rebuild two
38 ponds with raised berms (to remove them from the 100-year floodplain), line the new
39 ponds; stabilize river channel banks; reroute storm drainage; remove trees and restore
40 a vegetated riparian buffer; and install piping and valve controls. See Attachment 3 for a
41 detailed project description.

42 **ANALYSIS**

43 **General Plan Consistency**

44 Land Use Designation: The subject properties are designated Public/Quasi-Public in
45 the General Plan Land Use Element. The Public/Quasi-Public designation is applied to
46 existing and planned public facilities. The proposed storage ponds and related
47 improvements are consistent with this land use designation.

48 Infrastructure Element: The project is consistent with the following applicable provisions
49 of the Infrastructure Element of the General Plan:

50 *Goal I-2 Collect, treat and dispose of wastewater in ways that are safe,*
51 *sanitary and environmentally acceptable*

52 *Objective I-2.1 Plan, manage and develop wastewater conveyance, treatment*
53 *and disposal systems in a logical, timely and appropriate*
54 *manner.*

55 *Objective I-2.2 Maintain wastewater infrastructure in good condition.*

56 **Zoning Ordinance Compliance**

57 The properties are located within the Public (P) Zoning District. Wastewater facilities are
58 allowed in the P District with a use permit. The P District development standards
59 provide regulations for buildings and structures. Per the Zoning Code, the project does
60 not meet the definition of a building or structure and therefore is not subject to these
61 regulations.

62 **ENVIRONMENTAL REVIEW**

63 An Initial Study was prepared to determine the level of environmental review necessary
64 for the proposed project. Consistent with Section 15070(b) of the California
65 Environmental Quality Act (CEQA) Guidelines, the Initial Study (IS) identified potentially-
66 significant effects in several areas potentially involving at least one impact that requires
67 mitigation.

68 The draft MND was circulated for review for 37 days, which exceeded the mandated
69 minimum period, to public agencies and the general public, during which 10 comment
70 letters were received. Responses to these comments are contained in Final IS/MND
71 Chapter 2, and related revisions have been made to the document's text.

72 Mitigation measures agreed to by the City, as contained in the Final IS/MND Mitigation
73 Monitoring and Reporting Program, would avoid potentially-significant effects or mitigate
74 the effects to a point where clearly no significant effect would occur. Furthermore, there
75 is no substantial evidence, in light of the whole record before the agency, that the
76 project may have a significant effect on the environment. Therefore, as the lead agency,
77 the City of Calistoga has determined that a Mitigated Negative Declaration (MND) is the
78 appropriate level of environmental review.

79 **REQUIRED FINDINGS**

80 To reduce repetition, all the findings required by the Zoning Code to approve the use
81 permit application are contained in the draft resolution.

82 **RECOMMENDATIONS**

83 Staff recommends that the Planning Commission take the following steps:

- 84 1. Receive presentations from Public Works staff and the project's environmental
85 consultant, and answers to any commissioner questions regarding the project,
86 staff's analysis or the environmental documents
- 87 2. Open the public hearing to receive public comments, directed to the Commission
- 88 3. Request that staff and the environmental consultant respond to comments and
89 questions, as needed
- 90 4. Close the public hearing
- 91 5. Adopt the attached resolution adopting the Calistoga Riverside Ponds Relocation
92 Project Final MND
- 93 5. Adopt the attached resolution approving Use Permit UP 2019-17 with conditions.

ATTACHMENTS

1. Draft resolution adopting Final MND
2. Draft resolution approving UP 2019-17
3. Vicinity map
4. Project Elements map
5. Project description
6. Draft and Final Mitigated Negative Declaration (distributed under separate cover)