CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION
NAPA COUNTY

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IN RE: Napa Redevelopment Partners, LLC./Napa Pipe Project-General Plan Amendment P07-00230. Public Hearing on the Draft Environmental Impact Report.

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TRANSCRIPT OF AUDIOTAPED PROCEEDINGS
MEETING OF DECEMBER 16, 2009
6:00 p.m.

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PRESENT:
BOB FIDDAMAN, Chairperson
HEATHER PHILLIPS, Vice-Chairperson
MICHAEL BASAYNE, Commissioner
TERRY SCOTT, Commissioner
MATT POPE, Commissioner

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Transcribed by: Kathryn Johnson

CHAIRPERSON BOB FIDDAMAN: Are you guys ready? Okay, good evening. We're all suffering from stage fright up here from the huge crowd that we have to deal with tonight. Welcome to the Wednesday, December 16, 2009, 6:00 p.m. meeting of the Conservation Development and Planning Commission. This is a special meeting to have a public hearing on one item, which is Napa Redevelopment Partners, LLC. I'm sorry. I forgot our roll call.

[Recording malfunction.]

VICE-CHAIRPERSON HEATHER PHILLIPS: Here.

CLERK: Commissioner Basayne.

COMMISSIONER MICHAEL BASAYNE: Here.

CLERK: Commissioner Pope.

COMMISSIONER MATT POPE: Here.

CLERK: Commissioner Scott.

COMMISSIONER TERRY SCOTT: Here.

CLERK: Chair Fiddaman.

CHAIR FIDDAMAN: Here. Are there any disclosures to be made from any Commissioners? Okay. So we are here for one Public Hearing item, which is Napa Redevelopment Partners LLC., Napa Pipe Project-General Plan Amendment P07-00230. This is a Public Hearing on the Draft Environmental Impact Report. With that I will turn it over to our Staff.

SEAN TRIPPI: Thank you Chair Fiddaman, Commissioners. We're here this evening to receive public comment on the Draft EIR for the Napa Pipe Project. We will be receiving comments written through the close of business on January 21, 2010. We do have a pending appeal of that date, so if that date changes

please check our website and we'll keep that up to date as soon as we know when--if there will be a new date. The hearing on that appeal will be January 12 before the Board.

I just want to point out we're here to receive public comments. We're not really here to discuss the merits of the project. That's going--something that would occur once all the comments are received, responded to and we schedule the item for a Public Hearing later, or the middle of next year. So with that I'd turn it over for public comment.

CHAIR FIDDAMAN: Okay the Public Hearing is open, and we would welcome comments from anyone in the audience. Please give us your name and address. Thanks.

JIM HENCH: Jim Hench, 1188 Walnut in Napa. My concern is the cumulative effects. Our forefathers built right near the river, and it made sense. [It was] their transportation, their water supply, and their sewer system. Then they [fell down the] floodplain, built levees, did forest conversions, and we got into a flood problem, much greater than--they didn't understand it.

The [inaudible] Phil Williams Flood Control Report states there's two sources of water [in particular that are] causing floods. One being the Napa River, the other the tidal, with the tidal increase. They do a very thorough job of looking at global warming as to what it would raise it. I think a little on the possible low side, I think we should err much further on the other side. They state that the FEMA report on the Napa River did not cover enough territory, didn't go up far enough [inaudible] down far enough. It's true. Also the Philip Williams

Report states two--there's three, and maybe one of the largest ones being the Sacramento River--water from the mountains, San Joaquin coming through the Suisun Bay through the--up the Carquinez Straits, and up through the Napa--filling in our flood levees that we have at the present. This--at times there's no tidal change at the Golden Gate, zero, simply because at the Golden Gate it fans--[can]--the water fans way out past the Farallon Islands. So you've got a [cone] going out past the Farallon Islands.

Now I don't know whether this was the report of it, I don't know whether this is really consistent--or really considered in the Napa River Flood Control. I know that Vince [inaudible] from Phil Williams told me that--that he would come to me and so we'd talk [and would say this] project is not working, we can't get it past that building, right at that point is a real problem. Now I finally convinced him to open the South Wetlands Opportunity area. Next time he came to me he says it worked.

We opened the floodplains and it made it work at the [Ad] building, which makes sense. You've got [it] coming down, actually it's like this, but you have it soaking down on the first place that opened out--was at the [Bull] Island, and now as you bring it up here about halfway, you get much more flow. Opening the floodplain worked.

Now we have projects, and there's been a number of them, that want to fill in the floodplain again. We haven't even got the flood control project built yet, and we're thinking of filling in the floodplain. The Napa Pipe area at the New Year's flood, it just barely started flowing over to it, it is in the

floodplain. And any water you--any area you--any fill that you bring in--major decrease the floodplain.

The other thing not looked at was weather change. We say there's global warming, and there is, and I mean--[I think] everybody now's accepted that. That is the ocean formula. The weather is going to change. Warmer air oceans, very probably means more rain coming in. There may be some more snow up in the mountains. There's a greater probability of when the snowpack is in there you get a warm rain, worst case. The snow all melts, and this is where Sacramento really gets hit, and all along.

We can't afford to make the same mistake our forefathers did and fill in floodplain. We can--we have to watch all of our projects that they do not fill in the floodplain. One project is accepted, obviously it makes it easier [for the second guy's] project, and I know at least three of them that are looking [over it] already that would cut into the floodplain. A couple of them have been turned down. And this is another project that fills in the floodplain. We're not having--an old EIR does not look at the change of weather pattern and the increase--possible increase--we don't--I don't think we know, I don't think anybody knows--they don't know what [that means] on any of these, it's probabilities. And we could get a lot more rain, and at any given time [it] changes. So we need to err on the side of not filling in floodplains and not putting our project--flood control project--into any greater danger. Thank you.

CHAIR FIDDAMAN: Thank you. Okay, next speaker. [We have] all audience--oh, okay we've got a speaker.

SUZANNE VON ROSENBERG: Good evening, Suzanne von Rosenberg, 2168 Penny Lane with the GULP Committee. And I'm actually going to read my comments. These are preliminary comments from GULP. We'll have a few more before the public comment period closes. I want to say that we appreciate the effort the Planning Department has made to keep us informed about the project. We really do. That being said, we're...

CHAIR FIDDAMAN: I might mention, I mean, if you're going to submit your comments in writing, you don't really need to read them at the public hearing, but you know...

MS. VON ROSENBERG: No, no, no. What I'm saying is these are the--these are the overview comments I would really like to share with you all.

CHAIR FIDDAMAN: Okay.

MS. VON ROSENBERG: The line-by-line comments are going to Mr. Trippi.

CHAIR FIDDAMAN: Okay great, thank you.

MS. VON ROSENBERG: So, we're greatly disappointed by the cursory treatment of groundwater. The whole groundwater supply issue in the Draft EIR. The hydrology and water quality section where one would expect a thorough treatment of the issue is 100 pages long, 70 of those pages are devoted to the potential wastewater treatment plant and the effects of the effluent--potential effects of the effluent. Four pages are devoted to the groundwater issue. This unbelievably cursory discussion refers to the water supply assessment, which is contained in Appendix J of the Draft EIR. The water supply assessment and the accompanying peer report are also a major disappointment. The

water supply assessment included in the Draft EIR is incomplete. It only includes one of the 12 appendices. Notably absent is the groundwater report on which the water supply assessment is based. So the only way that someone can look at the groundwater report is to go down to Planning and look at the hard copy, or electronic copy there.

In trying to review the water supply assessment, there are numerous errors in the executive summary. It refers to sections in the document that do not contain information that they're purported to contain.

The peer review, which was included in appendix J, is also extremely disappointing. It references deficiencies in the original drafts of the water supply assessment and the groundwater report. And then basically says they were corrected. That's about the level of detail that's provided in that eight-page document. It would--it refers to data collected after 2002 after the latest USGS study, but does not provide any of those data. And it would have been a lot more helpful if the peer review report actually had included some of the discussion of the deficiencies that were originally identified, how they were corrected, and why the peer review consultant actually believes that the document is now adequate.

There are factual errors in the document as well. First of all, the water supply assessment refers to the Smith Brown Well No. 1 as being south of the MST boundary. The 1932 report that we have called Napa Valley Investigation shows that well approximately two-tenths of a mile inside the MST.

The WSA also continues to treat recharge from the east that is from the mountains as though it were an available supply of water to the project; which it is clearly not because the up gradient use currently exceeds the recharge from the east.

The assumption that self service conditions are similar to the 1940s and 1950s and that therefore recharge will be similar to what it was after the well's heavy pumping was discontinued in the early fifties is so flawed that I can't even believe it survived the document to this point. I don't see how anyone can believe that upstream withdrawals of groundwater north of the site are anywhere similar to what they were 40, 50, 60 years ago. And so assuming that just because the wells recovered well 50 or 60 years ago doesn't tell me anything about what should be happening now.

Also lacking is an evaluation, or actual data on the effects of the groundwater table to the north and east of the project site. Their data--actual data to the west and south--those are not the areas that are of greatest concern.

Even if the document were in good shape, and were factually correct and supported the proposed withdrawal of groundwater, it's very much inconsistent with Napa County policy on groundwater and uses of groundwater. And I'm not going to waste your time in quoting all the policies, you know them as well as I do.

It also appears that the project is proposing to take 400 percent of its fair share of water. If you're applying the same rules for fair share, on the valley floor it would be an acre

foot per acre, per year. So that would be roughly 150, not 600. And that is about what's being taken out now.

The proposed mitigation measure pertaining to groundwater is grossly insufficient to address the potential threat. Conservation, which is the bottom line for the proposed mitigation measure, is only going to be able to offset a very small fraction of the withdrawals. I mean, I think most water districts are thrilled if they get 20 percent conservation in an extreme dry year. And I find it unlikely to assume that the facilities and the owners of the units at the site would be agreeable to long-term severe water restrictions. It just doesn't make any sense to them.

So, what we're asking for for mitigation is the installation of multiple new groundwater monitoring wells to the east and to the north, to effectively track the effects of groundwater withdrawal. The current program does not propose new wells. The wells should be placed to allow evaluation both in the vicinity and further away from the property. Because in the [inaudible] actually tracking groundwater flow is pretty challenging because of the heterogeneous nature of the aquifer.

Any new water supply well should be installed to the west of the Soscol Creek fault so that if there is in fact a true separation that there is some protection to the MST and other users to the east. If the monitoring program shows any evidence of impacts to the groundwater table beyond those predicted in the water supply assessment, all further construction and sales of empty units, and lease or sale of industrial space should cease immediately until the problem can be corrected. And no

further construction or sales or leases should be allowed. Simultaneously the proposed conservation measure should be put into place until an alternate water supply is identified and the problem is actually corrected.

A couple more things, the water rights legal analysis peer review was not provided. It's not referenced anywhere. I mean, it's referenced in the peer review of the WSA but the legal peer review is not provided.

So, in summary, we remain very concerned about the water issue for this proposed project and we'll provide detailed comments. Thank you.

CHAIR FIDDAMAN: Thank you. Anything we can do about this hum?

CLERK: We're not sure if it's coming from the podium, or? [Inaudible.]

CHAIR FIDDAMAN: It's probably your fault, [Michelle].

CLERK: I'm getting a good recording though.

CHAIR FIDDAMAN: The recording is working all right. That helped.

VICE-CHAIR PHILLIPS: He's a genius.

CHAIR FIDDAMAN: Okay, now that we have the hum taken care of, would anyone else like to make comments on the Draft EIR? Looks like maybe you fixed it for nothing. Okay, last call. All right then. We're going to close the public hearing and bring it back to the Commission. And I'm going to leave it optional to the Commissioners. Sean and I discussed this afternoon whether Commissioners, if [you] want to make comments at this point, or

provide their comments in e-mail, or in writing. Pretty open to however you want to do that.

COMMISSIONER BASAYNE: Can we do sort of a hybrid approach?

CHAIR FIDDAMAN: Yeah sure, you can make some comments now. We'll start with Commissioner Phillips.

VICE-CHAIR PHILLIPS: I'm going to take the hybrid approach. So I have some very specific questions that I can then--I'll follow up with Sean via e-mail, and some more general ones that--because there were some things to see the impact--I needed more information on a few things. And one being, we talked about the accommodating the county housing numbers for over three cycles, and to do it--see a bit more--understand what the connection between the phasing and the county housing numbers. And it is true, I don't want to get into too much minutia, but, and there are some bigger issues as well, but the--one of the other was to--additional information, or to see that kind of the connection. The homeowners' association is going to be in charge of parking, landscaping, and the flood gates, but I had a hard time seeing exactly what the homeowners' association was going to be with all the different areas. And I keep going on, but does anyone else want to give any other kind of comments right now, or? Yeah?

COMMISSIONER BASAYNE: Okay, well it's still too early to comment on much more than the adequacy of the report, and whether or not it addresses what it should address. Basically I'd like to see the following addressed in greater detail in the report. I'd like to see more detail regarding noise pollution,

and primarily if the northern portion of the project along Kaiser Road, and the corresponding impact of SYAR's activities.

I do believe more analysis could be done with regard to the absorption of the existing housing inventory, and that in context of our current economic challenges. And again, I'm just listing these. I'm taking a hybrid approach as well because I will follow up with a more detailed e-mail.

I'm interested in the cumulative effect of traffic in the event that all mitigants that were proposed don't take place. Clearly the report identified the issues of mitigants and yet I'm not convinced that all the mitigants ultimately can take place.

The cumulative impact analysis of the aesthetics could be more detailed and evaluate the perspective from across the Napa River. I know that that had been a question in an earlier meeting. And I'm not sure that the impact to aesthetics isn't there as the report indicates. I'm not convinced of that.

And then with regards to Ms. von Rosenberg's comments, the detail regarding the pumping of groundwater I don't feel is complete. And I'm still concerned about the overall impact to the aquifer and the MST. And I do think that some more analysis needs to be inserted into the document. It's still not clear to me entirely in the long run whether or not, or who can effectively shoulder the cost of these mitigants, and that's obviously a conversation for a later time and date. I do believe that the process that we're following here will provide more clarity in the future. And again, I think that clearly with regard to the adequacy of the report, there are some

enhancements that need to be made. By and large, though, this is a very good first start with regard to the document. It is a rather voluminous document, and certainly the devil is in the details. But I look forward to our future genesis.

COMMISSIONER SCOTT: Well first of all, taken as a whole, and again based on the voluminous nature of this document, I believe that the Draft EIR is a largely satisfactory document. That being said, there are two areas that I remain concerned about. Primarily, they are in order of concern, water. I'm not entirely convinced that the project is completely viable as proposed without a commitment to provide water from the city of Napa Water Department. Additionally, I am concerned that the project may need a water treatment commitment from Napa Sanitation District as well. And this addresses some of the concerns regarding groundwater usage, and so forth. I have not concluded that the use of groundwater and building their own treatment plant is not possible, or viable. It's just that I'd be more comfortable given the scenario.

The second issue for me is traffic. I'm not completely comfortable that the Draft EIR can accurately assess and mitigate the possible traffic impacts of the project. However, nor am I convinced that the traffic impacts cannot be satisfactorily assessed and mitigated. I think the jury, as far as I'm concerned, is still out on that. The primary reason for these concerns is simply the size of the project, the scope. My EIR concerns relate to the scope on total number of residential units proposed in the project. This is new territory for Napa County. And the scope is quite interrelated to my concerns about

water and traffic. Again, these concerns exist due to the unprecedented size and scope of the project.

In summary, I clearly recognize and appreciate the need for this type of housing in Napa County. Additionally, given the options, I believe that this is where it belongs, and where it best fits geographically, floodplain consideration aside.

Lastly, my primary concern about water can be readily mitigated if the city of Napa and the Napa Sanitation District step up to the task, as I believe they should and I hope they will. With City and County cooperation, I believe all the environmental impacts of the final project can and will be satisfactorily mitigated. But as Commissioner Basayne mentioned the devil is in the details.

COMMISSIONER POPE: [Inaudible.] I would--generally I could--what's been said not only by my fellow Commissioners, but I think some interesting points were raised here by members of the public as well. And I think it was Mr. [Hench] who raised an interesting point about that whole concept of building in the floodplain particularly as we haven't even fully assessed the efficacy of the Napa Flood Control Project.

In general, you know, this project is kind of--I always feel like this project is one of those optical illusions, depending on which way you look at it. It can show up very, very differently from each perspective. And both are fairly valid, as Commissioner Scott just observed. You know, in terms of the scope and the scale, it's just a completely new world for Napa County, and justifiably anxiety producing for a number of folks. By the same token, I also look at this as, you know, since I

first started learning about it as a city planning commissioner, obviously this is a project that's designed within the new urbanism philosophy. And therein lie some things that I think could potentially hold some long-term answers for Napa County. But we have to make sure that we can achieve a lot of those goals. So, I, too, plan on submitting a more detailed commentary in writing, but just to kind of comb through some of the greatest hits, you know, I think, obviously one of the concerns is when we look at a new urbanism-type design, can it help us meet some of our mandates under AB32. Can it help us meet some of our mandates under Senate Bill 375 in terms of using the regional planning process, and marrying that to housing goals, and that the concept of this project can be phased in over time. While it is, you know, essentially, particularly after going through the Draft EIR, I do understand the anxiety that people have about saying essentially we're putting another typical Napa County-sized city right at the edge of the city of Napa. On the other hand it's being phased in. And the question is would that growth be occurring with or without this project, and if so, does it give us an opportunity to contain and shape some of that growth as opposed to perhaps the way the model is played out in some of the other places in the Bay Area where the growth is happening, and services and infrastructures sought to keep up with it.

Obviously some of my concerns, particularly, wanting to bring a South County perspective to this, some of the traffic impacts that were deemed significant, but unavoidable, in Mitigation Measure TRA-1b, it talks about the hiring of a full-

time traffic demand management coordinator. Interesting concept. And while it's understandably difficult to encapsulate exactly how such a problem could play out driving a 15-percent reduction in trip generation, I'd [also] like to see if some of these ideas can't be flushed out more in terms of specifics, in terms of traffic demand management coordinator, how that position, or how that program would interface with county agencies, NCTPA, city agencies, particularly in the cities of Napa and American Canyon--particularly also with local and major employers.

Obviously, you know, Traffic--TRA-11 Proposed Mitigation discusses the need to widen Highway 29 to six lanes from the State Route 221 to the South County line. While in the County General Plan, certainly in Policy CIR-13 states the county should, quote, consider the expansion of Highway 29 to six lanes in South County. From my reading the DEIR requires that that expansion happens as a mitigation measure. This is likely to produce a great deal of concern in the South County, and certainly will require some significant displacement, and erodes the rural throughway character that we have right now. With appreciation for the fact that there is, and remains, pressure, [it's] quite possibly an inevitable reality that that expansion may have to happen with or without this project. For the purposes of this EIR, I'd be interested in seeing mitigations that could lessen the possibility, or the reliance on the widening of Highway 29, and simultaneously to introduce more forward thinking transit supplements, such as Alternative 2 in Appendix E.

Regarding the Residential Trip Distribution, and I'm not sure I fully understood what was being said here Item a on page 4.3-26 under Traffic and Transportation. Again, particularly, it talks about in the nonresidential distribution--or excuse me the residential distribution [inaudible], "39 percent of project generated residential traffic would travel between the site and areas south" "east of the project site, including the City of American Canyon, the City of Fairfield, and towards San Francisco on Interstate 80."

And again, this, to me, if I'm understanding it correctly, I'm not sure it completely matches with the next figure or if I'm reading it properly, but that starts to take on the character to me--if you're talking about 39 percent of the trips generated from residences there heading towards 80 in Fairfield and San Francisco--is essentially a bedroom community, just one a little bit further north now in the county which I think would be not only distressing, but also seeming to work a little bit against the urbanism concept of this project. And I also know there's the [MDX] study which I'm interested in delving more deeply into, I've looked through it, and I know that that's kind of one of the challenges that we have in this project, as I'm reading it, there's sort of the two EIR concepts. There's the more traditional models that we have like the ITE study. But then there's this sort of new body of knowledge that's coming around through the mixed use developments of more nexus and more flushing out of maybe some of those forward-looking transit strategies.

And finally, I definitely would agree with what's been said, particularly by Commissioner Scott, regarding the comfort level around the water supply assessments, and I think, certainly Ms. von Rosenberg's comments, would like to see responses to those in terms of the adequacy of the assessment. And again, reading through--I know it says page 68 on the analysis that Napa Sanitation has expressed the desire to collect and treat wastewater from the project, and supply recycled water to the project.

In conjunction with that, I believe Napa San is one of the agencies that's involved in the--is it the North Bay water recycling project. And if it's possible, is there any plans for the applicant for this project to participate in the NBWRP either directly as an agency itself if it had to form itself [inaudible]. I know some of the options were become its own utility district, [become its own] mutual water company. Is there any plans to participate directly in such a project, or offer a fair share, or would that simply be indirectly through Napa San if such an agreement was reached. So, I think I'll leave it at that.

CHAIR FIDDAMAN: Okay, great. Thanks for your comments. I have some comments, preliminary in nature. I think this has been a pretty daunting task. Not only is this a very large project, as other Commissioners have commented on, but it's a complex one. And it's pretty hard to get our arms around it. I guess I would summarize my main concerns about the adequacy of the EIR, or the Draft EIR about, you know, would fall into the categories of use of the aquifer, the groundwater analysis, traffic--

frankly I haven't had an opportunity to study as much as I would like, and I'm well aware that traffic is going to be a problem in this county regardless. So, I'm not prepared to say that the Draft EIR is sufficient or deficient in that regard, but it's an area that I know is going to be of considerable concern to a lot of people.

The flooding issue that's been raised was pretty high on my list of concerns. Frankly, I was, as I've read through the reports so far, I've been concerned about the flooding potential, impact of global warming, and impact of fill. Not only--I hadn't thought about it as much for the balance of the floodplain, and the impact it might have on the massive flood mitigation program that Napa County has been working on for the past several years. I was more thinking more about fill itself. And I would like to see some additional commentary in the report about taking a large site like this. And it's already got, I believe the report says seven to 13 feet of fill on it, and there's going to be another four to seven or something like that added. So, there could be as much as 20 feet of fill on this site. And that raises lots of issues, I'm sure they could be dealt with by engineers, but you start to get some concerns about feasibility and how everything's going to work.

So those are kind of--those are the areas that I would just raise as general ones where I want to be sure that this report, and I will put some comments in writing, I want to make sure that we've adequately addressed the issues. One of my concerns that was raised by the report that I hadn't thought about before was the impact of the trains going through there. And they don't

go through very often, I think it's once a day, but the noise and vibration could be a fairly concerning issue for the people that live there.

And I think Commissioner Phillips mentioned homeowner association duties. I didn't think that was fully addressed because my understanding from the report is that the homeowners' association is going to have responsibilities to maintain quite a few facilities, parks and streets that are used by the public. And that's not a very common way to do things. And I would like to understand. You get into kind of feasibility stuff, financial feasibility, and the financial feasibility, if something doesn't work well, then that starts to have a--can have a degrading effect on the environment. So I would like to have a little better understanding on how that's intended to work.

When it comes to the aquifer it looks to me like we're really going to be depending on the engineers, and we may end up with a battle of the engineers here. Hard to say. There are some items that I haven't had an opportunity to read yet. I know there's--the Stetson Report is referred to in the Draft EIR. And it's very hard to tell where a lot of these footnotes refer to technical appendices. It's hard to tell whether they've been summarized in the report or just, you know, mentioned, and that's it. And I guess I would like to see this Draft EIR be a little more readable by a lay person, like myself, so that I could understand what the risks are. And as I've read it so far, I don't feel I can understand unless I go to those technical appendices and read all those myself. That's a lot of work.

In terms of issues like substantial fill project and use of groundwater for a very large project, it would give me some comfort if this report gave some examples of where that's been done, and how it's worked out and what the risks might be. And it doesn't seem to me to do that. And I know there's--on page 4.10-102 there's a comment about provided a "water supply assessment demonstrates long term reliability," and that was kind of, I would have thought that we would have a water supply assessment as part of this--that we can get comfortable--demonstrates long term reliability or not.

Then a couple of other, sort of some very specific questions that I wanted to mention, there's a section where they talk about waste management units, and basically they're explaining the cleanup. And it seemed to me that there was some information missing from there because they kind of, they comment on the places where things seem to be okay. But they don't fully comment on where remedial actions are required. And again, I don't have it right here with me, but I believe that's left to another technical appendices. So you can't really tell whether there are some problems and issues there without reading the technical appendix.

So, that, I guess, kind of gives a flavor of the concerns I have as I read the report. And some of those I think can be taken as suggestions as to how the final version of the report might be improved so that we can all be comfortable with it.

Any other comments from the Commissioners? So, there's been a huge amount of work done here. And there's still quite a bit more to be done. There's a lot for us all to digest. So, okay, I

think that's going to do it for tonight. So, thank you very much everybody for coming out and taking the time to analyze this Draft Environmental Impact Report, and there--right now there is not another public hearing scheduled for this item. But we have extended the date for comments to January 20th, is that it?

VICE-CHAIR PHILLIPS: 21st.

CHAIR FIDDAMAN: 21st. So it's possible that there will be one more hearing, but obviously there's ample opportunity to make written comments. And I'm surprised, frankly, that we don't have more people here tonight. So--and then of course everybody, I think, is probably aware that there is an appeal to extend the comment period even further. And we'll see what the Board of Supervisors decides on that on January 12th. So maybe we'll see you here again, or at 1195 Third Street. Anyway, thanks for coming out tonight. Good night. We're adjourned.

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STATE OF CALIFORNIA

COUNTY OF SOLANO

I, Kathryn F. Johnson, do hereby certify and believe:

That the foregoing pages are a true and correct transcript of the proceedings before the Napa County Conservation, Development and Planning Commission, Office of Education, 2121 Imola Avenue, Napa, California, except as noted "inaudible" or words placed in [brackets] to the best of my ability. Speech disfluencies, discourse markers and pause fillers have been deleted, except when deemed a function word.

I further certify that I am not interested in the outcome of said matter or connected with or related to any of the parties of said matter or to their respective counsel.

Dated this 31st day of December, 2009, at Vacaville, California.

Kathryn F. Johnson