



# Napa County

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## Legislation Text

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**TO:** Board of Supervisors  
**FROM:** Steven Lederer - Director of Public Works  
**REPORT BY:** Frank Lucido, Engineering Manager  
**SUBJECT:** Napa County Mitigated Negative Declaration for the Campbell Creek Culvert Project, RDS 22-01

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### **RECOMMENDATION**

Director of Public Works requests adoption of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan for the Campbell Creek Culvert Project, which will allow staff to obtain necessary permits and take other actions needed to advance the project to construction.

### **EXECUTIVE SUMMARY**

The County is seeking to replace an undersized culvert on Campbell Creek that flows under Dry Creek Road and has prepared an Initial Study (IS) for the project pursuant to the California Environmental Quality Act (CEQA) and determined that a Mitigated Negative Declaration (MND) should be prepared. A Notice of Intent to Adopt a Mitigated Negative Declaration (MND) was circulated for public review and comment. Comments received from the California Department of Fish and Wildlife were addressed in the final IS/MND. According to the Mitigated Negative Declaration, the proposed project will have less than significant environmental impacts with the planned mitigation measures.

### **FISCAL & STRATEGIC PLAN IMPACT**

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	Yes
Where is it budgeted?	Fund 2040, Org 2040500 and Project 22012
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	The Board of Supervisors needs to adopt the IS/MND for the project to proceed to the construction phase.
Is the general fund affected?	No

Future fiscal impact:	Construction funding for the project is needed and expected to come in part from SB1 funds if outside grant funding is received or in whole if they are not.
Consequences if not approved:	The regulatory agencies will not issue permits, and the project will not move forward to construction.
County Strategic Plan pillar addressed:	Livable Economy for All

## **ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: Consideration and possible adoption of a Mitigated Negative Declaration. According to the Mitigated Negative Declaration, the proposed project would have, if mitigation measures are not included, potentially significant environmental impacts in the following areas: biological resources, hydrology and water quality, transportation, and tribal cultural resources. This project site is not on any of the lists of hazardous waste sites enumerated under Government code section 65962.5

## **BACKGROUND AND DISCUSSION**

The Dry Creek Road Culvert is located on Campbell Creek near the Lokoya Fire Station at 5900 Dry Creek Road and the outlet is at the confluence with Dry Creek Road. The culvert is undersized for flood stage flows which can impact the nearby fire station and roadway, is a barrier to fish passage and at risk of failure in large rain events. The Campbell Creek Culvert Replacement (Project) is a proposal by Napa County to replace the existing 85-foot-long, 72-inch-diameter corrugated metal pipe culvert, with a bottomless arch bridge. In addition to replacement of the culvert, the Project is designed to improve the hydrologic function of Campbell Creek at the culvert's outlet and along approximately 160 linear feet of creek upstream of the culvert's inlet by resolving channel incision and reconnecting the creek to its historical floodplain. Prior to construction of this work, California Environmental Quality Act (CEQA) compliance is required.

An Initial Study/ Mitigated Negative Declaration (MND) and associated Mitigation, Monitoring and Reporting Program (MMRP) has been prepared by the County's consultant, Stantec, to satisfy CEQA compliance for the project. As the lead agency, Napa County has the responsibility of deciding whether to adopt the MND and associated MMRP. If the Board adopts the MND and MMRP, a notice of determination will be filed within five working days with the State Office of Planning and Research (State Clearinghouse). According to the proposed MND, the Project would not have any potentially significant environmental impacts after implementation of mitigation measures proposed for the following area: Air Quality, Biological Resources, Cultural Resources, Hazards and Hazardous Materials, Hydrology and Water Quality. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. The IS/MND includes a project description, the environmental setting for the site, environmental impacts, mitigation measures, images of the structures, maps and representative site photographs. As required by the 2013-14 Assembly Bill 52, Planning staff consulted with Native American tribal representatives about cultural resources in the area of the site and the mitigation measures in the IS/MND. A Notice of Intent to Adopt a Mitigated Negative Declaration (MND) was circulated for public review and comment from December 10, 2022 through January 10, 2023. This period was extended at the request of the California Department of Fish and Wildlife and on January 19, 2023 a list of concerns were received from them. These concerns were addressed in the revised IS/MND attached to this board letter, and it is also noted that a CDFW agreement is required for this project to move into

construction by way of a 1602 Streambed Alteration Agreement. According to the Mitigated Negative Declaration, the proposed project will have less than significant environmental impacts with the planned mitigation measures.