

NOTICE OF EXEMPTION

NAPA COUNTY PLANNING, BUILDING, & ENVIRONMENTAL SERVICES
DEPARTMENT
1195 THIRD STREET, SUITE 210, NAPA, CA 94559

To: ☐ Office of Planning and Research
PO Box 0334
1400 Tenth Street, Room 121
Sacramento, CA 95814

☒ Napa County Clerk
900 Coombs St
Napa, CA 94559

PROJECT TITLE: CLOVER FLAT CREEK 2 RESTORATION PROJECT

PROJECT PERMITS: ENG24-00018

PROJECT LOCATION - SPECIFIC: 4380 Clover Flat Road (APN :020-120-020-000).

PROJECT LOCATION – CITY (NEAREST): Calistoga

PROJECT LOCATION - COUNTY: Napa

PROJECT DESCRIPTION: The proposed restoration will include creation of a 4.24-acre valley with a minimum of 936 feet of restored main Creek 2 channel and the restoration of a tributary channel. An "offsite" drainage swale would be constructed just outside the 4.24-acre area along the western side of the created valley to control inflows from upland areas. The main goals of the proposed restoration are to improve the habitat, and return to a more natural state, thereby improving habitat quality, water quality and reduce the potential for erosion by:

1. Minimize grading cut and balance cut and fill within the highly variable existing topography [i.e., range from 35% cuts to flat pit bottoms];
2. Create channel slopes within acceptable ranges to support desired channel stability, natural channel types and morphological features; and
3. Create appropriate surrounding ground to support native oak woodland canopy cover such as what existed prior to disturbances.

Further details are provide in the attached CEQA Memo.

Name of Public Agency Approving Project: County of Napa

LEAD AGENCY CONTACT PERSON: Dana Morrison, Supervising Planner

PHONE: (707) 253-4437

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Clover Flat Recovery Park, Clover Flat Land Fill Inc.

ADDRESS: 4380 Silverado Trail North

PHONE: (208) 691-1977

EXEMPT STATUS (CHECK ONE):

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15268(b)(c));
- ☒ Categorical Exemption. State type and California Environmental Quality Act Guidelines (CEQAG) section number:
Section 15333 Class 33-Small Habitat Restoration Projects.
- ☐ Statutory Exemptions. State code number:

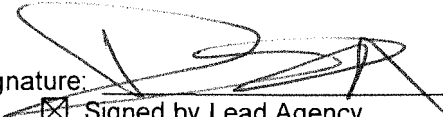
REASONS WHY PROJECT IS EXEMPT: The Project meets the CEQA criteria for exemption from environmental review under Class 33, Section 15333. This section of the guidelines describes Small Habitat Restoration Projects that do not exceed 5 acres in size and are constructed for the purpose of maintenance, restoration, enhancement, or protection of habitat for fish, plants, and wildlife. This Project will restore 936 feet of ephemeral stream channels that will be located within a 4.24-acre restoration area that will restore native oak and riparian woodland, as well as upland habitat. The Project is approximately 4.24 acres in size and is for the purpose of restoring an ephemeral stream channel and associated vegetation that was impacted by the current landfill operations. The project applicant has worked closely with the California Department of Fish and Wildlife (CDFW) as well as the Water Board (WB), and necessary permits (401 Certification, and 1600 Agreement) from said agencies will be obtained prior to the implementation of the proposed project. The project site is not listed on any hazardous waste sites enumerated under Government Code Section 65962.5.

LEAD AGENCY CONTACT PERSON: Dana Morrison, Supervising Planner

PHONE: (707) 253-4437

IF FILED BY APPLICANT:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☒ Yes ☐ No

Signature: 
☒ Signed by Lead Agency
☐ Signed by Applicant

Title: Supervising Planner

Date: 6/17/2025

Date received for filing at OPR: N/A.



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Planning, Building & Environmental Services

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

Brian D. Bordona
Director

To: Raulton Haye, Supervising Engineer Engineering Division	From: Dana Morrison, Supervising Planner Planning and Conservation Division
Date: November 26, 2024	Re: Clover Flat Creek 2 Restoration Project

Determination of compliance with the California Environmental Quality Act (CEQA) Guidelines for the proposed Creek 2 Restoration Project at Clover Flat Landfill.

As described below, the Project meets the CEQA criteria for exemption from environmental review under Class 33, Section 15333. This section of the guidelines describes Small Habitat Restoration Projects that do not exceed 5 acres in size and are constructed for the purpose of maintenance, restoration, enhancement, or protection of habitat for fish, plants, and wildlife. This Project will restore 936 feet of ephemeral stream channels that will be located within a 4.24-acre restoration area that will restore native oak and riparian woodland, as well as upland habitat. The Project is approximately 4.24 acres in size and is for the purpose of restoring an ephemeral stream channel and associated vegetation that was impacted by the current landfill operations. The project applicant has worked closely with the California Department of Fish and Wildlife (CDFW) as well as the Water Board (WB), and necessary permits (401 Certification, and 1600 Agreement) from said agencies will be obtained prior to the implementation of the proposed project.

Location: The Restoration Project Site is located within the northeastern foothills of the upper Napa River watershed approximately 2.5 miles southeast of Calistoga. Specifically at APN: 020-120-020-000, site address 4380 Clover Flat Road. The area is characterized by steep terrain, headwater drainages and streams that flow southward towards the Napa River. The project site is bordered on the south/southwest by the existing landfill and on the remaining sides by undeveloped woodland areas that were impacted by fire. The site is located in the foothills/mountains of the Coast Ranges Geomorphic Province. The site generally slopes down to the southeast and has elevations that range from approximately 970 feet to 1,070 feet. The creek proposed for restoration (referred to as Creek 2) is an ephemeral headwater stream draining approximately 25 acres into Creek 1, which is an unnamed blue line intermittent stream, which then flows into the Napa River approximately 2 miles downstream of the Creek 1/Creek 2 confluence.

Project Description: The proposed restoration will include creation of a 4.24-acre valley with a minimum of 936 feet of restored main Creek 2 channel and the restoration of a tributary channel. An "offsite" drainage swale would be constructed just outside the 4.24-acre area along the western side of the created valley to control inflows from upland areas. The main goals of the proposed restoration are to improve the habitat,

and return to a more natural state, thereby improving habitat quality, water quality and reduce the potential for erosion by:

1. Minimize grading cut and balance cut and fill within the highly variable existing topography [i.e., range from 35% cuts to flat pit bottoms];
2. Create channel slopes within acceptable ranges to support desired channel stability, natural channel types and morphological features; and
3. Create appropriate surrounding ground to support native oak woodland canopy cover such as what existed prior to disturbances.

The engineering design elements for the Creek 2 Restoration Project site are composed of the grading controls, channel hydrology and hydraulics, geotechnical considerations, and the construction methods to implement the grading design. The Project includes two phases of grading. Phase 1 is the rough grading of the site using existing site soils to bring the grades of the project area within a range of approximately 2 feet of the final grading. Since the onsite soils are not ideal for plant growth and establishment, Phase 2 of the grading plans shows the final grades for the imported soil and the construction of the bio engineered treatments to construct Creek 2, the tributary and an offsite swale to separate the project from the landfill.

A Geotechnical Assessment was prepared by Geocon, Inc., which determined that the project site is not located on any known active earthquake fault trace and is not within the Alquist-Priolo Earthquake Fault Zone. The soil conditions were determined to be sufficiently competent to resist liquefaction. The construction of the project will require large earthwork equipment such as graders, excavators, back hoes, dump trucks, and other similar type equipment to do the rough grading of the project area and haul off unsuitable soils. A Storm Water Pollution Prevention Plan will be required to prevent erosion and other construction debris or pollutants from being tracked offsite or entering the nearby drainages and creeks. The final erosion control plan will be implemented in conjunction with the landscaping replanting plans to prevent erosion post construction and before vegetation is established. The final stabilization materials will be biodegradable.

Revegetation will consist of site preparation, imported soil placement, seeding, container planting, temporary irrigation, and plant establishment maintenance. The goal is to establish a mix of herbaceous ground cover, understory shrubs, and trees native to the region and adapted to the microclimate. Proposed species are those adapted to hot, dry conditions typical of a south-facing slope. Planting areas are based on meeting the goal of a minimum of 4.24 acres of riparian habitat, with riparian plants located along the restored drainages and upland species further up-slope. A temporary irrigation system will be installed, maintained and operated for a minimum of 2 years after the completed plant installation and seeding. Plan maintenance will be conducted for a minimum of 5 years to ensure survival of plants within the restoration area. Success criteria will be based upon standards such as percentage of woody plant survival, percent of total vegetative cover, relative percent of native cover, and relative percent of invasive (non-native) plant species cover.

Per the application submittal materials, a Mitigation Plan was prepared for the project. The Mitigation Plan proposes a 10-year monitoring term with comprehensive qualitative and quantitative monitoring annually for the first 5 years, then at year 7 and finally at year 10. In addition to a discussion of the performance of the installed vegetation and hydrology, the annual monitoring reports will also include an analysis of general site conditions such as:

- Evidence of significant erosion
- General health and vigor of vegetation communities
- Natural recruitment of native vegetation

- Effects of climate on the vegetation communities

The Monitoring and Maintenance Plan section of the Mitigation Plan includes quantitative threshold and triggers for initiating adaptive management countermeasures such as replacement of plants, arresting excessive erosion and for implementing adaptive management measures should site conditions evolve differently. The plan will also include periodic assessment of the performance and success criteria throughout the monitoring term in relation to climatic, hydrologic, and geological influences on the site both onsite and offsite in the surrounding environment.

CEQA Exemption Criteria and Analysis: Article 19 of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA Guidelines) establishes a list of classes of projects that are categorically exempt from the provisions of CEQA. This project qualifies as an exempt activity under five sections of Article 19:

- California Code of Regulations (CCR) §15333 (Class 33, Small Habitat Restoration Projects), which exempts projects not exceeding 5 acres in size to assure the restoration or enhancement of habitat for plants or wildlife such as revegetation of disturbed areas with native plants provided that there would be no significant impact on endangered species or their habitat.

The following four bullets list the criteria for projects to meet Categorical Exemption 15333 as described in the CEQA Statute and Guidelines.

- *There would be no significant adverse impact on endangered, rare or threatened species or their habitat pursuant to section 15065*

The proposed project is designed specifically to restore 936 linear feet of an ephemeral drainage channel and restoration of 4.24 acres of riparian and upland vegetation. The project site and the unnamed ephemeral stream proposed to be restored are not mapped as environmentally sensitive resources (sources: Napa County Geographic Information Sensitivity maps/layers Sensitive biotic vegetation groups, US Fish & Wildlife Critical Habitat, California Natural Diversity Database (CNDDDB), Owl habitat CNDDDB, and Wetlands and Vernal Pools). Therefore, the project does not result in effects to mapped or designated environmentally sensitive areas or resources. Construction will occur during the dry season, minimizing the potential for erosion and any construction-related effects. Additionally, erosion control measures, such as fiber rolls, will be installed to further reduce the risk of sedimentation resulting from project activities. Disturbed areas will be winterized and re-vegetated as needed following construction. The project will not degrade the quality of the environment and would not substantially reduce the habitat or threaten to eliminate a plant or animal community; substantially reduce the number or restrict the range of any endangered, rare or threatened species; or eliminate important examples of the major periods of California history or prehistory. Furthermore, the proposed project would benefit the surrounding natural community, as its primary focus is restoring the impacted ephemeral stream to a natural form. No unusual circumstances have been identified in or around the project site that would result in significant environmental impacts.

- *There are no hazardous materials at or around the project site that may be disturbed or removed.*
The site is located at the Clover Flat Landfill which processes and stores refuse from Napa County. However, the project site does not include any active storage sites listed on the SWRCB Leaking Underground Storage (LUST) database or the California Department of Toxic Substances Control (DTSC) site cleanup program, two of the component databases of the State's Hazardous Waste and

Substances Site List (Cortese List) of known hazardous materials compiled pursuant to Government Code Section 65962.5. Therefore, no impacts associated with locating a project on a site included on a list of hazardous materials would occur, and the exception under State CEQA Guidelines Section 15300.2(e) does not apply to the proposed project.

- *The project will not result in impacts that are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.*

The proposed project will not result in impacts that are significant when viewed in connection with effects of past, current, and probable future projects. Overall, the project would restore the functions of the ephemeral water course and create riparian habitat and vegetated canopy cover/brushland that will serve as habitat for a variety of species. The project would not adversely affect farmland, public services, geologic stability, soils, or health risks. The proposed project would also not result in any long-term or growth-inducing impacts that would be cumulatively considerable when viewed with any subsequent projects in the same location. No permanent or long-term effects, such as loss of wetlands or other sensitive natural communities, take of special-status species, increased vehicle trips, or creation of stationary sources of air and noise emissions, would occur as part of the proposed project. Instead, the effects of the proposed project would generally be beneficial, as the proposed project would restore and enhance the habitat area in and around the impacted ephemeral stream. The creek restoration project is not dependent on, nor consequentially related to the Clover Flat Landfill Major Modification currently under review for a different area on the property. This proposed restoration project will have independent utility and will be implemented regardless of the approval or denial of Clover Flat's use permit application. There are no known or planned overlapping projects in the vicinity that would have environmental impacts to which the proposed project would add cumulatively.

- *Examples of small restoration projects may include, but are not limited to: (3) stream or river bank revegetation, the primary purpose of which is to improve habitat for amphibians or native fish;*

The project would be exempt under the above-cited classifications as it involves restoration of an unnamed ephemeral channel for the primary purpose restoring the channel, riparian and upland vegetation that were disturbed. CEQA State Guidelines Section 15300.2 states that a categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. As described above, there are no unusual circumstances surrounding the proposed project that would suggest a reasonable possibility for a significant environmental effect.

If you have any questions or need additional information, please contact Dana Morrison at 707 253-4437 or by e-mail at dana.morrison@countyofnapa.org.