

1701 on a receipt issued by the courier. Any party hereto may at any time, by giving ten (10) days
1702 written notice to the other party hereto, designate any other address in substitution of the address
1703 to which such notice or communication shall be given. Such notices or communications shall be
1704 given to the parties at their addresses set forth below:

If to City: Planning and Building Director
City of Calistoga
1232 Washington Street
Calistoga, CA 94515

With Copies to: City Manager
City of Calistoga
1232 Washington Street
Calistoga, CA 94515
and Michelle Marchetta Kenyon, Esq.
McDonough, Holland & Allen, PC
1901 Harrison Street, 9th Floor
Oakland, CA 94612-3501

If to Developer: Simmons Canyon Partners, LLC
Attn: David Wickline
17575 Fitzpatrick Lane
Occidental, CA 95465

If to Property Owners: Derrick P. & Mary Orosco Dumont
351 Rosedale Road
Calistoga, CA 94515
and
Dennis R. Hunter
P.O. Box 9069
Santa Rosa, CA 95405

1705 Section 12.08. Entire Agreement, Counterparts and Exhibits. This Agreement may be
1706 executed in multiple counterparts, each of which shall be deemed to be an original. This
1707 Agreement, together with the attached Exhibits, constitutes the final and exclusive understanding
1708 and agreement of the parties and supersedes all negotiations or previous agreements of the
1709 parties with respect to all or any part of the subject matter hereof. The Exhibits attached to this
1710 Agreement are incorporated herein for all purposes:

1711 Section 12.09. Recordation Of Development Agreement. Pursuant to section 65868.5 of
1712 the Development Agreement Statute, no later than ten (10) days after City enters into this
1713 Agreement, the City Clerk shall record an executed copy of this Agreement in the Official
1714 Records of the County of Napa.

1715 Section 12.10. No Joint Venture or Partnership. It is specifically understood and agreed
1716 to by and between the parties hereto that: (i) the subject development is a private development;
1717 (ii) City has no interest or responsibilities for, or duty to, third parties concerning any
1718 improvements until such time, and only until such time, that City accepts the same pursuant to
1719 the provisions of this Agreement or in connection with the various Existing Project Approvals or
1720 Subsequent Project Approvals; (iii) Developer shall have full power over and exclusive control
1721 of the Project herein described, subject only to the limitations and obligations of Developer

1722 under this Agreement, the Existing Project Approvals, Subsequent Project Approvals, and
1723 Applicable Law; and (iv) City and Developer hereby renounce the existence of any form of
1724 agency relationship, joint venture or partnership between City and Developer and agree that
1725 nothing contained herein or in any document executed in connection herewith shall be construed
1726 as creating any such relationship between City and Developer.

1727 Section 12.11. Waivers. All waivers of the provisions of this Agreement shall be in
1728 writing and signed by the appropriate authorities of City and Developer.

1729 Section 12.12. California Law. This Agreement shall be construed and enforced in
1730 accordance with the laws of the State of California, without reference to choice of law
1731 provisions.

1732 [SIGNATURES ON FOLLOWING PAGE]

1733
1734

IN WITNESS WHEREOF, this Agreement has been entered into by and among Developer, City and Property owners as of the day and year first above written.

CITY:

CITY OF CALISTOGA,
a municipal corporation

By: _____
City Manager

Date Signed: _____

Approved as to Form:

By: _____
City Attorney

Attest:

By: _____
City Clerk

DEVELOPER:

SIMMONS CANYON PARTNERS, LLC,
a Delaware limited liability company

By: [Entity Name]

By: _____
Name: _____
Title: _____

By: _____
Name: _____
Title: _____

Date Signed:

PROPERTY OWNERS:

ROSEDALE PROPERTIES GROUP, LLC,
a Delaware limited liability company

By: _____
Name: _____
Title: _____

Date Signed: _____

ROSEDALE LAND CO.,
a Delaware limited liability company

By: _____
Name: _____
Title: _____

Date Signed: _____

**DERRICK P. DUMONT and
MARY OROSCO DUMONT,**
as husband and wife

DERRICK P. DUMONT

MARY OROSCO DUMONT

Date Signed: _____

DENNIS R. HUNTER, an individual

Date Signed: _____

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1736

EXHIBIT A

Legal Description of Property

**TRACT ONE:
PARCEL ONE:**

Parcel 1, as shown on the map entitled, "Parcel Map of the Lands of DuMont Enterprises, a general partnership", filed June 9, 1995 in Book 21 of Parcel Maps at page(s) 46-47 in the office of the County Recorder of said Napa County.

APN 011-050-039

PARCEL TWO:

A non-exclusive, appurtenant easement on and across Parcel 2 as shown on Parcel Map No. 4812 filed June 9, 1995 in Book 21 of Parcel Maps at page(s) 46-47 in the office of the County Recorder of said Napa County (system parcel), to install, operate and maintain a sewage disposal system for winery purposes, and one or more accompanying sewer pipe lines as granted to Dumont Family Limited Partnership by deed recorded May 27, 1998 as Series Number 1998 014302 of Official Records of Napa County.

Said easement to be located substantially as set forth in Exhibit "A" of that certain "Agreement for Grant of Sewage Easements" recorded June 9, 1995 under Series Number 1995 012359 of Official Records of Napa County.

The easement as granted hereby shall be appurtenant to lands described as Parcel 1 as shown on Parcel Map No. 4812 filed June 9, 1995 in Book 21 of Parcel Maps at page(s) 46-47 in the office of the Recorder of Napa County.

**TRACT TWO:
PARCEL ONE:**

Parcel 2, as shown on Parcel Map of the Lands of DuMont Enterprises, a General Partnership, filed June 9, 1995, in Book 21 of Parcel Maps, at pages 46 and 47, in the office of the County Recorder of said Napa County.

APN 011-050-040

PARCEL TWO:

An easement for ingress and egress for vehicular traffic over and through the existing driveway and roadway, as described in the easement agreement recorded January 20, 1999 as Instrument No. 1999-001939 of Official Records of Napa County.

TRACT THREE:

All buildings and improvements existing at date hereof and/or hereafter constructed situated on the following described property:

Parcel 2 as shown on Parcel Map of the Lands of DuMont Enterprises, a General Partnership, filed June 9, 1995 in Book 21 of Parcel Maps at pages 46 and 47 in the office of the County Recorder of said Napa County, which buildings and improvements are and shall remain real property.

TRACT FOUR:

Parcel 2 as shown on the Parcel Map of the Lands of Dumont Enterprises filed November 23, 1993 in Book 20 of Parcel Maps at pages 1 and 2, in the office of the County Recorder of said Napa County.

APN 011-050-036

TRACT FIVE:

Parcel 3, as shown on the map entitled "Parcel Map of the Lands of Dumont Enterprises, a General Partnership", filed November 23, 1993, in Book 20 of Parcel Maps at page(s) 1-2, in the office of the County Recorder of Napa County.

APN 011-050-037

TRACT SIX:

Parcel 1 as shown on the Parcel Map of the Lands of Dumont Enterprises filed November 23, 1993 in Book 20 of Parcel Maps at pages 1 and 2, in the office of the County Recorder of said Napa County.

APN 011-050-035

EXHIBIT B

Project Description

Site

The project site is approximately 22.5 acres, located at the northeast intersection of Rosedale Road and Silverado Trail. The site is designated in the 2003 General Plan as Rural Residential, with a Visitor Accommodations overlay and an Entry Corridor 2: Downvalley Silverado Trail overlay, is zoned Planned Development, and has a commercial development permit. The site is triangular in shape, and generally flat towards the south and east, with a knoll rising to a maximum of 380 feet above mean sea level in the northwestern portion of the site. The eastern, flat portion of the site is currently developed with approximately 8.78 acres of vineyards, an approximately one and a half acre leach field, and one single-family residence with access off of Rosedale Road. An additional approximately 1.24 of existing vineyards have not been actively farmed for a number of years, and are in poor condition. The southwestern portion of the site, with access off of Silverado Trail, is developed with a parking lot and a two-story winery and restaurant building. The 5,000 case per year winery and public tasting/retail room is constructed into the southern end of the bottom of the knoll; the second story on the top of the knoll houses a permitted, but currently un-occupied, restaurant. Visitor accommodation units, parking spaces, a public access spa, caretaker's residence quarters and conference facilities are located in three buildings on top of and along the eastern side of the knoll, with access from Rosedale Road. There are also three accessory structures housing mechanical equipment and maintenance uses. Access is provided off the Silverado Trail and Rosedale Road.

All wastewater is currently disposed of on-site via septic treatment and leach field disposal. All water (potable, irrigation and spa) is currently provided by five on-site wells. Site surface storm drainage over the western third of the site is collected in the existing retention pond, which discharges through a culvert that leads to the "Main Ditch" upstream. The eastern two-thirds of the site presently drains towards the southeast across the eastern property line and over the adjacent property, ultimately flowing into the "Luvisi Ditch."

Project

The Project expands and upgrades the visitor accommodations, spa, winery, restaurant and recreational uses of the site, and establishes a geothermal energy use on the site, while maintaining the site in active, agricultural use. It includes the following uses:

Visitor Accommodations: The 20 existing visitor accommodations bedrooms will be expanded to 72 bedrooms; the two existing buildings housing visitor accommodations will be replaced by 18 separate buildings of visitor accommodations units (the "Lodges") and one support facilities building (the "Clubhouse").

- Twelve of the Lodges will contain from two to four two-bedroom units, in a mix of "Standard" and "Deluxe" formats, for a total of nine Standard units and 21 Deluxe units. Each Standard or Deluxe two-bedroom unit will be capable of being locked-off into two, separate one-bedroom units. Maximum occupancy of the Standard and Deluxe units will be as up-to 60 separate one-bedroom units.
- Six of the Lodges are "Bungalow" two-bedroom units, which will not have lock-off capability. Maximum occupancy of the Bungalow units will be as six separate two-bedroom units.
- The total number of two-bedroom visitor accommodations units proposed is 36, for a total of ±61,800 gross square feet. The maximum number of separate occupancies possible on any given night is 66, in 72 bedrooms.

The architectural styles and construction materials have been designed to respect the rural residential nature of the site and vicinity, through the use of deep, covered porches, hip and gabled zinc metal roofs, and double- and triple-hung windows. The floor plan for each two-bedroom unit includes: an indoor non-sleeping area with a living room and a kitchen, outdoor seating areas, two bathrooms and two outdoor soaking tubs.

Support facilities for the visitor accommodations units (including guest reception, public gathering spaces, fitness facilities, an outdoor pool (filled with non-mineral water) and changing room are located in a two-story Clubhouse built into the eastern edge of the knoll. In addition, the Clubhouse will contain back of house and administrative facilities for operation of the visitor accommodations, including laundry, employee lounge, maintenance and receiving uses.

Restaurant: A new, larger Restaurant (with bar) will be located at the eastern edge of the knoll, in the same structure as the Clubhouse, and with an interior connection to the Winery via a new cave. The Restaurant, in combination with the Clubhouse, totals $\pm 27,500$ gross square feet.

Winery: Production in the Winery may be increased from 5,000 cases to 10,000 cases per year. A cave of a maximum of up to 8,000 square feet will support expanded production, aging and tasting uses. The retail and public tasting uses will be relocated to the Culinary Center (described below). The Winery, in combination with the Culinary Center, totals $\pm 10,800$ gross square feet of conditioned space.

Culinary Center: The existing, un-occupied restaurant space will be converted for use within the existing Winery building as multi-purpose wine tasting and retail and culinary education and conference center (the "Culinary Center"). The Culinary Center, in combination with the Winery, totals $\pm 10,800$ gross square feet. The primary uses of the Culinary Center will be:

- Day to day, as the wine tasting and retail room for the Winery.
- For private culinary and wine seminars available to guests in the Lodges and members of the Recreational Club (described below).
- On occasion, by rental to the general public for groups of up to 155.

Vineyards and Landscaping: The overall site plan seeks to maximize the agricultural and open space view corridors and view shed offered by the on-site vineyards and adjacent properties. The development provides new landscaping to incorporate actively farmed edible, fragrance and cutting gardens, offering visitors an integrated garden-to-table experience.

Approximately 5 acres of the existing Vineyards will be retained and an approximately 1.58 acre area on the eastern edge of the site, currently used as a leachfield for the on-site wastewater disposal system, will be restored and planted with vineyards, providing up to 6.58 acres on-site vineyard open-space which doubles as a greenbelt setback from Silverado Trail. Active farming of the Vineyards will be integrated with the Winery, Culinary Center and Recreational Club uses of the site.

The Landscaping Plan makes extensive use of existing trees, preserving or transplanting on-site 54 of the existing trees. New trees will include shade trees placed to reduce solar impacts on buildings and outdoor living areas and accent trees and orchard/grove trees integrated with the edible and fragrant landscaping areas. Screening plants will be used as appropriate.

Spa: A new, $\pm 6,000$ gross square foot Spa building is proposed to be located in the southeastern portion of the site, housing eight interior treatment rooms. Four of the eight interior treatment rooms are coupled with open-air treatment rooms as spa-suites, allowing spa guests the opportunity to enjoy either open-air or interior treatment. The Spa is organized around an open-

to-sky courtyard with a central geothermal mineral pool. The Spa will also include locker rooms, a juice bar, an outdoor swimming pool filled with geothermal mineral water and support facilities.

Recreational Club: Up to 200 Recreational Club memberships are to be made available to the general public. A Recreational Club membership will enjoy the Vineyards, Winery, Culinary Center, Restaurant and Spa uses of the site. No site facilities are dedicated solely to Recreational Club membership use; Recreational Club membership will afford preferential access to site facilities.

Subdivision Map: A vesting tentative map under the California Subdivision Map Act and Calistoga Municipal Ordinances Title 16 will create mixed-use condominium estates and ownership units.

Mixed-Use Condominium Ownership and Time Share Estates: Private ownership of interests in the project will be structured to ensure that the project is operated as an integrated commercial resort. Use of facilities and improvements by and among the owners of the condominium estates described below will be governed by a recorded Condominium Plan, a recorded Condominium Declaration and a recorded Shared Facilities Covenant; the governing structure of the condominium estate owners' associations will ensure that the Resort Owner retains control over the management and operation of the project as an integrated, commercial resort. The Resort Owner will retain the Resort Unit and control the ownership of the Accommodations Buildings Structure Unit. Each of the 36 "Accommodations Units" will consist solely of interior airspace within each two-bedroom visitor accommodations unit. Fractional interests in each of the 36 Accommodations Units will be owned by up to eight, separate private individual "Member Owners," for a total of up-to 288 Member Owners of Accommodation Units. Sale of the Accommodations Units will be separately regulated under the California Vacation Ownership and Time-Share Act of 2004. Each Member Owner's interest in an Accommodation Unit will be subject to the following restrictions:

- a. Each Member Owner occupancy in such Member Owner's designated Accommodations Unit will be limited to no more than 14 consecutive days.
- b. Member Owners will be limited to a total of 35 days per year of occupancy such Member Owner's designated Accommodations Unit.
- c. Member Owners may offer all or a portion of their 35 days per year of occupancy for rental to transient occupants.

The Resort Owner will own an easement in each of the 36 Accommodations Units, pursuant to which the Resort Owner will (i) control occupancy of each Accommodation Unit for a minimum of 85 nights per year, and (ii) offer to the general public up to 85 nights per year of transient occupancy in each Accommodations Unit.

There will be separate condominium units for the Winery, Restaurant, and Spa.

Geothermal Energy & Mineral Water Use: Heating and/or cooling for the project is proposed to be provided by an on-site, closed-loop geothermal energy system. Approximately one- to three-acre feet per year of geothermal groundwater will be pumped from up to three on-site wells, used to provide heating and/or cooling to the project, and re-injected into one re-injection well. The geothermal energy system will be a closed-loop system, and therefore the amount of geothermal water pumped and re-injected will be the same. Up to two to three new supply wells are proposed; one existing well may be re-conditioned or replaced. One new re-injection well is proposed. All of the improvements necessary for the geothermal energy system will be placed within the footprints of the structures and improvements proposed for the project site, with the exception of a storage tank, which is proposed to be installed underground. Mineral water use for the project will be added to the swimming pool, mineral pool and mineral spa located at the Spa. Total mineral water use from on-site wells is estimated to be 0.40 acre

feet per year. Wastewater generated from mineral water pools are proposed to be discharged into the City sewer system and to be no more than 0.2 acre-feet per year. Permit(s) for geothermal wells and the geothermal energy system will be obtained from the California Department of Conservation – Division of Oil, Gas and Geothermal Resources, at which time a detailed plan for the geothermal energy system will be available.

Temporary Sales Office

The installation and use of a temporary sales office, consisting of a modular unit, is proposed. The temporary sales office will be located in the existing parking lot, with access off of Silverado Trail, and will be connected to the existing utilities on the site. Up to five (5) employees will work in the temporary sales office, which will be occupied and open to the public from 8:00 a.m. to 6:00 p.m., seven days per week.

EXHIBIT C

Mitigation Monitoring and Reporting Program

The attached document represents the format to be used by the City of Calistoga to ensure implementation of the adopted Mitigation Negative Declaration. This document is subject to regular updates by City Staff during project construction and after certificates of occupancy is issued for the entire project (or phases of the project)



**City of Calistoga
Environmental Mitigation Monitoring Program**

PROJECT NAME: TERRANO NAPA VALLEY
351 ROSEDALE ROAD
APN #S: 011-050-035; 011-050-036; 011-050-037; 011-050-039; &
011-050-040

APPROVAL DATE:

FILE NUMBERS: ZONING DETERMINATION (ZI 2007-01), ZONING TEXT AMENDMENT (ZO 2007-04), PLANNED DEVELOPMENT (PD 2007-01), CONDITIONAL USE PERMIT (U 2007-07), DESIGN REVIEW (DR 2007-07), VESTING TENTATIVE CONDOMINIUM SUBDIVISION MAP (TTM 2007-01), AND DEVELOPMENT AGREEMENT (DA 2007-01),

MITIGATED NEGATIVE DECLARATION:

The following environmental mitigation measures were incorporated into the Conditions of Approval for this project in order to mitigate identified environmental impacts to a level of insignificance. A completed and signed checklist for each mitigation measure indicates that this mitigation measure has been complied with and implemented, and fulfills the City's monitoring requirements with respect to Assembly Bill 3180 (Public Resources Code Section 21081.6).

Agriculture Resources:

1. Mitigation Measure A-1: Prior to grading and/or building permit issuance, a Tree Removal and Replacement Plan consistent with the approved architectural site plan shall be reviewed and approved by the Public Works Department in conjunction with the Planning and Building Department. All requirements and restrictions contained in Chapter 19.01 of the Calistoga Municipal Code (CMC) shall be complied with, which shall include replacement trees for those trees slated for removal and shall incorporate any recommendations of the Project Arborist into the project.

Type: Construction/On-Going Maintenance

Monitoring Dept.: Public Works

Shown on Plans: _____

Verified Implementation: _____

Remarks:

2. Mitigation Measure A-2: Prior to building permit issuance, all permanent exterior lighting shall be directed and/or shielded so as not to shine or create glare on any adjacent property in accordance with the standards contained in Section 17.36 of the Calistoga Municipal Code and the Title 24 Part 6 2007 California Energy Code which limits light and glare, subject to the review and approval of the Planning and Building Department.

Type: Construction/On-going Maintenance

Monitoring Dept.: Planning & Building

Shown on Plans: _____

Verified Implementation: _____

Remarks:

3. Mitigation Measure A-3: Prior to building permit issuance, all lighting shall be designed and equipped with motion detector switching and shall be switched to the off position when facilities are not in operation upon review and approval of the Planning and Building Department, with the exception of security lighting. Security lighting shall be permitted when facilities are not in operation provided that the security lighting is reduced by 50 percent from the standard lighting used during operations.

Type: Construction/On-going Maintenance

Monitoring Dept.: Planning & Building

Shown on Plans: _____

Verified Implementation: _____

Remarks:

Air Quality:

4. Mitigation Measures AQ-1: Prior to building permit or grading permit issuance, the applicant shall incorporate the following Best Management Practices into the construction and improvement plans and clearly indicate these provisions in the specifications upon review and approval of the Public Works and Planning and Building Departments. The construction contractor shall incorporate these measures into an Erosion and Sediment Control Plan to limit fugitive dust and exhaust emissions during construction.

a) Exposed soils shall be watered periodically during construction, a minimum of twice daily. The frequency of watering shall be increased if wind speeds exceed 15 mph. Only on-site well water, purchased city water or reclaimed water shall be used for this purpose. Responsibility for watering shall include weekends and holidays when work is not in progress.

b) During excavation activities, haul trucks used to transport soil shall utilize tarps or other similar covering devices to reduce dust emissions.

- c) Grading and construction equipment operated during construction activities shall be properly muffled and maintained to minimize emissions. Equipment shall be turned off when not in use.
- d) Construction sites involving earthwork shall provide for a gravel pad area consisting of an impermeable liner and drain rock at the construction entrance to clean mud and debris from construction vehicles prior to entering the public roadways. Street surfaces in the vicinity of the project shall be routinely swept and cleaned of mud and dust carried onto the street by construction vehicles.
- e) Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).
- f) Post-construction revegetation, repaving or soil stabilization of exposed soils shall be completed in a timely manner according to the approved Erosion and Sediment Control Plan and verified by City inspectors prior to acceptance of improvements or issuance of certificates of occupancy.
- g) The Developer shall designate a person with authority to require increased watering to monitor the dust and erosion control program and provide name and phone number to the City of Calistoga prior to issuance of grading permits.

Type: Construction
 Monitoring Dept.: Public Works & Planning & Building
 Shown on Plans: _____
 Verified Implementation: _____
 Remarks: _____

Biological Resources:

- 5. Mitigation Measure Bio 1: Prior to grading and/or building permit issuance, a Tree Removal and Replacement Plan consistent with the approved architectural site plan shall be reviewed and approved by the Public Works Department in conjunction with the Planning and Building Department. All requirements and restrictions contained in Chapter 19.01 of the Calistoga Municipal Code (CMC) shall be complied with, which shall incorporate replacement trees for those trees slated for removal and shall include any recommendations of the Project Arborist into the project (see attached McNair report).

Type: Construction/On-Going Maintenance
 Monitoring Dept.: Public Works
 Shown on Plans: _____
 Verified Implementation: _____
 Remarks: _____

6. Mitigation Measure Bio 2: Prior to any construction during the bird breeding season from January 1st to August 31st, including exterior remodeling of the existing buildings, a pre-construction nest survey shall be completed. Upon the completion of said survey, any recommendations from the study that would alter construction timing shall be followed.

Type: Construction

Monitoring Dept.: Planning & Building

Shown on Plans: _____

Verified Implementation: _____

Remarks:

7. Mitigation Measure Bio 3: Prior to any construction activities in the vicinity of the irrigation pond, exclusion fencing shall be installed during the months of March and April between the pond and the area of construction disturbance to prevent any turtles from moving from the pond into the area of construction. The fencing shall be inspected and approved by a certified biologist prior to commencement of construction.

Type: Construction

Monitoring Dept.: Planning & Building

Shown on Plans: _____

Verified Implementation: _____

Remarks:

8. Mitigation Measure Bio 4: Any construction within the irrigation pond, or any lowering of the irrigation pond levels for the purposes of constructing, remodeling or installing improvements on the site shall occur during the months of March and April. After the water levels are lowered, but no later than April, the exclusion fence described in Bio 3 above shall be installed between the remaining water and the area of construction disturbance to prevent any pond turtles from moving into the area of construction disturbance. If it becomes necessary to completely drain the pond, a qualified wildlife biologist shall be present to salvage any individual turtles which may be discovered during the draining.

Type: Construction

Monitoring Dept.: Planning & Building

Shown on Plans: _____

Verified Implementation: _____

Remarks:

Cultural Resources:

9. Mitigation Measure CR.1: If archaeological, historical, paleontological resources or other human remains are encountered, all construction activity in the affected area shall cease and no materials shall be removed until a qualified professional surveys the site and mitigation measures can be proposed by the qualified professional to the satisfaction of the Planning Division for approval and subsequent implementation by the permit holder.

Type: Construction

Monitoring Dept.: Planning & Building

Shown on Plans: _____

Verified Implementation: _____

Remarks:

Geology and Soils:

10. Mitigation Measure Geo.1: In conjunction with the submittal of a grading or building permit, the applicant shall submit for review and approval by the Planning & Building Department in conjunction with the Public Works Department, a soils report that includes appropriate recommendations for the proposed grading and improvements to the site.

Type: Construction

Monitoring Dept.: Planning & Building & Public Works

Shown on Plans: _____

Verified Implementation: _____

Remarks:

11. Mitigation Measure Geo.2: In conjunction with the submittal of a grading or building permit, an engineered drainage and erosion control plan shall be submitted for review and approval by the Planning & Building Department in conjunction with the Public Works Department. The developer shall provide the drainage improvements necessary to mitigate the impacts generated by the project in a manner satisfactory to the Public Works Department. The developer shall contact the Public Works Department regarding drainage plans (i.e., urban runoff plans and calculations) in order to gather the appropriate information to be contained within these plans. The drainage and erosion control plans shall incorporate Best Management Practices (BMPs) in all post construction design elements.

Type: Construction

Monitoring Dept.: Planning & Building & Public Works

Shown on Plans: _____

Verified Implementation: _____

Remarks:

Hazards & Hazardous Materials:

12. Mitigation Measure Haz.1: Prior to grading or building permit issuance, a fire management plan, including but not limited to, access, water supply, vegetation, and fire vulnerability, shall be reviewed and approved by the Fire Chief.

Type: Construction

Monitoring Dept.: Fire

Shown on Plans: _____

Verified Implementation: _____

Remarks:

Hydrology & Water Quality:

13. Mitigation Measure WQ.1: Prior to Final Map approval or grading permit issuance, the Public Works, Planning and Building Departments shall have reviewed and approved all drainage improvements. Said improvement plans shall be designed by a civil engineer and in accordance with the Napa County Design Criteria and any applicable adopted City standards. The capacity and condition of existing drainage facilities within 500 feet of the project site downstream of the development shall be analyzed and off-site drainage improvements shall be constructed as necessary. Site grading and drainage improvements shall be shown on the improvement plans.

Type: Construction

Monitoring Dept.: Planning & Building & Public Works

Shown on Plans: _____

Verified Implementation: _____

Remarks:

14. Mitigation Measure WQ.2: Prior to grading and/or building permit issuance, the applicant shall submit engineered drainage plans and design calculations for the City Engineer's review and approval.

Type: Construction

Monitoring Dept.: Public Works

Shown on Plans: _____

Verified Implementation: _____

Remarks:

15. Mitigation Measure WQ.3: All drainage inlets shall be permanently marked "No Dumping-Flows to River".

Type: Construction

Monitoring Dept.: Public Works

Shown on Plans: _____

Verified Implementation: _____

Remarks:

16. Mitigation Measure WQ.4: Prior to building or grading permit issuance, verification shall be provided indicating that a permit has been obtained or a Notice of Intent (NOI) has been filed with the California Regional Water Quality Control Board for a General Permit to Discharge Storm Water Associated with Construction Activity subject to the review and approval of the Planning and Building Department.

Type: Construction

Monitoring Dept.: Public Works

Shown on Plans: _____

Verified Implementation: _____

Remarks:

17. Mitigation Measure WQ.5: No discharge of hazardous materials shall be allowed in ground or surface waters or on the land. All hazardous materials shall be stored and managed.

Type: Construction & On-going Maintenance

Monitoring Dept.: Public Works & Fire

Shown on Plans: _____

Verified Implementation: _____

Remarks:

18. Mitigation Measure WQ.6: Prior to issuance of a grading or building permit, the permit holder shall submit a stormwater drainage plan for approval by the Department of Public Works in conformity with the National Pollution Discharge Elimination System and including Best Management Practices (BMP) as described in the California Stormwater BMP Handbook or equivalent, such as sheet flow from pavement into vegetated drainage swales.

Type: Construction & On-going Maintenance

Monitoring Dept.: Public Works

Shown on Plans: _____

Verified Implementation: _____

Remarks:

19. Mitigation Measure WQ.7: Prior to commencement of the geothermal production and injection wells operation, all required permits from the Department of Conservation, Division of Oil, Gas and Geothermal Resources shall be obtained by the Applicant and evidence of such permit(s) shall be submitted to the Director of the Planning and Building Department.

Type: Construction
Monitoring Dept.: Planning & Building
Shown on Plans: _____
Verified Implementation: _____
Remarks: _____

20. Mitigation Measure WQ.8: Prior to utilizing geothermal water in any of the pools or spas, the Applicant shall submit a bacteriological test to the County of Napa Department of Environmental Management. The test shall show results satisfactory and acceptable to Environmental Health. A copy of the bacteriological test and evidence of clearance by the Department of Environmental Management shall be submitted to the Director of the Planning and Building Department prior to the commencement of use of geothermal or mineral water.

Type: Construction & On-going Maintenance
Monitoring Dept.: Planning & Building
Shown on Plans: _____
Verified Implementation: _____
Remarks: _____

Land Use & Planning:

21. Mitigation Measure LU-1: Provide and maintain landscaped buffers and setbacks along the project boundaries to screen views, ensure privacy, shield lighting and avoid other land use conflicts.

Type: Construction & On-going Maintenance
Monitoring Dept.: Planning & Building
Shown on Plans: _____
Verified Implementation: _____
Remarks: _____

Noise:

22. Mitigation Measure N-1: The applicant shall develop a construction management plan to reduce traffic congestion during project construction, including staging areas on the project site and truck movements delivering and/or exporting fill material. Approval of the plan shall be required from the City prior to issuance of any grading permit.

Type: Construction

Monitoring Dept.: Planning & Building, Public Works, Fire, Police

Shown on Plans: _____

Verified Implementation: _____

Remarks:

23. Mitigation Measure N-2: Construction travel shall be managed to minimize noise levels consistent with the City's Construction Ordinance.

Type: Construction

Monitoring Dept.: Planning & Building

Shown on Plans: _____

Verified Implementation: _____

Remarks:

24. Mitigation Measure N-3: Construction activities shall be limited to the hours of 7 AM and 7 PM Monday through Saturday consistent with the City's construction ordinance.

Type: Construction

Monitoring Dept.: Planning & Building

Shown on Plans: _____

Verified Implementation: _____

Remarks:

25. Mitigation Measure N-4: Construction restriction shall be posted on-site for the duration of construction.

Type: Construction

Monitoring Dept.: Planning & Building

Shown on Plans: _____

Verified Implementation: _____

Remarks:

