

3.0 COMMENTS AND RESPONSES TO COMMENTS



Letter AA

P. LOWE

Dedicated to Preserving the Napa River for Generations to Come

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**RECEIVED**

JUN 21 2007

NAPA CO. CONSERVATION  
DEVELOPMENT & PLANNING DEPT.

June 18, 2007

Mr. Patrick Lowe  
Napa County Office of Conservation,  
Development and Planning  
1195 Third Street, Suite 201  
Napa, CA 94559

Re: County of Napa Draft General Plan Update and Draft Environmental Impact Report

Dear Mr. Lowe:

The Napa Sanitation District has reviewed the aforementioned documents and has the following comments:

*Draft General Plan Update –*

- |    |   |       |
|----|---|-------|
| 1. | On page 63 under Policy Ag/LU-68, the first sentence reads – “The County supports the extension of public sewer service or .....” It should be noted that during the District’s recent Sphere of Influence (SOI) update by LAFCO, this area was considered for possible inclusion in the District’s SOI but was ultimately left out. As a result, the District has no current plans to extend sanitary sewer infrastructure into the Coombsville area.  | AA-1P |
| 2. | On page 72 it is noted that there is the potential for “231 housing units on three identified affordable housing parcels” in the Silverado area. Please note that at the current time, the subject parcels are located outside of the District’s SOI. Due to downstream capacity issues in the District’s Milliken Creek trunk line, the District is limiting sanitary sewer connections in this area to existing parcels within the District’s SOI. If sewer service were to be provided by the District for the subject parcels, a sphere amendment, annexation into the District and a downstream capacity study approved by the District would be required by the owner/developer. Installation of the infrastructure upgrades identified in the capacity study would be a condition of approval for the project. | AA-2P |
| 3. | On page 74, it is noted that the Syar/Boca area is expected to be developed with new uses during the lifetime of the proposed General Plan. Please note that this area is currently outside of the District’s SOI. If sewer service were to be provided by the District for the subject parcels, a sphere amendment, annexation into the District and a downstream capacity study approved by the   | AA-3P |

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Mr Patrick Lowe  
 June 18, 2007  
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- |  |                         |
|--|-------------------------|
| <p>District would be required by the owner/developer. Installation of the infrastructure upgrades identified in the capacity study would be a condition of approval for the project.</p>   | <p>AA-3P<br/>Cont'd</p> |
| <p>4. On page 75, it is noted that the Napa Pipe Property is expected to be developed with new uses during the lifetime of the proposed General Plan. The Napa Pipe Property is currently within the District's SOI and the District's boundaries and is currently being served by the District. The project applicant would be required to study the downstream infrastructure to determine if the planned uses on the property would require infrastructure upgrades. Installation of the infrastructure upgrades identified in the study would be a condition of approval for the project.</p>  | <p>AA-4P</p>            |
| <p>5. The District receives frequent inquiries from residents in Monticello Park and the surrounding area in regards to sewer service. The parcels in this area are currently being served by private septic systems and are outside of the District's SOI. We have heard that some of the parcels may not have adequate area to expand their leach fields to allow for the further improvement of their properties. During preparation of the District's recent Collection Systems Master Plan Update, NSD and County staff met to discuss various issues including NSD providing sewer service to this area. The County requested that NSD postpone studying this area until the County's General Plan Update was completed. The General Plan Update needs to address the wastewater issue in this area.</p> | <p>AA-5P</p>            |

*Draft EIR –*

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|--|--------------|
| <p>1. On page 4.11-34 under NSD, it misstates the number of lift stations that the District operates. The sentence should be revised to say three lift stations.</p>   | <p>AA-6E</p> |
| <p>2. On page 4.13-47 it notes that NSD “serves a majority of the City of Napa and some southern portions of the County”. It should be noted that a majority of the County area south of the City of Napa is in the Airport Industrial Area. Additionally, the District is the sewer service provider to the Silverado Country Club which is outside of the City of Napa. The reference to the six pump stations needs to be changed to three.</p> | <p>AA-7E</p> |
| <p>3. On page 4.13-49, the reference to six pump stations shall be changed to three.</p>   | <p>AA-8E</p> |
| <p>4. On pages 4.13-47 and 4.13-49 there is reference to the District having treatment capacity of 15.4 mgd during dry weather flows and 14 mgd during wet weather flows. These numbers came from a conversation with the</p>  | <p>AA-9E</p> |

Mr Patrick Lowe  
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District in 2004. The District will be looking at these numbers to verify they  
are still accurate.

AA-9E  
Cont'd

If you have any questions regarding this matter, please feel free to call me.

Sincerely,

Michael Abramson, P.E.  
General Manager  
Napa Sanitation District



by: Todd Herrick  
Senior Engineering Technician

07-county draft gp update

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LETTER AA: TODD HERRICK, NAPA SANITATION DISTRICT, JUNE 18, 2007

*Response AA-1 P:* The commenter states that the Napa Sanitation District has no plans to extend sanitary sewer infrastructure into the Coombsville area because the area was left out during the recent LAFCO Sphere of Influence update. This comment was in reference to the first sentence on page 68 of the Agricultural/Land Use Element. The commenter's statements associated with this policy are understood; however one of the reasons that LAFCO declined to expand Napa Sanitation District's SOI in this area was the absence of support for this change in the County's General Plan. The proposed policy (now Policy Ag/LU-73 – also see Policy Ag/LU-92) would remedy this situation.

*Response AA-2 P:* The commenter states that the 231 affordable housing units identified for the Silverado area shown on page 72 of the Agricultural/Land Use Element are outside of the District's Sphere of Influence (SOI). If sewer service were to be provided by the District for the subject parcels, a sphere amendment, annexation into the District, and downstream capacity study approved by the District would be required by the owner/developer. The commenter's statements associated with this are understood.

*Response AA-3 P:* The commenter states that on page 74 of the Agricultural/Land Use Element, it is noted that the Syar/Boca area is expected to be developed with new uses during the lifetime of the proposed General Plan Update. The commenter states that if sewer service were to be provided by the District for the subject parcels, a sphere amendment, annexation into the District, and a downstream capacity study approved by the District would be required of the owner/developer, as well as infrastructure upgrades as identified in the capacity study as a condition of approval. The County appreciates the input regarding the General Plan process. The County will consider the comment when evaluating proposed revisions to the General Plan prior to adoption of the policy document and certification of the EIR. The commenter's statements associated with this are understood.

*Response AA-4 P:* The commenter states that the Napa Pipe property is within the District's SOI and the District's boundaries and is currently being served by the District. Additionally, the commenter states that the project applicant would be required to study the downstream infrastructure to determine if proposed uses for the property would require infrastructure upgrades. The County appreciates the input regarding the General Plan process. The County will consider the comment when evaluating proposed revisions to the General Plan prior to adoption of the policy document and certification of the EIR. The commenter's statements associated with this are understood.

*Response AA-5 P:* The commenter states that the District receives frequent inquiries from Monticello residents and the surrounding area for sewer service. These parcels are currently on private septic systems that may not have adequate area for expansion. The District states that the proposed General Plan Update needs to address the wastewater issue in this area.

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The County appreciates the input regarding the General Plan process. The County will consider the comment when evaluating proposed revisions to the General Plan prior to adoption of the policy document and certification of the EIR. A new policy has been included in the General Plan Update that would support the resident requests if it would not result in unplanned growth. (See Policy Ag/LU-92.)

Response AA-6 P: The commenter states that page 4.11-34 of the Draft EIR should be changed to reflect that the District operates three lift stations. Page 4.11-34 of the Draft EIR has been changed as follows:

- Napa Sanitation District (NSD) provides wastewater collection, treatment and disposal services to the residents and businesses in the City of Napa and surrounding unincorporated areas of Napa County. NSD is an independent local agency governed by three elected officials from the City of Napa and County, as well as two public appointees. It services 33,000 connections within approximately 23 square miles of service area, with a network of approximately 250 miles of underground sewer pipelines and ~~six~~ three lift stations. Wastewater is treated at the Soscov Water Recycling Facility (SWRF), which provides secondary and tertiary biological physical-chemical treatment with a dry weather treatment design capacity of 15.4 million gallons per day (MGD).

Response AA-7 E: The commenter states that on page 4.13-47 of the Draft EIR, it is stated that the NSD "serves a majority of the City of Napa and some southern portions of the County." The commenter states that it should be noted that a majority of the County area south of the City of Napa is in the Airport Industrial Area. Additionally, the commenter states that the District is the sewer service provider to the Silverado County Club which is outside of the City of Napa. Furthermore, the commenter states that the reference to six pump stations needs to be changed to three. Page 4.13-47 of the Draft EIR under Subsection 4.13.4.1 (Sewer Service, Existing Setting) has been changed as follows and reflects language used previously on page 4.11-34 of the Draft EIR (see Response AA-6 above).

- The NSD serves 13 non-contiguous areas encompassing 12,448 acres and provides wastewater service to over 33,000 customers and serves the majority of the City of Napa and surrounding unincorporated areas of Napa County, including the Silverado Country Club ~~and some southern portions of the County~~. The LBRID has a contiguous service area encompassing 2,030 acres and currently has between 150-160 connections. The NBRID service area consists of approximately 1,899 acres and includes the Steele Park Resort and provides service to 270 to 280 homes. The NRRD currently serves 138 connections, with the service area encompassing the western side of Edgerly Island near the San Pablo Bay and the area known as the Ingersoll tract, which includes 30 existing connections. **Table 4.13.4-1** illustrates the County's sewer providers, service area, facilities, planned improvements, and capacity compared to existing demand.

As indicated, the SFWD serves four non-contiguous, unincorporated portions of the County, encompassing 1,178 acres, and serves 165

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sewer line connections. The COCWD provides sewer service to 252 non-contiguous acres in the unincorporated County with 189 sewer line connections; whereas, the City of American Canyon Public Works Department operates the American Canyon WTP and provides service to two non-contiguous portions of the unincorporated County, encompassing 2,672 acres. The NSD operates ~~six~~ three pump stations, 267 miles of conveyance pipelines, 250 miles of sewer laterals, and one Wastewater Treatment Plant (WTP). The NSD current capacity exceeds existing demands (15.4 mgd dry flows and 14 mgd wet flows) and has adequate capacity to accommodate projected future growth (Heeley, 2004). However, the NSD has plans that include, but are not limited to, improving reclaimed water storage facilities, replacing pump stations, and rehabilitating deteriorated pipelines. The LBRID has one WPT seven sewer treatment/evaporation ponds, one storage tank, and various lift/pump stations. The WTP has a current capacity of 0.85 mgd and receives an average of 0.20 mgd; therefore, the capacity is adequate to accommodate existing and project demands. To improve system efficiency, the district is in the process of obtaining permits for an irrigation field and other infrastructure improvements.

Response AA-8 E: The commenter states that the reference to six pump stations on page 4.13-49 of the Draft EIR is incorrect and should be changed to three. **Table 4.13.4-1** page 4.13-49 of the Draft EIR has been changed as follows:

**TABLE 4.13.4-1  
SEWER SERVICE PROVIDERS**

| Provider                       | Service Area  | Facilities   | Capacity   | Existing Demand  |
|--------------------------------|---|--|--|--|
| Napa Sanitation District (NSD) | 13 non-contiguous areas consisting of 12,448 acres. The majority of the City of Napa and <u>surrounding unincorporated areas of Napa County, including the Silverado Country Club.</u> <sup>1</sup><br>Provides sewer service to over 33,000 connections. | <del>Six</del> <u>Three</u> pump stations, 267 miles of pipeline, 250 miles of sewer laterals, and one wastewater treatment plant (WWTP) located at 15 Soscol Ferry Road. <sup>1</sup> | The WWTP has a permitted average dry weather capacity of 15.4 mgd which it has never reached. <sup>1</sup> | Demand for sewer service is approx. 6.8 mgd during dry weather flow and approx. 14 mgd during wet weather flow. <sup>1</sup> |

Response AA-9 P: The commenter states that on pages 4.13-47 and 4.13-49 of the Draft EIR, it is stated that the District has the treatment capacity of 15.4 mgd during dry weather flows and 14 mgd during wet weather flows. The District provided this information in 2004 and will be reviewing the numbers to verify they are still accurate. With the absence of updated information from the District, existing wastewater capacity presented in the Draft EIR was taken from the most recent technical analysis that was conducted in 2004. Furthermore, page 4.13-56 of the Draft EIR presents mitigation measure MM 4.13.4.1, which requires verification of adequate wastewater service for development projects prior to their approvals. This will include coordination with wastewater service purveyors to verify adequate

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capacity and infrastructure either exists or will be available upon operation of the development project. Mitigation measure MM 4.13.4.1 will ensure a less than significant impact to wastewater services. No changes to the Draft EIR are necessary.

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Letter BB

P. LOWE



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CITY of NAPA

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JUN 15 2007

NAPA CO. CONSERVATION  
DEVELOPMENT & PLANNING DEPT.

June 11, 2007

Attn: Patrick Lowe  
Napa County Office of Conservation,  
Development and Planning  
1195 Third Street, Ste. 201  
Napa, CA 94559

Re: Draft Napa County General Plan Update and  
Draft Environmental Impact Report (EIR)--  
Comments from City of Napa

Dear Mr. Lowe:

The City of Napa appreciates the opportunity to comment on the County's proposed General Plan Update and the Draft Environmental Impact Report circulated for the Update. We understand the difficulty and complexity in putting these documents together. As outlined in this letter and its attachment, the City raises a number of concerns regarding the Draft General Plan and its potential impacts on the City, and proposes some suggested changes.

BB-1 E/P

While City concerns focus on proposed urban development options on or near our southern borders, comments also address other issues with impacts on the city or with countywide impacts or implications. We request that the County make revisions to the General Plan and clarify the EIR analysis to address the City's comments, and to recirculate the EIR before presenting it to the County Board for certification.

**Overview of City of Napa's Comments**

Of particular concern are the County's new potential development plans for the Napa Pipe and Pacific Coast/Boca sites adjacent to the City, the development of which could significantly impact the City. The City asks that the County proceed with its overall County-wide update to its General Plan, but defer making any site-specific land use designations for the individual "transitional" sites other than a "Study Area" designation until a complete site specific environmental review is conducted.

BB-2 E/P

We acknowledge the County's desire to re-designate these sites to provide new housing opportunities and the Board's interest in proceeding with a General Plan Amendment for the Napa Pipe site immediately. Given these circumstances, and after discussion with County representatives, we believe it will be helpful to both the Board and Council to complete water,

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traffic, fiscal services and cumulative analyses for the Napa Pipe development while the General Plan and Napa Pipe applications are ongoing. This would allow a timely and useful determination of impacts and beneficial differences. Many of our comments are made with this "big picture" approach in mind.

BB-2E/P  
Cont'd

Other comments relate to strengthening Airport Industrial Area policy, given the extent of vacant land there and recent cooperative efforts to clarify future uses. We applaud the Plan's approach of providing policies for the major "Rural Residential" areas near the City, and have some suggestions of clarification. Added comments ask about potential future commercial uses and whether these sites may provide meaningful residential opportunities. The General Plan is the best opportunity to coordinate agricultural protection, land use and housing policies. The County Housing Element includes a variety of approaches to meet future needs: locating housing on appropriate commercial and industrial sites; within cities through coordinated efforts; and in limited unincorporated "urban" areas. The City supports the concept of cooperatively focusing housing in cities and consideration of housing on the two proposed "transitional" sites; however, land use policies should also address commercial sites and other "urban areas" where added housing may be appropriate.

BB-3P

Exhibit A provides a more detailed set of comments addressing these documents.

We look forward to working with the County to address these concerns to our mutual benefit.

Very truly yours,



Dana Smith  
Assistant City Manager, Development Services

Attachment: Exhibit A

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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#### Exhibit A: City of Napa Comments on the Napa County Draft General Plan and Draft EIR

*DRAFT General Plan Comments and Requested Revisions. These comments are organized to address general comments, then specific suggestions (by page order and/or by topic where several policies pertain to a specific topic)*

#### GENERAL COMMENTS

One of the City's concerns regarding the Draft General Plan is the extent to which it is evolving. As many pieces of the Draft are open-ended or yet to be completed, it is difficult to comment meaningfully on impacts. A clear example is the lack of an implementation program to show how the goals and policies spelled out in the Draft General Plan will be implemented. To have sufficient information to evaluate potential environmental effects that may be associated with implementation of the Draft General Plan, one must first have a sense of how effectively the County proposes to implement the policies spelled out in the Plan. Without an Implementation Program, it appears that the environmental evaluation is incomplete. The absence of an overall Draft Land Use Map at a readable scale also hinders readers trying to sort through land use proposals and impacts.

BB-4E/P

#### SPECIFIC REVISIONS REQUESTED

1. Annexation of County Lands Clarification. On page 15, the Draft General Plan indicates that it has been developed on the assumption that there will be no annexation by cities and towns of County land between today and 2030. We ask that this statement be clarified to exclude lands within adopted city urban limit lines or spheres of influence or rewritten. As currently written, the Draft General Plan suggests that there is no expectation that any unincorporated lands within the City of Napa's Rural Urban Limit (RUL) would be annexed in the future.

BB-5P

2. Reserving Agricultural Lands. Policy AG/LU-4 (page 34), which discusses reservation of "agricultural lands for agricultural use" could be interpreted very broadly to potentially include lands currently used for grazing within the City of Napa's RUL that are planned to annex. We request that this Policy be modified to exclude such areas, consistent with long standing County and city policies.

BB-6P

3. Streamlined permitting for small wineries. AG/LU-15 (page 36) (and Con 31.1, p. 201) describe a possible streamlined permit process for small wineries that meet certain performance standards. We'd request that such a streamlined process for new small wineries not apply to new wineries within approximately one-quarter mile of urban development within city limits (or some other appropriate distance to provide an adequate

BB-7E/P

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buffer) If this modification is not made, our concern is that an expedited process may allow future wineries to be approved without public environmental review in accordance with CEQA in that the City and/or nearby residents would not have an ability through a Use Permit to publicly comment on aspects of a new winery that may affect them, such as lighting, noise and traffic. The Draft EIR, MM 4.11.4 (which identifies potential permit streamlining provisions) does not address typical impacts that small wineries may have when proposed near existing residences in cities.

BB-7E/P  
Cont'd

4. Housing, Population and Job Growth and density/intensity standards. Beginning on page 36, the Draft General Plan describes land use designations and development standards, but several points are unclear. Although minimum parcel sizes are provided for residential development, there does not appear to be an indication in the Plan itself of what the anticipated population density would ultimately be or what assumptions are used for projecting anticipated development, and there is in several cases also no indication of anticipated non-residential development intensities. For example, Ag/LU-18 and -19, -48 contain no development intensities for nonresidential uses. LU-32 and -33 permit "limited commercial" or certain institutional uses yet there are no nonresidential intensities listed. In addition, land coverage used in other categories may not be sufficient to identify nonresidential building intensities. We are uncertain that this Draft would meet Government Code requirements of 65302 and agree with other comments that have been made that the Draft General Plan should also provide an estimate of County housing, population and non residential development that is assumed to occur by 2030 under the Draft General Plan.

BB-8P

5. Additional Tourism Uses. Policy AG/LU-38 (page 45) states the county will support development of tourist facilities where "there is a showing" there would be no conflict with agriculture and the necessity can be documented to the County's satisfaction. We suggest that this Policy be revised to acknowledge previously stated intentions to coordinate with the ongoing Napa County League of Governments (NCLOG) Countywide Visitor Serving Strategy, or a similar Countywide effort.

BB-9P

6. Balancing Job Growth with Affordable Housing. Policy AG/LU-39 (page 45) indicates that the County's review of nonresidential development proposals shall address the balance of job creation and availability of affordable housing. We believe that the Draft General Plan should explain how such a policy would be accomplished, and what (if any) conditions the County might place on future nonresidential development to ensure that such development will not result in a worsening of the existing jobs/housing imbalance.

BB-10P

7. Location and Extent of Commercially-Zoned Sites, and Potential for Residential. To evaluate potential impacts with respect to Policy AG/LU-41 and Policy AG/LU-42 (pages 45-46), we urge that the Draft General Plan identify and locate on a map all

BB-11P

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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*commercially zoned* sites throughout the County where additional commercial uses could occur under these policies. If there any “Planned Development” zones that are commercial zones that this would apply to, they should also be mentioned. It is unclear to the reader whether there are many such parcels or only a few.<sup>1</sup> We would also suggest (in accordance with Housing Policy 5c) that the appropriateness of residential, residential mixed use and live/work uses be considered in these commercial zones. If these sites are appropriate for expanded commercial uses, at least some may be appropriate for residential or mixed use development to provide further options for the County to meet housing needs.

BB-11P  
Cont'd

8. Location of Commercially Designated Sites, and Residential Potential. Similarly, with respect to Policy AG/LU-45 (pages 46-47), where are the lands designated Commercial on the General Plan Map that this Policy applies to? While there is a commercial category, there do not appear to be any such areas shown on the existing Land Use Map (page 90), so it is difficult for the City of Napa to evaluate potential impacts to the City. We ask that these areas be mapped at a readable scale and explored for suitability for residential or residential mixed uses in conjunction with commercial uses.

BB-12P

9. Napa Pipe, Pacific Coast/Boca and Transitional Designation and Policies Ag/LU-47, pages 47-48 and Policies AG/LU-90 -91, p. 75.

The City is very concerned that the County is contemplating major changes in land use on the Napa Pipe, Pacific Coast/Boca sites immediately adjacent to the City of Napa without information regarding the numerous potentially significant environmental, service and fiscal impacts associated with such change.

BB-13E/P

On page 48, there is discussion related to the proposed “Transitional” land use designation. However, this category is defined in such vague terms (e.g., no discussion of anticipated parcel sizes, intensity of development “to be determined”) that there is no real indication of what land uses might actually be permitted or prescribed in those areas in the future under the Draft General Plan. When the issue of consistent zoning in “Transitional” areas is addressed on page 92, that discussion suggests that such zoning could be “IP”, or “I”, or “PD” or commercial or residential – apparently anything remotely resembling an urban use. We recognize that several intensive urban land use alternatives for the site have been generally described and included in the General Plan EIR for purposes of evaluating impacts from these sites. However, there is insufficient information in the EIR to identify impacts of possible growth scenarios, particularly traffic, water supply and city service/fiscal impacts, but other impacts as well.

BB-14E/P

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<sup>1</sup> The Draft EIR Table 4.2-1 p. 4.2-2 indicates a large amount of vacant commercial land; this table and existing land use map need correction.

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With no densities and intensities or specific uses proposed<sup>2</sup>, and impacts insufficiently analyzed, the “transitional” sites should be identified as a “Study Area”, potentially allowing the possibility for a variety of uses, and leaving options open until such time that there is a recommended land use proposal. The Study Area could leave the existing Industrial uses intact until then. Alternatively, the sites could retain an “Industrial” land use category until there is a recommended alternative.

BB-14E/P  
Cont'd

Further, this is a policy that really calls for an implementing program. Such a program could describe that a change from “Study Area” will require a General Plan Amendment; the process or objectives to be addressed before coming to a decision on land uses in these areas. Such a program would be an excellent place to reiterate the reason changes from industrial use are being considered is to address future regional housing needs associated with the County’s jobs development.

9.b. Napa Pipe, Pacific Coast/Boca and Water Supply. Policy AG/LU 47 (page 47) Although the Napa Pipe site and the Boca/Pacific Coast site are identified as “urban” areas in the Draft General Plan since they currently support industrial uses, it is not clear, as the policy notes, that the urban services necessary to support more intensive urban development can be adequately provided in these unincorporated areas. For example, the city has previously commented new water service is not planned outside the RUL except for certain pre-existing single family homes or for some “public uses” and that, under scenarios resembling either Draft General Plan Alternative B or Alternative C, the City of Napa would be unable to provide sufficient water to support that level of development. To consider development of this magnitude, the City and County will need to work in partnership to identify future water needs and water supply solutions.

BB-15E/P

10. Angwin: On page 50-56, the Draft General Plan addresses options for the Angwin area. The Housing Element and Growth Management Policy AG/LU-119 indicate that this is one of the unincorporated “urban areas” where some amount of added housing can be supported and is part of a countywide overall strategy to address housing needs, yet there is no policy in the Angwin land use section that recognizes this connection. While the City of Napa appreciates its role as the largest city in the County in assisting with housing needs, if there are other suitable sites, they should not be ignored.

BB-16P

11. Rural Residential Areas near the City. (pp. 61-73) The City supports the Draft Plan’s approach of providing new area-specific policies to help landowners, the City and other interested parties understand the future of these areas. As such, we’d suggest only that the descriptions and policies be clearer about what the General Plan land use categories mean and what future is contemplated as follows:

BB-17P

<sup>2</sup> As is necessary for land use designations under Government Code 65302.

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- a. Big Ranch Road. The Big Ranch Road Area description and policy Ag/LU-66 (p. 61) might, for example, state that this a Rural Residential area with a minimum lot size of 10 units per acre for new subdivisions; therefore, the area is anticipated to have minimal change in the future. The description could also provide helpful context --that the area is adjacent to existing subdivisions in the City of Napa, as well as planned future City development within the City's Rural Urban Limit. As currently presented, the Draft General Plan text does not provide a clear picture of the area's future
- BB-18P
- b. Coombsville. Similarly, in the Coombsville description and Policies AG/LU-67, -68 and -69 on page 63, it would be helpful to describe what the Draft General Plan Map shows and what the future of the area is, particularly as sewer service is proposed to be sized to accommodate "only the development permitted by this General Plan". We suggest that the policy state where there are "health/safety" as well as water quality concerns, that it is "public sewer service or alternative wastewater treatment approaches" and that "municipal" which refers to city or town, may be a misnomer; replace with "such"? As this is currently a Rural Residential area with a maximum density of one unit per 10 acres for new subdivisions, would anticipated changes be minimal under the General Plan?
- BB-19P
- c. Silverado and Vicinity. In the Silverado description and Policies AG/LU-86, -87 and -88 on page 73), it would again be helpful to more clearly describe the Draft General Plan's future intent for this area in order to be able to evaluate potential effects associated with Plan implementation. While it is clear that Silverado has an "Urban Residential" designation which gives the area a maximum development potential, it is not clear whether this potential has essentially been achieved or not. In addition, a portion of the area is designated for Rural Residential development. Although most of the Rural Residential-designated area has conforming RC (Rural Residential) zoning, the areas nearest the City of Napa are currently zoned RS-B1, 2 and 5 (1-5 acre minimums). We request that the Draft General Plan more clearly explain the County's future intent for development in these areas, and whether that means remapping them as "Urban Residential" or not.
- BB-20P
- d. Patrick Rural Residential. (indicated on prior General Plan map p. 90) It is our understanding that parcels in the small Patrick Rd. Rural Residential area have essentially no added development potential; and that an agricultural designation would provide a similar situation, with the exception that if any parcels in this area are over 10 acres, owners could potentially apply for a small winery. As long as wineries very near city urban residential continue to require Use Permits (see prior Streamlining comment #3), this change would appear to have no adverse impacts on the city and would be supportive of City/County RUL policies.
- BB-21P

12. Airport Industrial Area Description and policies LU 92, pages 74-75 and E-11, p. 226. The County and City of Napa, as a result of the Housing MOU, went through a cooperative work effort in 2004 to recognize various existing, approved and pending retail and hotel uses in the Airport Industrial Area (AIA); to specifically limit further such uses, and to retain the AIA as an important business/industrial center. The Draft EIR has correspondingly analyzed future business/industrial jobs potential in this area in all alternatives.

Still, the Airport Industrial Area is larger in area and development potential than two of the County's cities and towns, and there is essentially no discussion in the Draft General Plan about what is planned for this area, or definitive policies relating to it. The page 74 Description talks about what exists in the unincorporated industrial areas throughout the south county and then states,

"Recognizing the need to plan for future uses, the County in 1986 adopted the Napa County Airport Industrial Area Specific Plan".

We'd suggest there be some discussion of proposed uses and remaining vacant lands within the AIA, the development potential of this area, and types of development anticipated.

There are two related policies in this section: Ag/LU-89 that generally supports the continued "concentration of industrial uses in the South County as an alternative to the conversion of agricultural land for industrial use elsewhere"; and Ag/LU-92 that states: "Consistent with the County's Airport Industrial Area (AIA) Specific Plan, the County will encourage industrial and locally-serving uses consistent with a business park." An earlier policy (Ag/LU-46) was carried forward from the prior General Plan allowing industrial and "limited commercial" (and was previously interpreted to allow major retail and hotel development). A later policy (E-11) talks about limiting *ancillary* uses in the AIA to locally-serving (i.e., business park supporting) uses as specified in the AIA Specific Plan.

BB-22P

Given the size and development potential within this area that have countywide impacts and benefits, we urge that the DRAFT General Plan policies establish clear future policy direction for this area, rather than reference a Specific Plan that can be separately amended. The current policy, for example, uses the word "encourage" and has deleted language from the Specific Plan that precludes region serving retail and additional new hotel uses, which we think should be retained. It may also make sense to consolidate the policies relating to this area in the land use section and reference them in the Economic Development section.

13. Confusing definition of "Urban Areas". P. 90 Figure Ag/LU-2. The General Plan update identifies "Rural Residential" areas as within "Urban" areas on the land use map. Rural Residential areas are generally defined as having minimum parcel sizes of 10 acres,

BB-23P

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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and therefore do not appear to be “urban”. This definition results in confusion as to how other General Plan policies will be interpreted. For example, Policy Ag/LU-121 talks about concentrating new residential growth within areas designated for “urban” uses and Ah/LU-119 talks about “higher density development” that would normally occur in the “urban areas.” Is this the intent? Might “Rural Residential” be a land use category in between “Agricultural” and “Urban” on the land use map?

BB-23P  
Cont'd

14. Land Use and Zoning Districts. Policy AG/LU-113 (page 92) directs the reader to a table showing zoning designations to determine consistency with the DRAFT General Plan where zoning and land use designations are not identical. Yet this discussion and policy would benefit from further clarification. It is unclear how RS Residential Single zoning, which has a relatively small lot size, is consistent with a Rural Residential designation that allows 1 dwelling unit per 10 acres. If existing “RS” areas are simply being “grandfathered in”, a policy acknowledging this “grandfathering” would be helpful. Otherwise, could this mean that the County can have a 1 dwelling unit per 10 acres land use category, but then rezone the area to 1 dwelling unit per 1 acre? How can this be called consistent with the DRAFT General Plan? If it is the intent to allow smaller lot zoning, might such actions have substantial unanticipated impacts?

BB-24P

15. Measure A Growth Limit Exception. Policy AG/LU-120 (page 106) represents a key exception to Measure A’s 1 percent growth limit, which the Board of Supervisors can now pursue (as the voter-approved Measure A has expired and the Board can modify it). According to this Policy, “Certain multi family residential proposals” may be allowed to exceed annual building permit limits as long as they are located in lands not designated for agriculture, are subject to a phased development plan, make a “substantial contribution to County housing needs and include a significant affordable housing component.” This new policy does not appear to be consistent with Housing Element Goal 12 and Policy 4b; the DRAFT General Plan should resolve this apparent inconsistency.

BB-25P

16. Coordination on Development near Cities. Policy AG/LU-126 (page 108) in the “Regional Planning Issues” section indicates that the County will coordinate with cities with respect to land uses *within SOI’s and RUL’s*, but says nothing about cooperation in the development of lands within the *Planning Areas* of cities. “Planning Areas” by definition are lands that bear a relationship to a jurisdiction’s planning. Since coordination is desirable in the interest of good regional planning, we believe that this Policy statement should be modified to include coordination regarding development within Planning Areas.

BB-26P

17. County and City Annexation Policy within RUL. Policy AG/LU-127 (page 108) is a streamlined and more readable version of longstanding annexation policy between the City and the County, which is appreciated. However, it indicates that there would be no

BB-27P

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

further urbanization within the City's RUL without annexation "except as otherwise provided herein". It is unclear what exceptions this clause may refer to and we'd request that this clause be eliminated or clearly spell out all exceptions so that the reader can review them. Further, the earlier County policy stated that "use permits" are considered "urbanization" within the City of Napa's RUL, which has been an important incentive to encourage property owner annexation of lands within the RUL, and we'd request that this language be retained. Third, we suggest that this policy is more easily found if it is located with similar other "Urban Centered Growth" policies rather than under "Regional Planning".

BB-27P  
Cont'd

18. Traffic Information Overview. On page 121, the DRAFT General Plan indicates that existing and projected traffic information will be presented in a future Draft of the General Plan. We agree that the DRAFT General Plan must include that information so that readers can assess the traffic impacts associated with Plan alternatives and implementation (which is simply not possible now in the absence of this information).

BB-28E/P

19. "Entry Point" Road Capacity. Policy CIR-2.2 (page 128) indicates that there will be no capacity increases at County entry points. This policy is somewhat confusing as written, and may need to be edited to clarify exactly which "certain" County entrance "roads" are being referred to (since this Policy statement appears to contradict the discussion related to expanding capacity from Solano County through a Floden "reliever" to Highway 29 in a subsequent Policy statement).

BB-29P

20. Relation between Land Use and Circulation Elements.

a. While Policy CIR-2.3 (page 129) "seeks to provide a roadway system that maintains current capacities yet is also safe and efficient in providing local access", and CIR-2.5 would "seek to maintain an adequate level of service", the DRAFT General Plan does not provide level of service information to enable the reader to evaluate whether this latter policy is being addressed or appear to reasonably mitigate impacts of proposed land uses. For example, despite major potential changes in the "Transitional" sites, proposed circulation improvements do not consider potential capacity needs. The Gasser Master Plan EIR assumed widening of Hwy 221 to 6 lanes at least as far south as Magnolia. Given that *all* future General Plan development scenarios would exceed the capacity of Highway 221 between the intersection of Highway 29 and Magnolia according to the generalized street segment information in the Draft EIR, capacity improvements would seem important to review. In addition, there should be implementation measures in addition to monitoring to assure that LOS conditions will be maintained.

BB-30P

21. Water Supplies. On page 177, the "2050 Napa Valley Water Resources Study" cannot replace the analysis required by water providers under California planning law. The 2050 Study only accounted for future water demands in the unincorporated area through 2050 to increase as follows: Rural Residential – 680 acre-feet; Winery – 211

BB-31E/P

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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acre-feet; Vineyard – 11,062 acre-feet. Municipal water providers, including the City on Napa, did not plan to meet these unincorporated area water demands in the 2050 Study. Projects such as Napa Pipe and Pacific Coast/BOCA are not anticipated in the 2050 Study. Additional information should be provided to substantiate the additional demands anticipated in the DRAFT General Plan that were not included in the 2050 Study.

BB-31E/P  
Cont'd

22. Groundwater Priorities. Goal CON-9 (page 199) calls for the prioritized use of available groundwater for agriculture and rural residential development. Such a policy may not be consistent with the potential use of groundwater on the South County “transitional” sites to support existing or potential urban development, a potential inconsistency between parts of the Draft Plan. The historical use of groundwater for agriculture, rural residential, and dry year water for urban development with municipal management and oversight should be maintained.

BB-32P/E

23. Airport Land Use Plan. On page 274, we believe that it would be helpful to have a synopsis of the ALUCP (similar to other maps in the Safety section and the Napa Firewise summary), since it is referred to in Policy SAF-31 and elsewhere, and is a major determinant of future land uses in the ALUCP area.

Edits:

- Obj. CIR-3.1, p 132 needs to provide a value for the number of miles of on-street bike lanes and routes to be provided during the planning period.
- Policy CON-39 (page 204), Square feet values need to be added.
- Discussion paragraph middle of page 223: While steps toward developing a long-range, County-wide visitor serving strategy have been made, a strategy is yet to be developed.
- Policy CON-47 (page 206) makes it sound like no development that exceeds BAAQMD standards (following appropriate mitigation) would be allowed. Is preventing development that might ultimately be unable to fully mitigate vehicle-related emissions that would exceed current BAAQMD thresholds of significance the intent of this Policy?

BB-33P

***DRAFT General Plan EIR Comments. These comments are organized to first address general comments and specific comments (by page and/or topic order)***

1. Insufficient environmental information for “Transitional” sites.

A major City concern is the lack of information in the Draft EIR to evaluate the magnitude of environmental impacts associated with the Plan’s major urban development scenarios in the “transitional” areas on the City of Napa and/or nearby areas. Such information needs to be part of an environmental analysis and deliberations before considering any change from an “industrial” land use category to *any* category other than

BB-34E

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

a “study area”, and some key information would also be useful for decision makers prior to completion of General Plan Update deliberations to help evaluate the “transition” approach. BB-34E  
Cont'd.

For example, varying alternatives would result in LOS F on Highway 221 near Kaiser Road.<sup>3</sup> However, there is no information provided that would enable an understanding of how the traffic levels anticipated on the roadway segments would translate into impacts at intersections and traffic operations, or whether there are useful mitigation measures. This information is necessary in part to determine how well the DRAFT General Plan’s policy to maintain LOS D or better on most roadways might work in association with the level of development anticipated.

The DRAFT General Plan *Circulation* Diagram shown before Draft EIR page 3.0-34 shows Highway 221 south of Imola as a 4-lane rural throughway. However, the City of Napa General Plan identifies Soscol/Highway 221 north of Imola as having 6 lanes, and traffic modeling for the Gasser Master Plan EIR (and, we believe, the Napa Valley College EIR) assumed 6 lanes south of Imola to at least Magnolia. With the capacity issues identified along Highway 221 (showing two or more times “over capacity”, page 4.4-37) for all of the proposed Draft General Plan alternatives, this may be a capacity improvement that should be included in Policy CIR-2.3 or considered as a DRAFT EIR Mitigation Measure. BB-35E/P

Regarding City areas surrounding Napa Pipe, there is presently only one access road into the Napa Pipe site to support development there (Kaiser Road that connects to Highway 221 and Napa Corporate Park Way). However, there is no information presented in the Draft EIR that would show how traffic associated with the development of up to 3,200 new residential units and additional non-residential development at this site by 2030 (under Alternative C) might affect evacuation of the site in an emergency, might affect roadways in adjacent areas, and might affect intersection operations in adjacent nearby areas including within the City of Napa. BB-36E

In addition, the DRAFT EIR does not provide any discussion related to the possible loss of what could be an important industrial dock resource along the Napa River that could occur with development scenarios for the area. BB-37E/P

In terms of *water supply* issues, in Section 4.11.5 (p. 4.11-62-65) the Draft EIR indicates that anticipated development under the DRAFT General Plan would exceed available water supplies, despite implementation of identified mitigation measures. While the Draft EIR recommends adding General Plan policy to require projects to demonstrate adequate *groundwater* supplies, the urban development scenarios in the “transitional areas” may require other water supplies. We believe that the Draft General Plan and EIR should BB-38E/P

<sup>3</sup> Table 4.4-13, p. 4-37

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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provide added information on water supplies to serve such development alternatives as part of the General Plan of potential new urban uses; and that this approach is consistent with the intent of recent legislation to demonstrate that the level of development anticipated can be supported by the water supply resources either currently available or expected to be available during the planning period.

BB-38E  
Cont'd

The City also has concerns relating to provision of other services to the transitional sites; and hydrology and airport land use issues relating to the Napa Pipe site that will require more detailed review and analysis in cooperation with the County prior to any changes in urban development occurring there. The City had requested during General Plan scoping that the General Plan EIR address land use planning and service impacts of annexing the transitional sites vs. not annexing; this continues to be a concern.

BB-39E/P

2. Napa Pipe Alternative descriptions. On page 3.0-24, *Napa Pipe*: the discussion of Alternative C includes the phrase: "...residential mixed use with 50 acres non-residential – mostly low intensity warehousing." while page 54 of Exhibit B, the description of this alternative includes 3,200 residential units, 50,000 square feet of retail space equivalent to 150 existing jobs (e.g., no net new jobs), and no mention of warehouse uses. Which description is correct?

BB-40E

We also note that the Project Description for the March, 2007 Napa Pipe General Plan Amendment proposes 3,200 units, 50,000 sq. ft of retail space; 500,000 sq. ft of R&D business park uses and a 150 room condo hotel. How is this proposal addressed by the General Plan EIR?

3. Transitional Sites and "Development Pressure on agricultural lands". On page 4.1-24, and page 4.1-27, the Draft EIR indicates that directing urban development toward the Napa Pipe and the Boca/Pacific Coast sites could relieve "development pressure on agricultural land" elsewhere in the County. We think the Draft EIR should explain why this is so. Under Measure J and the limited prospects for favorable public votes to modify agricultural land use designations for urban development, even though developers may be interested in developing agricultural lands it is probably unrealistic to consider this interest as "development pressure". On the other hand, if Measure J were to lapse, there is no evidence in the Draft General Plan or EIR that, by permitting future urban development in the industrial areas south of the City, the County would effectively relieve urban development pressures on lands currently in agricultural use. Without Measure J, it may well be possible to get pressure to develop those agricultural lands even with the anticipated development of the industrial areas south of the City of Napa.

BB-41E/P

4. Airport and Napa Pipe. The Revised Mitigation Measure 4.2.2, p. 4.2-22-23 discusses the possibility of deviations from the *Airport Land Use Compatibility Plan (ALUCP)* for some Napa Pipe scenarios. While there is discussion about Zone D prohibitions of residential uses, it would be helpful to add the ALUCP considerations re: future

BB-42E

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

residential development in Zone E, and explain what is required to achieve consistency with the ALUCP. It is the City's understanding that proximity of flight patterns, frequency of overflight and type of aircraft are the primary considerations, with overflight annoyance rather than safety being the biggest concern in Zone E areas.

BB-42E  
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5. Draft EIR Completeness. As noted in the General Plan comments, The Draft Plan is evolving and there is no finite project description of the Plan. The EIR analyzes many different variations of alternatives, but this approach makes informed public participation difficult. The Plan also does not currently include an *Implementation Program*, so it is not possible to determine the extent to which those Policies may ultimately be carried out, or how environmental impacts associated with future development under the final version of the General Plan will be mitigated. If the EIR is certified before the Implementation Program has been developed, there would be no review of this Program.

BB-43E/P

6. Land Use and Circulation. Another concern regarding the Draft EIR is a lack of information and mitigation regarding key environmental impacts associated with development under the Plan, particularly traffic congestion. In general, the Draft EIR should present information how implementation of the Draft Plan would relate to Draft General Plan Policy CIR-2.5--which proposes a standard of LOS D operations (unless existing levels of service are below D) for signalized intersections within the County--by providing analysis of present and future intersection operations in the Draft EIR. In addition, The EIR dismisses numerous roadway improvements (Table 4.4-15) which would apparently mitigate many of the traffic impacts which the EIR concludes would be significant and unavoidable, stating they "are not considered feasible given the environmental effects associated with the roadway widening" and inconsistent with the vision set forth in the General Plan update. What evidence supports this determination? The EIR should not summarily reject these measures now without further analysis.

BB-44E

#### **OTHER COMMENTS AND QUESTIONS (by page order)**

7. Population/Housing/Employment Impacts On page 2.0-9, Impact 4.3.1 indicates that Plan implementation under any of the three alternatives evaluated could exceed regional projections or the 1 percent annual growth rate cap, a significant and unavoidable environmental impact. However, Mitigation Measure 4.3.1 only addresses *residential* growth under Alternatives B and C, does not address the effects of employment growth in excess of regional projections, and does not address what would be needed to actually mitigate the traffic, air quality, public service and infrastructure impacts associated with development in excess of regional projections. How would these growth-related impacts be mitigated under the Draft General Plan alternatives? Is there a mitigation measure that could effectively pace anticipated employment growth?

BB-45E

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

8. Jobs/Housing Balance Impact. On page 2.0-10, Impact 4.3.2 indicates that implementation of the DRAFT General Plan could be expected to alter the jobs/housing ratio in the unincorporated area, increasing the number of commuters going to and from the County, exacerbating an existing imbalance. While Mitigation Measure 4.3.2 suggests that it would be possible to pace employment growth to improve the jobs/housing balance through requiring employers to build housing OR to pay an in-lieu housing fee, we believe that the Draft EIR should explain how this would effectively “pace” employment growth and identify other feasible Mitigation Measures.

BB-46E

9. Nonresidential development assumptions. On page 4.0-1, the Draft EIR states that forecasts for non-residential development associated with Draft General Plan implementation are higher than ABAG’s *Projections 2005*, and are therefore considered conservative for use in the Draft EIR. These forecasts may be reasonable for use in the Draft EIR for the industrial areas, when one reviews the assumptions, but they may also be low, as no assumptions have been included for development on unincorporated commercially designated or zoned sites. The Draft EIR should identify where Commercially zoned (including any commercial PD zones if applicable) and Commercially designated sites are and indicate development assumptions for these areas and whether they would fit within the EIR projections pp. 52-54 of Appendix B. We understand there is an error in Table 4.2-1 p. 4.2-2 which indicates a large amount of vacant commercial land in the unincorporated County. (Also see GP comments #7 and 8).

BB-47E

10. Airport Industrial Area (AIA). The land use discussion in found on pages 4.2-1 through 4.2-9 in the Draft EIR provides summaries of the acreages and types of urban development within the several cities in the County, and unincorporated areas generally but does not contain an overview of existing and potential urban development within the unincorporated Airport Industrial Area. On page 4.2-13, the Draft EIR states that the area is 2,645 acres in size (larger than Yountville or Calistoga), but there is no discussion of proposed uses and remaining vacant lands within the AIA, or the development potential of this area, which is substantial. (Table 4.2-1 indicates there are more than 1,100 vacant acres of industrial land in all of the unincorporated County). This nonresidential urban area is of equal importance to the County and its cities as, for example, Angwin; the Draft EIR should provide more definitive information about it.

BB-48E

11. AIA Land Use Consumption trends. The Draft EIR discussion of *Land Use Consumption* trends (page 4.2-9), indicates that there has been very little urbanization or urban development in the unincorporated areas of the County over the last 15 years (although there has been considerable growth in the wine industry and related activities). It indicates that the vast majority of growth and land development has occurred within the cities. While this is true for residential development over the last 15 years, the Appendix B *Industrial Land Study* indicates this conclusion may be questionable for non-residential

BB-49E

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

development during that period. The p. 4.2-9 discussion cites as evidence that only 10 new nonresidential developments occurred in the County's AIA in the five years from 1999-2004. What has been the history of industrial development over the last 15 years? And what are anticipated trends?

BB-49E  
Cont'd

12. Growth in excess of regional projections. On page 4.3-11, Impact 4.3.1 identifies population, housing, and employment growth substantially larger than regional projections as a significant and unavoidable environmental impact. However, the only listed Mitigation Measure would actually permit residential development to further exceed regional growth projections. No measures that might be applied to pace future nonresidential development are identified, although there are already goals and policies in the Housing Element which address development pacing (e.g., Goal 11, Goal 12, Policy 4b and Policy 4c) that could provide the basis for such measures.

BB-50E

13. Water Supply. The discussion associated with Impact 4.13.3.1, p. 4.13-40 and 41 regarding the impacts and mitigation measures for water supply may need revision in that the 2050 Study is referenced as the basis for evaluating available water supplies versus current and projected demands for incorporated and unincorporated areas. However, the 2050 Study did not include the alternatives identified in the Draft General Plan (Napa Pipe, Pacific Coast/Boca, etc.). Projected water demands not covered in the 2050 Study, but anticipated as part of the Draft General Plan, should be presented in detail similar to the 2050 Study (i.e., normal, multiple-dry, and single-dry year at 2020 and 2050).

BB-51E

14. Wastewater. Does Napa Sanitation District have the planned capacity to provide service to the areas south of the City of Napa that would support major development under several Draft General Plan scenarios evaluated in the Draft EIR? Would the Mitigation Measures on page 4.13-54 be adequate to prevent future moratoriums in the City?

BB-52E

15. Parks. Would there be any increased use of existing recreational facilities associated with development under the Draft General Plan that could lead to deterioration of those facilities? How is this impact assessed or mitigated.

BB-53E

16. Cumulative Impacts. In the discussion of cumulative impacts in Section 5.0, does the magnitude of the cumulative impacts (particularly the many identified as significant and unavoidable) vary between Alternative A, Alternative B, and Alternative C?

BB-54E

17. Growth Inducement. The discussion of growth inducement in Draft EIR Section 7.0 does not answer the fundamental question related to this section: Does the Draft General Plan induce growth within unincorporated portions of the County that would not

BB-55E

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

otherwise take place as planned growth would exceed that projected by ABAG during the planning period.

BB-55E  
Cont'd

18. EIR Edits:

▪ Sphere of Influence and Planning Area discussion errors. The third paragraph on page 4.2-6 is incorrect, and should be revised. It indicates that a *sphere of influence* is “generally very similar to a city’s jurisdictional area but can extend beyond a city’s jurisdictional area to include places likely to be annexed by the city in the foreseeable future.” This should be replaced with the intent of what a sphere of influence is under Government Code: “A plan for the *probable physical boundaries and service area* of a local agency, as determined by LAFCO.” The DRAFT EIR indicates that the purpose of a Planning Area, Urban Limit Line or Sphere of Influence is “to facilitate long-range planning and compatibility of land uses.” In fact, the purpose of a “Planning Area” is to identify “land outside its boundaries which in the planning agency’s judgment bears relation to its planning.” (Government Code Section 65300). The Rural Urban Limit line (RUL) is a City of Napa term to “define the extent of urban development through 2020.” (Napa General Plan Policy LU-2.1 on page 1-11). There is a substantive difference between “planning area” (which the DRAFT EIR indicates informs the planning process by notifying the County ... that the City recognizes that development has an impact on the future of the city), and the Sphere of Influence (which is adopted by LAFCO and the city, and identifies an area for future annexation and service). Within the Sphere of Influence, the city has much greater vested interest, and land doesn’t necessarily “ultimately remain under the jurisdiction of the County.”

BB-56E/P

▪ Further, on page 4.2-7, the Draft EIR indicates that *other than* Napa State Hospital and the Syar area, the City of Napa’s *Sphere of Influence* contains a “slightly larger area than the RUL.” This should be clarified to state that the Sphere of Influence is the same as the RUL except for Napa State Hospital and small portions of the Syar and Napa Pipe properties which were historically in the City’s Sphere. The related footnote is also incorrect. The intent of the RUL is not to minimize development within the RUL, but to contain urban development within the RUL. The last sentence in Paragraph 3 states that industrial uses located within or adjacent to the City of Napa’s boundaries include Blue Canary and Syar Industries. City of Napa staff assumes that “Blue Canary” is intended to be something like “several uses at the Napa Pipe site”, and that this sentence should delete “within or”.

BB-57E

▪ “Slow” growth. On page 2.0-3, the Draft EIR talks about “slow housing and employment growth”. It is unclear what specific measures are included in the Draft General Plan that would ensure that housing and employment growth will, in fact, remain “slow” (aside from the 1 percent annual growth rate cap on *residential*

BB-58E

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| development previously approved by the voters via initiative and generally pursued by the Board of Supervisors).   | BB-58E<br>  Cont'd |
| ▪ Figure 3.0-2 (Project Location Map), the “City of Napa Water Source” should point at Lake Hennessey.   | BB-59E             |
| ▪ page 3.0-13, it may be more accurate to state that KMA <u>utilized</u> data sources such as those provided by ABAG.  | BB-60E             |
| ▪ page 4.0-5, there is a reference to Rancho Cordova as the Lead Agency  | BB-61E             |
| ▪ Figure 4.2-1 is not readable at its current scale in the DRAFT EIR.  | BB-62E             |
| ▪ page 4.11-14, there is a reference to a PWA study that does not appear with the other references: was this study conducted by Pacific Watershed Associates (in Arcata), or by Philip Williams Associates in the San Francisco Bay area?  | BB-63E             |
| ▪ page 4.11-43 Table presents material related to “Best” Management Practices.   | BB-64E             |
| ▪ On page 4.11-73, there is reference to Mitigation Measure 4.11.9a, which could not be found in the text; perhaps it referring to 4.11.9.   | BB-65E             |
| ▪ In Section 4.13, the spelling of “Jameson” should be changed to “Jamieson”   | BB-66E             |
| ▪ While we understand the “Existing water supply setting on p. 4.13-14 is a summary, we suggest it would be clearer to replace the sentences starting with “The Napa County Flood Control ...” and “The Town of Yountville...” with the following text: “State Water Project water is used by the Cities of American Canyon, Calistoga, Napa and Town of Yountville via a subcontract with the Napa County Flood Control and Water Conservation District as the State Water contractor. American Canyon and Napa have their own treatment facilities for State water, with Calistoga and Yountville receiving their State water via City of Napa treatment and conveyance facilities. Napa County does not own any entitlements to State Water. Congress Valley Water District receives treated water via an agreement with the City of Napa.” | BB-67E             |
| ▪ P. 5.0-23 law enforcement mitigation measures should refer to 4.13 not 4.12  | BB-68E             |
| ▪ On page 6.0-53 in the “Exposure to Air Toxic Contaminants” discussion, should the reference be to Alternative <u>E</u> , rather than Alternative D?  | BB-69E             |

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LETTER BB: DANA SMITH, CITY OF NAPA – CITY MANAGER’S OFFICE, JUNE 11, 2007

*Response BB-1 E/P:* The commenter gives an introduction to the comment letter and states that the City of Napa suggests changes to the Draft General Plan, followed by clarification of the EIR analysis and re-circulation prior to Board of Supervisors presentation. The major concerns relate to urban development at the City’s southern borders. County staff appreciates the City of Napa’s concern with urban development along its southern borders and has incorporated many changes into the Revised Draft General Plan Update to address these concerns. County staff has also provided detailed responses to the City’s comments and revised the Draft EIR as necessary to respond to those comments as outlined in this Final EIR. At this time, County staff does not see the need for re-circulation of the EIR as no new significant impacts have been identified and no significant new information has been added to the analysis.

*Response BB-2 E/P:* The commenter states that the City has concerns with the County’s new potential development plans for the Napa Pipe and Pacific Coast/Boca sites adjacent to the City. The City asks that the County proceed with its overall county-wide update to its General Plan, but defer making any site-specific land use designations for the individual transitional sites. County staff has reviewed the suggestion made by the City and other commenters, and has elected to take the approach they suggest. As a result, the Revised Draft General Plan Update designates these properties as a “Study Area” indicating that further study will be required prior to consideration of alternative (non-industrial) land uses on the sites.

*Response BB-3 P:* The City of Napa notes that other comments they have relate to strengthening the AIA policy, approval of policies for “Rural Residential” areas and agricultural protection, and focusing housing in cities, but have concerns with the “transitional” designation. The County appreciates these comments and refers the commenter to the revised Agricultural Preservation/Land Use Element and the specific responses provided below.

*Response BB-4 E/P:* The City comments that many pieces of the Draft General Plan are open-ended or yet to be completed, so it is difficult to comment meaningfully on impacts. The City also states that without an implementation program, environmental evaluation is incomplete. The Land Use Map presented in the Draft EIR is at a programmatic level and is insufficient to analyze the impacts of implementing the General Plan.

The County acknowledges the City’s concerns but believes that it has provided sufficient detail and analysis in the Draft EIR to allow the reader to understand potential impacts of the General Plan Update. In fact, given the Draft EIR’s use of alternatives, the document analyzes five different possible land use maps, rather than one, and assesses a host of possible implementation actions. Impacts are determined based on land use designations proposed under each Draft EIR Alternative, and the Draft EIR presents mitigation measures to lessen environmental impacts to the furthest extent possible. The use of alternatives to bracket the possible outcomes of the planning process is discussed further in the Alternatives Master Response 3.4.2. Also, please note that the Revised Draft General Plan Update provides a complete Implementation Program and was

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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analyzed as the “Preferred Plan” in Section 2.0 of this Final EIR and found to result in impacts that fall within the range of the Draft EIR Alternatives. Also, the County has been quite clear that the Draft EIR provides a programmatic analysis, and that subsequent project applications will likely require additional site-specific environmental evaluation.

*Response BB-5 P:* The City of Napa requests that page 15 of the Draft General Plan be rewritten to not assume that lands within the City’s urban limit lines or spheres of influence will not be annexed prior to the year 2030. The General Plan Update summary vision section has been substantially revised in response to comments received from the public and no longer contains the sentence referred to. Also, please see Policy AG/LU-128 about the City of Napa RUL.

*Response BB-6 P:* The City of Napa comments that Policy AG/LU-4 on page 34 of the Public Draft of the proposed General Plan Update could be interpreted very broadly to potentially include lands currently used for grazing within the City of Napa’s RUL that are planned to annex. The City wants such areas excluded from the policy to be consistent with longstanding County and city policies. The Agricultural Preservation/Land Use Element addresses the RUL for the City of Napa in Policy Ag/LU-128, and County staff believes modification of Policy Ag/LU-4 is therefore unnecessary.

*Response BB-7 E/P:* The City of Napa suggests that the streamlined process for small wineries called out in General Plan Policy AG/LU-15 on page 36 of the Public Draft of the proposed General Plan Update not apply to wineries proposed for areas within one-quarter mile of urban development within City limits. This policy (now Policy Ag/LU-16) has been modified as requested. The City goes on to say that mitigation measure MM 4.11.4, which identifies permit streamlining provisions, does not address typical impacts that small wineries may have when proposed near existing residences and cities. Mitigation measure MM 4.11.4 clearly states that the ministerial process would only apply to vineyard projects with a footprint of less than 15 acres in size, or the project must be less than 20 acres in size and include a net reduction of anthropogenic sedimentation by 50% or more per parcel. The ministerial process for small wineries envisioned by Policy Ag/LU-16 would be implemented through a separate ordinance, as specified in Action Item Ag/LU-16.1, and would be designed to ensure that no significant impacts would result. The ordinance would be available for public review and comment prior to adoption.

*Response BB-8 P:* The City of Napa notes that minimum parcel sizes are provided for residential development beginning on page 36 of the Public Draft of the proposed General Plan Update, but there does not appear to be an indication in the Plan itself of what the anticipated population density would ultimately be or what assumptions are used for projecting anticipated development. The commenter is referred to the revised Agricultural Preservation/Land Use Element, which the County believes meets Government Code provisions for development standards. As noted in several of the locations cited by the commenter, the County generally permits one principle residence per parcel unless specified otherwise in the Housing Element, so by providing minimal parcel sizes, the County is also providing population densities. Building intensities are

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likewise inherent in the policies provided (Policies Ag/LU-20, -21, -34, -35, -50, -51, and -52). Commercial building intensities are also informed by Policies Ag/LU-43, -44, and -45, although commercial sites are limited to less than 200 acres county-wide as illustrated on Figure Ag/LU-2. Also, county-wide population estimates are presented on pp. 19-20 of the Revised Draft General Plan Update; employment estimates are presented on p. 22.

*Response BB-9 P:* The City of Napa notes that General Plan Policy AG/LU-38 on page 45 of the Public Draft of the proposed General Plan Update should be revised to acknowledge previously stated intentions to coordinate with the ongoing Napa County League of Governments (NCLOG) Countywide Visitor Serving Strategy or a similar county-wide effort. This policy (now Policy Ag/LU-41) has not been altered, since it clearly expresses a County policy that has been in place for some time (as Policy 5.2 in the County's current General Plan). The specific planning effort "or a similar Countywide effort" referred to by the commenter may be of a shorter duration and is less clear.

*Response BB-10 P:* The City of Napa comments that the General Plan should explain how Policy AG/LU-39 on page 45 of the Public Draft of the proposed General Plan will accomplish a balance of job creation and availability of affordable housing and what conditions the County might place on future nonresidential development to ensure that such development will not result in a worsening of the existing jobs/housing imbalance. This policy (now Policy Ag/LU-42) will be implemented via the County's in lieu housing fee program at a minimum, as well as any additional requirements resulting from Action Item Ag/LU-30.2. Also see the County's Housing Element.

*Response BB-11 P:* The City of Napa requests that the General Plan identify and locate on a map all *commercially zoned* sites throughout the County where additional commercial uses could occur under General Plan policies to evaluate potential impact with respect to Policy Ag/LU-41 and -42 on pages 45-46 of the public draft of the proposed General Plan. The commenter also suggests that the appropriateness of residential, mixed use, and live/work uses be considered in commercial zones. The commenter is referred to the revised Agricultural Preservation/Land Use Element where the requested map is provided as Figure Ag/LU-2. Also see Action Item 45.1 regarding the potential for accessory dwellings on commercial parcels as suggested. Neither of these provisions would apply to Planned Development zones.

*Response BB-12 P:* The City of Napa asks where are the lands designated Commercial on the General Plan Map that relate to Policy AG/LU-45 on pages 46-47 of the Public Draft of the proposed General Plan. The General Plan land use map does not designate any commercial areas, and none are proposed. Policy Ag/LU-50 has been retained in the event the County desires to designate some commercial lands in the future.

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*Response BB-13 E/P:* The City of Napa has concerns about the Napa Pipe, Pacific Coast/Boca, and Transitional designation and Policies Ag/LU-47, AG/LU-90, and AG/LU-91 on pages 37-48 and page 75 of the public draft of the proposed General Plan. The commenter goes on to say that Transitional sites should be identified as a "Study Area," potentially allowing for a variety of uses. The commenter states that even though the EIR presents several intensive urban land use alternatives for the site, insufficient information is available to identify possible impacts from traffic, water supply, fiscal, and other impacts. The commenter is referred to Response BB-2 regarding the Revised Draft General Plan Update, which has been crafted to implement the City's "study area" suggestion.

A full range of alternatives are presented in Section 3.0 of the Draft EIR. Section 4.0 and 6.0 of the Draft EIR presents a comprehensive impact analysis of proposed alternatives including traffic impacts and water supply. Furthermore, the Draft EIR assesses impacts of the proposed General Plan Update over a long planning horizon, and consistent with CEQA, the Draft EIR does not assess impacts based on theoretical "build-out" of development potential, since build-out (i.e., the maximum permitted number of developments on every parcel) may occur well past the 25-year planning horizon, if at all. Instead, the Draft EIR analysis assesses potential policy changes under each alternative and relies on a set of reasonable projections of residential and employment growth that might be expected to occur. Reasonable projections of the potential growth in vineyard acres over the next 25 years have also been developed as a basis of analysis, as have potential land use maps for each of the alternatives. At such time as applications for proposed projects in these areas are deemed complete by the County, further environmental review will be conducted to determine the impacts of these projects on traffic, water supply, and other issues determined as relevant to the specific project.

*Response BB-14 E/P:* City of Napa is concerned with the "Transitional" land use designation and notes that there is insufficient information in the EIR to identify impacts of possible growth scenarios. See Response BB-13.

*Response BB-15 E/P:* For Policy Ag/LU-47 on page 47 of the public draft of the proposed General Plan, the commenter states that although the Napa Pipe site and the Pacific Coast/Boca site are identified as "urban" areas since they currently support industrial uses, it is not clear, as the policy notes, that the urban services necessary to support more intensive urban development can be adequately provided in these unincorporated areas. See Water Supply Master Response 3.4.1 for a discussion of water supply. As the City suggests, the City and County are currently working in partnership to assess water supply issues associated with the sites. This analysis will appropriately inform a project-specific environmental analysis and was not needed for the more programmatic assessment provided in the Draft EIR (see Section 4.11 specifically, including mitigation measures and conclusions).

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- Response BB-16 P:* The City of Napa states that Policy Ag-LU-119 on pages 50-56 of the public draft of the proposed General Plan indicates that Angwin is one of the County's unincorporated "urban areas" where some amount of added housing can be supported as part of a county-wide overall strategy to address housing needs, yet the commenter notes that there is no policy in the Angwin land use section that recognizes this connection. The City notes that if there are other such suitable sites, they should not be ignored. Angwin currently contains affordable housing sites that are designated in the County's Housing Element, and Policy Ag/LU-58 clearly identifies the community as an urbanized area with residential uses. In addition, since publication of the Draft EIR, Pacific Union College has filed an application for residential development in Angwin, which will be the subject of a detailed project-specific review. The potential for housing development in the Angwin area is assessed in the Draft EIR via consideration of a number of alternatives, each of which assumes between 200 and 600 units of new housing in the area by 2030.
- Response BB-17 P:* The City of Napa supports the Draft General Plan's approach (pages 61-73) of providing new area-specific policies to help landowners, the City, and other interested parties understand the future of these areas, but asks that descriptions and policies be clearer about what the General Plan land use categories mean with suggestions provided. County staff appreciates the support for these policies and has revised these sections of the plan somewhat. These sections may be amended over time to be more specific and more detailed as land use changes in the areas are contemplated or as questions arise.
- Response BB-18 P:* The commenter suggests that the Big Ranch Road description and Policy Ag/LU-66 on page 61 of the public draft of the proposed General Plan could state this is a Rural Residential area with a minimum lot size of 10 units per acre for new subdivisions. The commenter is referred to the revised Agricultural Preservation/Land Use Element (p. 50) where some of the suggested information is provided, and Policy Ag/LU-35 which articulates the minimum parcel size of 10 acres in this Rural Residential area.
- Response BB-19 P:* The commenter states that for Policies Ag/LU-67, -68, and -69 on page 63 of the public draft of the proposed General Plan, it would be helpful to describe what the Draft General Plan Map shows and what the future of the area use is as sewer service would be sized to accommodate "only the development permitted by this General Plan." The commenter is referred to the revised Agricultural Preservation/Land Use Element, where limited changes have been made to this section. Nonetheless, the commenter is correct that with 10-acre minimum parcel sizes, this Rural Residential area will not change much in the future.
- Response BB-20 P:* The commenter states that Policies Ag/LU-86, -87, and -88 on page 73 of the public draft of the proposed General Plan should describe more clearly the General Plan's future intent for the Silverado area in order to be able to evaluate potential effects associated with plan implementation. The commenter is referred to the revised Agricultural Preservation/Land Use Element, where limited changes have been made

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to this section. As noted on pp. 59-60, the Urban Residential area of Silverado is essentially built out. No re-designation of the Rural Residential area is proposed at this time; however there are property owners in the area who may initiate such an amendment in the future, and the County Planning Commission has expressed a desire to examine this issue in the context of the 2008-2009 Housing Element Update.

*Response BB-21 P:* The commenter notes that the Patrick Rural Residential area (prior General Plan map, page 90) could have an Agricultural designation as there is no added development potential, with owners of parcels over 10 acres potentially applying for a small winery. The Draft EIR addresses the environmental effects of this suggestion; however elimination of the Partrick Road "bubble" is no longer proposed in the Revised General Plan Update. See the earlier Response BB-7 regarding small wineries.

*Response BB-22 P:* The commenter states that for Policies Ag/LU-92 on pages 74-75 and E-11 on page 226 of the public draft of the proposed General Plan, there is no discussion about what is planned for the Airport Industrial Area or definitive policies relating to it. The commenter is referred to the revised Agricultural Preservation/Land Use Element which has been revised (pp. 61-63) to indicate that the 1986 Specific Plan will continue to guide development in this area and that the County will encourage industrial use and limit tourist-serving and regional retail uses. (See Policy Ag/LU-96 in the Revised Draft General Plan Update.)

*Response BB-23 P:* The commenter states that Figure Ag/LU-2 on page 90 of the public draft of the proposed General Plan identifies Rural Residential areas within "urban" areas on the land use map. This definition results in confusion as to how other policies will be interpreted and the commenter requests that the intent of this policy in relation to policies Ag/LU-119 and -121 be clarified. The definition of non-agricultural land use designations as "urban" is determined by the legend on the County's longstanding Land Use Map. In the Revised Draft General Plan Update, this map legend has been adjusted somewhat to use the terms "urbanized or non-agricultural"; however the County is reluctant to make more significant changes since the map is referenced in Measure J (1990) and has proven to be an effective tool in preserving agriculture throughout the County.

*Response BB-24 P:* The commenter notes that Policy Ag/LU-113 on page 92 of the public draft of the proposed General Plan directs the reader to a table showing zoning designations to determine consistency with the Draft General Plan where zoning and land use designations are not identical. The commenter states that this discussion needs further clarification. The commenter is referred to the revised Agricultural Preservation/Land Use Element Policy Ag/LU-114 where policy and table revisions have been made to address this concern.

*Response BB-25 P:* The commenter states that in regard to Policy Ag/LU-120 on page 106 of the public draft of the proposed General Plan the key exception to the one percent growth limit is not consistent with Housing Element Goal 12 and Policy 4b. This policy was omitted from the Revised Draft General Plan Update.

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*Response BB-26 P:* The commenter states that in regard to Policy Ag/LU-126 on page 108 of the public draft of the proposed General Plan, the policy should include coordination with cities in the development of lands within the planning areas of cities. The County currently refers projects within proximity to the cities to those agencies for review and sees no need to document this ongoing practice in General Plan policy.

*Response BB-27 P:* The commenter notes appreciation for Policy Ag/LU-127 on page 108 of the public draft of the proposed General Plan, as it is more streamlined and readable. However, this policy should be located with similar other urban-centered growth policies. This policy (now Policy Ag/LU-128) has been revised as requested, although it remains within the "regional planning issues" section of the revised Agricultural Preservation/Land Use Element.

*Response BB-28 E/P:* The commenter suggests that the existing and projected traffic information should be included in the Draft General Plan so as to assess traffic impacts associated with Plan alternatives and implementation. Level of service (LOS) impacts are addressed in detail in the Draft EIR on the proposed General Plan Update alternatives. See Section 4.4, Transportation, of the Draft EIR, particularly Impact 4.4.1, Travel Demand. Tables 4.4-13 and 4.4-14 of the Draft EIR contain summaries of projected vehicle travel and level of service impacts, both with and without adoption of the proposed General Plan Update. Table CIR-B of the Circulation Element has been modified to include the following data for selected County roadways:

- 2003 Daily Traffic Volumes
- 2030 Daily Traffic Volume Projections
- Projected Increase from 2003 to 2030 of Daily Traffic Volumes

*Response BB-29 P:* The commenter notes that Policy CIR-2.2 on page 128 of the public draft of the proposed General Plan should clarify the "certain" County entrance "roads" that are referred to. The policy (now Policy CIR-12) states that the five key entrances that will generally not be increased include:

- Hwy 128 from Yolo County
- Hwy 29 from Lake County
- Petrified Forest Road from Sonoma County
- Hwy 121 from Sonoma County
- Butts Canyon Road from Lake County

Other entrances, as determined by the County, may also be given special consideration. Flosden Road is not considered an entrance to the County.

*Response BB-30 P:* The commenter states that the Draft General Plan does not provide level of service information to enable the reader to evaluate whether Policy CIR-2.5 is being addressed or appears to reasonably mitigate impacts of proposed land uses. Please see Section 4.4 of the Draft EIR for an assessment of traffic impacts. Policy CIR-16 states that the County shall seek to maintain Level of Service D or better on all county roadways, except where maintaining this desired level of service would require the

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installation of more travel lanes than shown on the Circulation Map. For implementation of this policy, Action Item CIR-16.1 states that Napa County will work with NCTPA, adjacent counties, the MTC, and the State of California to monitor traffic volumes and congestion on the roadway system in Napa County. Also see Response BB-28.

*Response BB-31 E/P:* The commenter states that on page 177 of the public draft of the proposed General Plan, the "2050 Napa Valley Water Resources Study" cannot replace the analysis required by California state law. Recent case law has determined that an SB 610 assessment is not required for a General Plan Update. See Water Supply Master Response 3.4.1 for a discussion of water supply issues.

*Response BB-32 E/P:* The commenter states that Goal CON-9 on page 199 of the public draft of the proposed General Plan may not be consistent with the potential use of groundwater on the South County "transitional" sites for urban development. County staff agrees. Also, the "Transitional" land use designation first proposed for sites in the South County are now designated as "Study Areas." Any proposed project will be subject to environmental review by the County when their application is determined to be complete and impacts to water supply will be assessed at that time. Also see Water Supply Master Response 3.4.1.

*Response BB-33 P:* The commenter suggests that a synopsis of the ALUCP be provided in the Public Draft of the proposed General Plan page 274 and the commenter provides other edits to the Circulation and Conservation Element. Objective CIR-3.1 has been modified to state that 40 miles of additional bike lanes will be provided by 2030. Policy CON-39 has been modified to eliminate a specific number of square feet of non-residential construction. County staff notes the concern regarding the discussion on page 223 of the public draft of the proposed General Plan. Policy CON-47 of the public draft of the proposed General Plan specifically states that design features would need to be incorporated in new developments for projects that have been determined to have air quality impacts per BAAQMD standards. The County has elected not to repeat or summarize provisions of the Airport Land Use Compatibility Plan, which is separately adopted and maintained by the Airport Land Use Commission under authorities derived from state law.

*Response BB-34 E:* The commenter states that there is insufficient information regarding "transitional" sites in the Draft EIR to evaluate environmental impacts with the Plan's major urban development scenarios. The "Transitional" land use designation previously proposed for these areas has been modified as suggested by several commenters to "Study Areas." The General Plan Update Draft EIR acts as a Programmatic EIR as described on page 1.0-3 of the Draft EIR. When individual projects or activities under the General Plan are proposed, the County would be required to examine the project or activities to determine whether their effects were adequately analyzed in this EIR. In Section 3.0 of the Draft EIR, the Draft EIR presents five alternatives that were intended to "bracket" the range of potential outcomes of the planning process for the General Plan Update (see DEIR pages 3.0-12 and -13). The level of detail being requested in the Draft EIR would not be appropriate at the programmatic level.

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*Response BB-35 E/P:* The commenter states that there is no information in the Draft EIR regarding how traffic impacts to roadway segments will translate to impacts to roadway intersections. The commenter goes on to say that the City of Napa General Plan identifies Soscol/Highway 221 north of Imola as having six lanes. The commenter believes that Policy CIR-2.3 should be revised to include this capacity improvement. The comments suggest a comprehensive study of the impacts of these sites, which is best addressed in a localized traffic analysis prepared to inform a project-specific EIR for these sites. The Draft EIR for the General Plan Update appropriately provides a programmatic analysis of county-wide impacts, describing areas where adoption and implementation of the General Plan Update may result in significant traffic impacts, and suggesting mitigation measures where these are feasible without altering the rural character of the County. The commenter's suggestion that SR 221 be widened to six lanes was considered and rejected as explained on p. 4.4-53 of the Draft EIR. Additional analysis of traffic impacts associated with development at Napa Pipe will be undertaken in the context of a project-specific EIR.

*Response BB-36 E:* The commenter states that the Draft EIR does not address additional access or emergency access issues for the Napa Pipe site that would occur with the addition of 3,200 residential units by the year 2030. At such time as a proposed project is deemed to have a complete application by County staff, a project-specific environmental review will determine the impacts to access for the proposed development. The commenter must understand that in evaluating a county-wide general plan, the County cannot assess every intersection, but must select representative links like the SR 221 segment referred to in Response BB-35. Similarly, the Draft EIR evaluates emergency access at a level of detail commensurate with the county-wide nature of the plan and the programmatic nature of the environmental analysis. Impacts to fire protection and emergency medical response are discussed on pages 4.13-6 through -9 of the Draft EIR. Specifically, the Draft EIR presents mitigation measure MM 4.13.1.1b, which states that the County must include a policy that requires that all new development complies with established fire safety standards. Design plans shall be referred to the appropriate fire agency for comment to verify compliance with applicable requirements such as site design for fire equipment in and around structures and the ability for a safe and efficient fire department response. Mitigation measure MM 4.13.1.1b is reflected in Draft General Plan Policy SAF-20. This policy would ensure that projects are reviewed by the appropriate agency at the appropriate time to determine emergency access conflicts.

Traffic-related impacts are discussed in Section 4.4 of the Draft EIR. Specifically, the Draft EIR presents mitigation measures MM 4.4.1a, 4.4.1b, and 4.4.1c to address subsequent project impacts on traffic operations. Mitigation measure MM 4.4.1a requires the County to provide a policy in the General Plan establishing a standard for adequate level of service on roads and intersections to be applied to all discretionary projects (Policy CIR-16). Mitigation measure MM 4.4.1b requires a General Plan policy requiring new development projects with the potential to significantly affect traffic operations to prepare a traffic analysis prior to approval of

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the project. Mitigation measure MM 4.4.1c requires a General Plan policy that requires new development projects to mitigate their impacts and to pay their fair share of county-wide traffic improvements (Policy CIR-19).

*Response BB-37 E/P:* The commenter states that the Draft EIR does not provide any discussion related to the possible loss of what could be an important industrial dock resource along the Napa River that could occur with development scenarios for the area. County staff acknowledges the commenter's concern and has re-designated the site as a "study area" to allow further consideration of issues associated with reuse of the site for non-industrial purposes.

*Response BB-38 E/P:* The commenter states the Draft EIR in Section 4.11.5 pages 4.11-62 to -65 anticipates that under development of the proposed General Plan Update, water supplies would be exceeded even with implementation of mitigation measures. The commenter is concerned that while a General Plan policy is recommended to require projects to demonstrate adequate groundwater supplies, the urban development scenarios in the "transitional areas" may require other water supplies. County staff has changed the proposed "transitional" land use designation to "study area" as suggested by several commenters. Also see Water Supply Master Response 3.4.1 for a discussion of water supply. Specifically relating to dependence on groundwater supplies, mitigation measure MM 4.13.3.1b of the Draft EIR requires verification of adequate water supplies and distribution facilities for development projects prior to their approval.

*Response BB-39 E/P:* The City of Napa has concerns about the provision of services to the transitional sites and hydrology and land use issues relating to the Napa Pipe site that will require more detailed review and analysis prior to any changes in urban development occurring there. The proposed transitional site will now be designated as "study areas," and issues regarding provision of services, hydrology, land use, and the potential for annexation will be addressed in greater specificity at a later date. Please see Section 4.0 of the Draft EIR for a program-level analysis of various land use alternatives for the site.

*Response BB-40 E:* The commenter states that the Napa Pipe description is not consistent in the Draft EIR page 3.0-24 and the Keyser Marston land use study (Appendix B). In addition, an application from March 2007 for a General Plan Amendment proposes a different mix of land uses for the Napa Pipe site. At the time the Draft EIR was published, no formal application had been submitted to the County with a detailed description. The Draft EIR made certain assumptions that are closely aligned with the proposed project. No specific proposal was analyzed in the Draft EIR, but several possibilities were proposed to bracket the potential impacts of such development. As indicated earlier, the Revised Draft General Plan Update now designates the site as a "study area" as suggested by the City.

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*Response BB-41 E/P:* The commenter states that the Draft EIR should explain why it is stated that directing urban development toward the Napa Pipe and Boca/Pacific Coast sites could relieve development pressure on agricultural land elsewhere in the County. The commenter compares the possibilities for development pressure if Measure J were to lapse. There is no question that over the next 25 years, the County will continue to experience pressure from the state and from private organizations and individuals related to provision of housing in the unincorporated area. These pressures – driven by market forces and state legislation – will be difficult to rebuff indefinitely, and identification of adequate sites for multi-family housing will be the only way to relieve this pressure.

*Response BB-42 E:* The commenter suggests that areas adding ALUCP considerations regarding future residential development in Zone E would be helpful along with an explanation of what is required to achieve consistency with the ALUCP. Mitigation measure MM 4.4.2 presented on page 4.2-25 of the Draft EIR was developed to address conflicts with existing land use plans. Residential development within Zone D of the Airport Land Use Compatibility Plan would be a direct conflict, and mitigation measure MM 4.4.2 reduces that impact to less than significant. Residential development is permitted within Zone E of the ALUCP and therefore was not called out as a significant impact. Furthermore, page 4.2-14 of the Draft EIR gives a complete description of the regulatory powers of the Airport Land Use Commission in reviewing land use plans to ensure compliance with the ALUCP. No changes to the Draft EIR or the General Plan Update are recommended.

*Response BB-43 E/P:* The commenter states that the Draft EIR analyzes many different variations of alternatives, but that this approach makes informed public participation difficult. The commenter also states that there is no implementation plan, so if the EIR is certified before the Implementation Program has been developed, there would be no review of this Program. The final Implementation Program is available for review as part of the Revised Draft General Plan Update. This revised plan is described as the "Preferred Plan" in Section 2.0 of this Final EIR, which includes an analysis demonstrating that impacts of the plan fall within the range of impacts associated with alternatives in the Draft EIR. See Alternatives Master Response 3.4.2 for a discussion of the adequacy of alternatives considered in the Draft EIR.

*Response BB-44 E:* The commenter states that there is a lack of information and mitigation regarding key environmental impacts associated with traffic congestion. Also, the commenter questions why certain roadway improvements shown in Table 4.4-15 are determined to be infeasible due to environmental constraints. See Response BB-36 E for a discussion on the analysis of traffic impacts in the Draft EIR. Relating to the improvements listed in Table 4.4-15 that were determined infeasible, a full explanation as to why the improvements are infeasible is presented on page 4.4.53 of the Draft EIR. The Draft EIR not only states that the improvements would be infeasible due to environmental constraints, but that the improvements would also be inconsistent with the vision set forth in the General Plan Update. The General Plan Update states:

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*This General Plan will preserve and improve the quality of life and the rural character of the County by proactively addressing land use, traffic and safety concerns in addition to sustaining the agricultural industry.*

The Draft EIR goes on to say that the widening of these roadways would result in more severe environmental impacts associated with visual resources, water quality, noise, air quality, and growth inducement. The Draft EIR concludes by saying that several roadway segments such as SR 128 and Tubbs Lane lack sufficient right-of-way for widening.

*Response BB-45 E:* The commenter states that mitigation measure MM 4.3.1 on page 2.0-9 of the Draft EIR only addresses residential growth under Alternatives B and C and does not address the effects of employment growth in excess of regional projections. Impact 4.3.1 presented on page 4.3-11 of the Draft EIR states that implementation of the proposed General Plan Update could result in substantial growth in population, housing, or employment. This impact was determined to be significant and unavoidable, even with implementation of mitigation measure MM 4.3.1 for Alternatives B and C. No mitigation measure has been identified that could effectively pace anticipated employment growth, and the County is curious whether the City is in fact suggesting that future employment in the County should be somehow metered or constrained.

*Response BB-46 E:* The commenter states that mitigation measure MM 4.3.2 on page 2.0-10 of the Draft EIR should explain how it would pace employment growth and identify other feasible mitigation measures. Mitigation measure MM 4.3.2 is not intended to “pace” growth in the County, but is presented to improve the balance of jobs to housing in the County (Impact 4.3.2).

*Response BB-47E:* The commenter states that the Draft EIR should identify the locations of commercially zoned and commercially designated sites and indicate development assumptions for these areas. The commenter also suggests an error in Table 4.2-1, which indicates a large amount of vacant commercial land in the unincorporated County. This error has been corrected as shown in Section 4.0 of this document and a map of commercial sites is now provided as Figure Ag/LU-2 in the Revised Draft General Plan Update. As shown in Appendix B of the Draft EIR, employment growth of up to 1,125 new jobs is assumed in “up valley” locations associated with wineries or other activities. This assumption appears conservative given the limited supply of commercial land and the fact that most wineries employ very few individuals.

*Response BB-48 E:* The commenter states that the land use discussion on pages 4.2-1 through -9 of the Draft EIR does not contain an overview of existing and potential urban development within the unincorporated Airport Industrial Area. In addition, the commenter requests that the EIR provide more definitive information regarding this nonresidential urban area. The description of the 1986 Napa County Airport Industrial Area Specific Plan presents the total acreage of the Specific Plan Area and land use designations within the Specific Plan Area. The description is more than adequate to describe the land use regulatory framework in the County and each of

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the Draft EIR alternatives assumes substantial job growth in this area. Also see Appendix B of the Draft EIR and Response B-22, above.

*Response BB-49 E:* The commenter questions the statement on page 4.2-9 in the Draft EIR that the vast majority of growth and land development has occurred within the cities. The commenter believes that may not be true for non-residential uses. Commercial land use assumption trends are discussed on page 4.2-9 of the Draft EIR. It is stated that from 1999 to 2004, only 54 permits were issued for commercial construction. This leads to the statement that there has been very little urban development in the unincorporated areas of the County. In regard to specific trends for industrial development in the AIA, please see the detailed assessment contained in the Keyser Marston study included as Appendix B in the Draft EIR. Also see Response B-22.

*Response BB-50 E:* The commenter states that the only mitigation measure presented to limit growth would actually permit residential development to further exceed regional growth projections. Mitigation measure MM 4.3.1 presented on page 4.3-13 of the Draft EIR is intended to reduce Impact 4.3.1 to the furthest extent feasible. See Response BB-45, above.

*Response BB-51 E:* The commenter states that the discussion associated with Impact 4.13.3.1, pages 4.13-40 and -41, for water supply may need revision in that the 2050 Study did not evaluate the alternatives identified in the Draft EIR. See Water Supply Master Response 3.4.1 for a discussion of water supply issues, mitigation measures, and conclusions presented in the Draft EIR.

*Response BB-52 E:* The commenter asks whether the Napa Sanitation District has the planned capacity to provide service to the areas south of the City of Napa that would support major development. Mitigation measure MM 4.13.4.1 requires that the County include a General Plan policy requiring that new development provide verification of adequate wastewater service prior to a project's approval. This measure ensures that adequate wastewater services are available, or development would not go forward. Also note that the sites south of the City of Napa have been designated as a "study area" indicating that further studies will be undertaken (and a further General Plan amendment will be required) prior to consideration of non-industrial uses on the sites.

*Response BB-53 E:* The commenter asks whether there would be any increased use of existing recreational facilities associated with development under the General Plan that could lead to deterioration of those facilities. Impact 4.13.9.1 on page 4.13-79 of the Draft EIR clearly states that land uses and development under the proposed Napa County General Plan Update would increase population that would result in an increase in the demand for recreational opportunities and facilities. The Draft EIR presents mitigation measures MM 4.13.1b, 4.13.1c, and 4.13.1e to reduce this impact to a less than significant level.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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*Response BB-54 E:* The commenter asks if the cumulative impact varies between the different alternatives. The commenter is referred to the impact statements contained in Section 5.0 that clearly call out to what alternatives the specific cumulative impact relates.

*Response BB-55 E:* The commenter states that Section 7.0 of the Draft EIR does not determine if the General Plan would induce growth within unincorporated portions of the County that would not otherwise take place as planned growth would exceed that projected by ABAG during the planning period. Section 7.1 discusses the growth inducing impacts of the proposed General Plan Update for the alternatives analyzed in the Draft EIR as required by CEQA. The question is not whether growth would occur in excess of regional projections (this is addressed in Section 4.2 of the Draft EIR), but whether implementation of the County's General Plan would somehow stimulate growth outside the County or unanticipated by the General Plan Update. See Section 7.1 of the Draft EIR for more discussion.

*Response BB-56 E/P:* The commenter wants the description of the sphere of influence changed on page 4.2-6 of the Draft EIR. The following text changes are made to the Draft EIR.

- Draft EIR page 4.2-6, the following text changes are made to the third and fourth paragraphs:

For planning purposes, incorporated cities within Napa County define an area surrounding their boundary as a planning area, Urban Limit Line (ULL) or Sphere of Influence (SOI). A city's planning area or ULL generally extends beyond the city's jurisdictional boundaries. A SOI is a plan for the probable physical boundaries and service area of a local agency as determined by LAFCO. ~~generally very similar to a city's jurisdictional area, but can extend beyond a city's jurisdictional area to include places that are likely to be annexed by the city in the foreseeable future.~~

The purpose of a planning area, ~~ULL, or SOI~~ is to identify land outside a city's boundaries which in the planning agency's judgment bears relation to its planning. ~~facilitate long range planning and compatibility of land uses. While a defined planning area, ULL, or SOI does not give a city any regulatory power, it acts to inform the planning process by notifying the County and other nearby local and regional authorities that the city recognizes that development within this area has an impact on the future of the city. Under state law, cities are invited to comment on development within their planning area that is subject to review by the County.~~ However, unincorporated portions of ~~city~~ these planning areas ultimately remain under the jurisdiction of Napa County.

*Response BB-57 E:* The commenter wants changes in how the RUL for the City of Napa is described in the Draft EIR on page 4.2-7. The following text changes are made to the Draft EIR.

- Draft EIR page 4.2-7, the following text changes are made to the second and third paragraph:

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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The City of Napa is the largest city in Napa County at 18.21 square miles (11,653 acres), with a population of approximately 76,167 in 2005, according to the California Department of Finance. The City of Napa is the County seat and is located in the southern portion of Napa County, approximately 4 miles north of American Canyon. The Napa River bisects the City. As previously mentioned, growth and land use patterns within the City of Napa are determined by the Rural Urban Limit<sup>1</sup> (RUL). Recent LAFCO action has resulted in The RUL and SOI are the same, with the exception of the Napa State Hospital and small portions of the Syar and Napa Pipe sites that were historically within the SOI, being co-terminus, with few exceptions (in the Napa State Hospital and Syar area). However, notwithstanding this exception, the SOI includes a "slightly larger area" than the RUL. Two annexations to the City of Napa have been submitted by Ghisletta. The first annexation of 12,096 square feet (2093 Penny Lane) was approved by LAFCo in February 2006. The second annexation was for 141.9 acres (four parcels at 2003 Golden Gate) was submitted in August 2006, but has had no further action to date.

The predominant land use within the Napa RUL is residential, with 67% of the land within the RUL developed as residential. Other land uses include commercial (8%), industrial (4%), parks and public/quasi-public lands (12%), and undeveloped/agricultural land (9%). Major commercial areas are concentrated in downtown, the Soscol Avenue auto row, and commercial development along the City's major corridors. A majority of the County offices are located within the City. The City has a broad range of industrial uses, generally concentrated in the southern part of the City, in or near the Napa Valley Corporate Park. Industrial users located ~~within or~~ adjacent to the City boundaries include Blue Canary Inc. and Syar Industries. Other major industrial and heavy commercial areas occupy land along the east and west sides of State Route 29 south of First Street and between Soscal Avenue and the Napa River. "

*Response BB-58 E:* The commenter states that it is unclear in the Draft EIR what measures are being proposed to keep growth at a slow pace. The "slow growth" language used on page 2.0-3 of the Draft EIR is intended to describe what would be anticipated to occur in formerly industrial areas in addition to other existing urban areas under Alternative B of the General Plan Update. The statement is not intended to be an impact statement of any kind. Under the Revised Draft General Plan Update, the growth management system derived from Measure A would still be the guiding policy directing slow residential growth within the unincorporated County areas. Non-residential growth is naturally limited by the shortage of non-agricultural land and market forces.

*Response BB-59 E:* The commenter states that on Figure 3.0-2 of the Draft EIR, the "City of Napa Water Source" should point to Lake Hennessey. This change will be made to the Draft EIR.

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<sup>1</sup>-In 1975, the City of Napa adopted the RUL Line, which was intended to minimize development of property that is located within the RUL, and also in the unincorporated area.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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- Response BB-60 E:* The commenter requests a minor text change to page 3.0-13 of the Draft EIR. County staff appreciates the request for more accuracy in the statement regarding KMA's use of data sources.
- Response BB-61 E:* On page 4.0-5, there is a reference to the City of Rancho Cordova as the Lead Agency. Rancho Cordova has been removed from the text and replaced with County of Napa.
- Response BB-62 E:* The commenter states that Figure 4.2-1 of the Draft EIR is not readable at its current scale. The existing land use map (Figure 4.2-1) is intended to give an overview of existing land uses and their distribution throughout the County. County staff does not recommend a change to the scale of the land use map.
- Response BB-63 E:* The commenter states that the reference to the PWA study on page 4.11-14 of the Draft EIR does not appear in other locations. The reference to the PWA study as Pacific Watershed Associates is correct. That reference has been added to the list on page 4.11-73.
- Response BB-64 E:* The commenter states that the table on page 4.11-43 presents material related to "Best" Management Practices. The word "Beneficial" has been replaced with "Best" in the title of Table 4.11-2 of the Draft EIR.
- Response BB-65 E:* The commenter states that the reference to mitigation measure MM 4.11.9a should be changed to 4.11.9. This change has been made to the Draft EIR.
- Response BB-66 E:* The commenter states that in Section 4.13 of the Draft EIR, the spelling of "Jameson" should be changed to "Jamieson." This change has been made to the Draft EIR.
- Response BB-67 E:* The commenter suggests replacement language to describe the existing water setting. No changes to the Draft EIR are necessary as the information presented on page 4.13-14 is a summary and contains correct information.
- Response BB-68 E:* The commenter states that on page 5.0-23 of the Draft EIR, mitigation measures should refer to 4.13, not 4.12. This change has been made to the Draft EIR.
- Response BB-69 E:* The commenter asks if the Exposure to Air Toxic Contaminants discussion on page 6.0-53 of the Draft EIR should reference Alternative E, rather than Alternative D. This change has been made to the Draft EIR.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

Letter CC

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

ARNOLD SCHWARZENEGGER, Governor

**DEPARTMENT OF TRANSPORTATION**

111 GRAND AVENUE  
P. O. BOX 23660  
OAKLAND, CA 94623-0660  
PHONE (510) 286-5505  
FAX (510) 286-5559  
TTY (800) 735-2929

**RECEIVED**

JUN 20 2007

NAPA CO. CONSERVATION  
DEVELOPMENT & PLANNING DEPT.



*Flex your power!  
Be energy efficient!*

June 18, 2006

NAPGEN077  
SCH#2005102088

Mr. Patrick Lowe  
Napa County Planning Department  
1195 Third Street, Suite 210  
Napa, CA 94559

Dear Mr. Lowe:

**NAPA COUNTY GENERAL PLAN UPDATE AND DRAFT ENVIRONMENTAL  
IMPACT REPORT**

Thank you for including the California Department of Transportation (Department) in the environmental review process for the Napa County (County) General Plan Update (Update) and Draft Environmental Impact Report (DEIR) project. The following comments are based on the General Plan Update and DEIR.

As lead agency, Napa County is responsible for all project mitigation, including any needed improvements to state highways. The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures. Any required roadway improvements should be completed prior to issuance of the Certificate of Occupancy. Since an encroachment permit is required for work in the State Right of Way (ROW), and the Department will not issue a permit until our concerns are adequately addressed, we strongly recommend that the lead agency work with both the applicant and the Department to ensure that our concerns are resolved during the CEQA process, and in any case prior to submittal of a permit application.

CC-1E/P

***State Transit Grants***

Transit Oriented Development: Napa County has a slow growth policy for unincorporated areas, initiated by Measure A in 1980, that was implemented by a Growth Management System with the passage of Ordinance No. 1178 on November 28, 2000. As a result, building permits are limited to 114 dwelling units per year based on the 2000 U.S. Census. See Update, page 102. The Update provides no plans for large scale Transit Oriented Development projects that would support new or expanded public transit services. The term "Transit Oriented Development" is not mentioned in the Update.

CC-2E/P

Goods Movement: The Update only briefly recommends preserving rail corridors as regional transportation assets in Circulation Policy CIR-3.1, page 132. There is no mention of the

*"Caltrans improves mobility across California"*

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

Mr. Patrick Lowe  
June 18, 2007  
Page 2

impending restart of rail freight service from Schellville (Sonoma County) to Lombard Road (City of American Canyon) by the North Coast Railroad Authority and its contractor Northwestern Pacific Railroad. This service is expected to begin in early 2008, if not sooner once track repairs are completed, and will connect with the Union Pacific line in the vicinity of Napa. There is a branch rail spur that goes to downtown Napa. This spur could go on to St. Helena to serve as a future freight and commute passenger line. This Napa-St. Helena segment is the current Wine Train excursion route.

CC-2E/P  
Cont'd

The County is missing an opportunity in the Update to encourage and promote transit and goods movement alternatives to automobile and truck traffic. Public transit and freight rail transportation would reduce vehicle traffic flow, use less fuel, reduce exhaust emissions, and improve highway and local road safety.

#### **Signal Operations**

What are the proposed plans to rectify lane capacity issues at the following intersections?

1. Napa-Vallejo Highway and State Route (SR) 29/12
2. SR 12/121 and Stanley Lane
3. SR 29 and American Canyon Road
4. SR 29 and Kelly Road

CC-3E/P

#### **Highway Operations**

Will the current Freeway Agreement for SR 29 between the Solano/Napa County line and SR 12 Jameson Canyon be reconfirmed or renegotiated?

CC-4E/P

#### **Cultural Resources**

Please add to Policy CC-21, Action Item CC-21 of the Public Review Draft and MM 4.12.1 of the DEIR:

It is the Department's policy that any proposed earth-disturbing work within the State Right of Way (ROW) as part of a proposed project must be preceded by a current archaeological record search from the Northwest Information Center of the California Historical Resources Information System and evidence shown in the environmental document. Current record searches must be no more than five years old. The Department requires the records search, and if warranted, a cultural resource study by a qualified, professional archaeologist, to ensure compliance with CEQA, Section 5024.5 of the California Public Resources Code and Volume 2 of Caltrans' Standard Environmental Reference (<http://scr.dot.ca.gov>.) The environmental document must also show evidence of Native American consultation. These requirements, including applicable mitigation, must be fulfilled before an encroachment permit can be issued for project-related work in State ROW; these requirements also apply to NEPA documents when there is a federal action on a project. Work subject to these requirements includes, but is not limited to: lane widening, channelization, auxiliary lanes, and/or modification of existing features such as slopes, drainage features, curbs, sidewalks and driveways within or adjacent to State ROW.

CC-5E/P

#### **Encroachment Permit**

Work that encroaches onto the State ROW requires an encroachment permit that is issued by the Department. To apply, a completed encroachment permit application, environmental documentation, and five (5) sets of plans clearly indicating State ROW must be submitted to the

CC-6E/P

*"Caltrans improves mobility across California"*

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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Mr. Patrick Lowe  
June 18, 2007  
Page 3

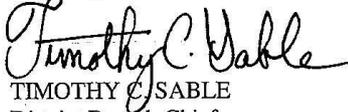
address below. Traffic-related mitigation measures should be incorporated into the construction plans during the encroachment permit process. See the website link below for more information.  
<http://www.dot.ca.gov/hq/traffops/developserv/permits/>

CC-6E/P  
Cont'd

Office of Permits  
California DOT, District 4  
P.O. Box 23660  
Oakland, CA 94623-0660

Please feel free to call or email Sandra Finegan of my staff at (510) 622-1644 or [sandra\\_finegan@dot.ca.gov](mailto:sandra_finegan@dot.ca.gov) with any questions regarding this letter.

Sincerely,



TIMOTHY C. SABLE  
District Branch Chief  
IGR/CEQA

c: Ms. Terry Roberts, State Clearinghouse

*"Caltrans improves mobility across California"*

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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LETTER CC: TIMOTHY C. SABLE, CALIFORNIA DEPARTMENT OF TRANSPORTATION,  
JUNE 18, 2007

*Response CC-1 E/P:* Caltrans states that the County, as lead agency, is responsible for all project mitigation. The commenter also states standard Caltrans requirements regarding encroachment permits for work within state highway rights of way. The County appreciates the input from Caltrans on the General Plan process; however, the types of project mitigation noted in the comment are typically applied at the project level and not the proposed General Plan Update level. The County recognizes that Caltrans requires permits for any work to be performed in the state right of way (ROW) and will coordinate with future project applicants to ensure that concerns of the Department are addressed during the project-level CEQA review process. No changes to the Draft EIR or General Plan are necessary.

*Response CC-2 E/P:* The commenter states that the term "Transit Oriented Development" is not mentioned in the proposed General Plan Update. The commenter goes on to say that there is no mention of the impending restart of freight service from Schellville (Sonoma County) to Lombard Road (City of American Canyon) by the North Coast Rail Authority. The commenter states that this railroad line will connect with the Union Pacific Line in the vicinity of Napa and explains the location of a spur line to downtown Napa that could be extended to St. Helena for freight and commuter service. The commenter finishes by stating that the County is missing an opportunity to encourage and promote transit and goods movement alternative to automobile and truck traffic. The County appreciates input on the General Plan.

Since the release of the Public Review Draft General Plan, Policy CIR-3.2 has been edited to include text that states "...through a variety of means, including promoting transit-oriented development in appropriate locations and use of transit by visitors to Napa County" in response to this comment.

In addition, the reader is referred to the Agricultural Preservation and Land Use Element, which stresses the concentration of development in the incorporated cities and already urbanized areas, in part to encourage land use patterns which support the use of public transit.

The following text has also been added to the discussion of "Rail Transportation" on page 98 of the Revised General Plan Update, "As of this update, freight service is planned to be reestablished on a line extending from American Canyon to Schellville, in Sonoma County. This freight line has a spur which extends north to the County's industrial area and the City of Napa."

Additionally, the commenter is referred to the following Circulation Goal and Policies, which seek to promote non-vehicular travel and transit use and are included in the Public Review Draft General Plan: Circulation Goal 3, Policies CIR-3.1 through CIR-3.13.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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- Response CC-3 E/P:* The commenter requests details on proposed plans to rectify lane capacity issues at the intersections of Napa-Vallejo Highway and SR 29/12, SR 12/21 and Stanley Lane, SR 29 and American Canyon Road, and SR 29 and Kelly Road. Details regarding specific intersection improvements have not been developed for these four intersections. However, page 4.4-50 of the Draft EIR presents mitigation measure MM 4.4.1a, which requires that the County provide a policy in the General Plan establishing a standard for adequate level of service on roads and intersections to be applied to all discretionary projects reviewed by the County. This standard is reflected in Policy CIR-16 of the Revised General Plan Update. Additionally, as the County proceeds with improvement plans for these four intersections, Caltrans will be notified and asked to provide input on the design through the environmental review process.
- Response CC-4 E/P:* The commenter asks whether the current Freeway Agreement for SR 29 between the Solano/Napa County line and SR-12/Jamieson Canyon Road will be reconfirmed or renegotiated. The County does not propose to change the existing agreement at this time.
- Response CC-5 E/P:* The commenter asks the County to revise General Plan Policy CC-21, Action Item CC-21, and mitigation measure MM 4.12.1 to include Caltrans' procedures regarding cultural resources and earth-disturbing work within the state right of way. Impacts to cultural resources are analyzed in Section 4.12, Cultural and Paleontological Resources, of the Draft EIR. The Draft EIR includes mitigation measure MM 4.12.1 which would lessen impacts to cultural resources to a less than significant level. This mitigation measure would not circumvent any Caltrans processing procedures at the project level. Additionally, the County of Napa Public Works Department complies with all Caltrans procedures when working in the state right of way. Therefore, no changes to the Draft EIR or General Plan are warranted.
- Response CC-6 E/P:* The commenter notes Caltrans procedures regarding encroachment permits and traffic-related mitigation. The County of Napa Public Works Department complies with all Caltrans procedures when working in the state right of way.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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Letter DD

Subject: City of Calistoga General Plan Update & DEIR Comments  
From: "Charlene Gallina" [CGallina@ci.calistoga.ca.us](mailto:CGallina@ci.calistoga.ca.us)  
Date: Mon, June 18, 2007 11:16 am  
To: plowe@napacountygeneralplan.com

Hi Hillary

Hope all is well. Sorry I missed speaking to you prior to leaving on vacation. Per my discussion with Nancy Johnson on Friday June 15, 2007, I had informed Nancy and she thought it would be okay that the City of Calistoga could submit our formal comments (in letter form) a few days after your comment period deadline to accommodate for our City Council's review of staff's assessment and comments. Their meeting will be held on Tuesday, June 19th.

DD-1E/P

I also indicated to Nancy that I would send you a copy of my final City Council staff report on June 18th, which reflected Planning Commission and staff's assessment and preliminary comments to date just in case you all would have a problem with us submitting our letter late.

Please note that I will e-mail you our formal letter identifying our comments more clearly on Wednesday, June 20th by end of day. Thanks!

Charlene Gallina  
Planning & Building Director  
City of Calistoga  
1232 Washington Street  
Calistoga, CA 94515  
(707) 942-2827

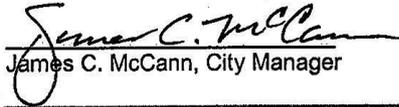
# City of Calistoga

## Staff Report

**TO:** Honorable Mayor and City Council  
**FROM:** Charlene Gallina, Planning and Building Director  
**DATE:** June 19, 2007  
**SUBJECT:** Review of the County of Napa's Draft General Plan Update and Draft Environmental Impact Report

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**APPROVAL FOR FORWARDING:**

  
James C. McCann, City Manager

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- 1  
2 **ISSUE:** Consideration of and authorization of the submittal of comments on the County  
3 of Napa's Draft General Plan Update and Draft Environmental Impact Report.  
4  
5 **RECOMMENDATION:** Review, discuss and authorize comment letter.  
6  
7 **BACKGROUND:** Napa County has released their Draft General Plan and Draft  
8 Environmental Impact Report for public comment. The comment period ends on June  
9 18, 2007. Therefore any City comments on these documents will need to be submitted  
10 by this date. However, staff has arranged with County staff the formal submittal of the  
11 City's letter after Council review. Please note that a copy of this report will be forwarded  
12 to the County on Monday, June 18, 2007. Furthermore, the staff has been informed  
13 that there will be future opportunity for City review of the progress made on this update  
14 including a presentation by County staff to the City Council, Planning Commission and  
15 the community.  
16  
17 **DISCUSSION**  
18 Given the size of this document and array of issues covered by the County's General  
19 Plan, staff recommends that the City of Calistoga's review focus on those policies in the  
20 Draft General Plan that may affect city/county interface. Therefore, staff's assessment  
21 of these documents has been limited to such issues. On June 6, 2007, this item was  
22 presented to the Planning Commission for their review and endorsement of staff  
23 comments. After Commission discussion and additional background information  
24 provided by Bob Fiddaman, Napa County Planning Commissioner for District #3, the  
25 Commission endorsed staff assessment of policies and comments (Attachment 2a) and  
26 directed staff to the include the following additional comments:

Napa County Draft General Plan & Draft EIR  
City Council Staff Report  
June 19, 2007  
Page 2 of 2

27 Draft Agricultural Preservation and Land Use Element – Support proposed policies,  
28 however, include the following comment:

29

30 Recognizing that the County is continuing to create new jobs, more emphasis  
31 should be placed for allowing all residential housing types in commercial zones  
32 through mixed use development and not only limiting it to work force or  
33 affordable units.

34

35 Draft Circulation Element – Support proposed policies as provided, however, include the  
36 following comments:

37

38 Policy CIR – 2.3: Include the following issue to this policy: Study the methods to  
39 divert State Highway 29 traffic from downtown Calistoga to reduce through truck  
40 traffic and improve intra-county traffic flow. (North of Napa)

41

42 Emphasize County support of use of rail right of way for passenger service.  
43 Route should be shown on Circulation Map.

44

45 Emphasize County support for ensuring the construction of a Valley (North-  
46 South) off-street (Class I) bicycle path.

47

48 A copy of the Commission's draft meeting minutes, their staff report and a summary and  
49 pertinent sections of the draft updated General Plan, as well as a summary of the Draft  
50 EIR has been attached for Council review and discussion. At this time, staff is  
51 requesting the Council discuss this item and authorize staff to finalize and forward a  
52 letter to the County of Napa this week.

53

54 **FISCAL IMPACT:** None.

55

56 **ATTACHMENTS:**

- 57 1. Draft Planning Commission Meeting Minute Excerpt  
58 2. Planning Commission Staff Report of June 6, 2007  
59 a. Staff's Assessment of Draft General Plan Update

**STAFF ASSESSMENT OF DRAFT NAPA COUNTY GENERAL PLAN**

**DRAFT AGRICULTURAL PRESERVATION AND LAND USE ELEMENT**

**GOALS:**

**Ag/LU Goal 1:** Preserve existing agricultural land uses.

**Ag/LU Goal 2:** Support the economic viability of agriculture, including grape growing, winemaking, other types of agriculture, and supporting industries to ensure the preservation of agricultural lands.

**Ag/LU Goal 3:** Concentrate non-agricultural land uses in existing urbanized or developed areas.

**Ag/LU Goal 4:** Provide for commercial, industrial, residential, recreational, open space and public land uses in locations that are compatible with adjacent uses.

**Ag/LU Goal 5:** Create a stable and predictable regulatory environment that encourages investment by the private sector and balances the rights of individuals with those of the community.

**Ag/LU Goal 6:** Plan for demographic changes and desired social services when siting public facilities and when considering the design of those facilities.

DD-2P

This Element contains policies in the following general categories to implement these goals:

- Agricultural Preservation Policies
- Land Use Policies
- Policies Specific to Geographic Areas of the County
- Implementation Policies

**AGRICULTURAL PRESERVATION POLICIES**

Policy Ag/LU-1 through Ag/LU-19

**Staff Remarks: Staff concurs with these proposed policies.**

**POLICIES IN SUPPORT OF URBAN-CENTERED GROWTH**

Policy Ag/LU-20: Urban uses shall be concentrated in the incorporated cities and the already developed areas of the unincorporated County as they existed in 2006.

DD-3P

Policy Ag/LU-21: The County will enact and enforce regulations which will encourage the concentration of residential growth within the County's existing Cities and areas

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### 3.0 COMMENTS AND RESPONSES TO COMMENTS

City Assessment of Draft Napa County General Plan  
Page 2 of 20

designated for urban uses on the Land Use Map. (Former Land Use Element policy 4.13)

DD-3P  
Cont'd

**Staff Remarks: Urban centered growth is an underlying goal for all of Napa County that was agreed upon decades ago. It is essential to the preservation of agricultural land that non-agricultural uses belong within the cities.**

Policy Ag/LU-22: Commercial uses will be grouped in geographically compact areas outside of areas designated for agricultural uses in the General Plan (subject to any exceptions contained in this General Plan). (Portion of former Land Use Element policy 5.1b)

Policy Ag/LU-23: The County opposes the creation of new special districts planned to accommodate new residential developments outside already developed areas, except as specified in the Housing Element. (Former Land Use Element policy 4.3)

DD-4P

**Staff Remarks: The County Housing Element identifies sites for affordable housing. The site that is nearest to Calistoga is located in Angwin. Other sites include Berryessa, and Atlas Peak/Monticello Road.**

Policy Ag/LU-24: The County will discourage proposed developments outside of urbanized areas which require urban services. However, nothing in this Land Use Element is intended to preclude the construction of a single-family residence, day care center or private school on an existing, vacant, legal parcel of land, in compliance with adopted County ordinances and other applicable regulations. (Former Land Use Element policy 4.11 and 4.13)

Policy Ag/LU-25: For the purposes of this General Plan, the terms “urbanized” or “urbanizing” shall include the subdivision, use, or development of any parcel of land for non-agricultural purposes. Engaging in nature-based recreation or nonagricultural uses that are permitted in the applicable zoning district without the issuance of a use permit, such as development of one single family house and/or second unit on an existing legal lot, shall not be considered urbanizing. (Former Land Use Element policy 4.12 with clarifying edits)

DD-5P

Policy Ag/LU-26: The County will plan for and accommodate the distribution of population among the sub-areas of the County, giving preference to existing incorporated and urban areas. (Former Land Use Element policy 4.5)

**Staff Concern: This policy was carried forward from the existing General Plan and is a bit unclear, but appears to imply that the County’s policy is/was that much of the County’s population should be living in our cities and other urban areas. City may want to request clarification of the intent.**

Policy Ag/LU-27: Governmental uses and public utility uses shall be permitted in appropriate locations. Only those new governmental and public utility uses which

DD-6P

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

City Assessment of Draft Napa County General Plan  
Page 3 of 20

specifically implement programs mandated by the state or federal government shall be permitted in non-urban areas. On parcels which are designated "Agricultural Resource" or "Agriculture, Watershed and Open Space" on the Napa County Land Use Map, Governmental uses and public utility uses existing as of 1983 shall be allowed to continue to operate and to use the existing buildings and/or facilities but shall be allowed to expand in size and volume of business only for the purpose of modernizing the facilities and meeting additional demonstrated public needs. (Former Land Use Element policies 8.1, 8.2, and 8.3)

#### **Residential Land Uses**

Policy Ag/LU-28: The County shall use a variety of strategies to address its long term housing needs and to meet the State and regional housing requirements in its cyclical updates of the Housing Element. In addition to working with the State and ABAG to reduce the County's regional allocation, these strategies shall include:

- Re-use of former industrial sites designated as "Transitional" on the Land Use Map to provide for a mix of uses, including affordable and market rate work force housing as appropriate.

**Staff Remarks: This policy will pertain to the Napa Pipe site which is located south of the City of Napa. There are no "Transitional" sites located near Calistoga.**

- Use of overlay designations to permit/facilitate multifamily housing on specific sites within other developed areas shown on the Land Use Map.
- Collection and disbursement of housing impact fees to subsidize construction of affordable housing.
- Cooperative agreements with incorporated agencies within the County where these jurisdictions are able to accept additional housing requirements in exchange for other considerations.

**Staff Remarks: The County has agreements with the cities of Napa and American Canyon pertaining to housing. To date the City has not been approached regarding accepting any affordable housing in addition to our RHNA obligation.**

- Actions that provide housing to farm workers and their families.
- Use of County-owned land for affordable housing where this land is no longer needed to meet the County's operational requirements and would be appropriate for housing.
- Actions to allow production of second units in all areas of the unincorporated county as appropriate.
- Other policies and programs which address the need for workforce housing.

DD-6P  
Cont'd

DD-7P

DD-8P

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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Policy Ag/LU-29: The County will work with the Cities to see that low and moderate cost housing is provided to address the needs of low and moderate income householders in Napa County. In addition, the County will accept responsibility for meeting its fair share of the housing needs, including a predominant percentage generated by any new employment in unincorporated areas. *(Former Land Use Element policy 4.4)*

Policy Ag/LU-30: The County will maintain and improve the safety and adequacy of the existing housing stock in the County through application of applicable building and housing codes, and related enforcement programs. *(Former Land Use Element policy 4.3)*

Policy Ag/LU-31: The County will promote development concepts that create flexibility, economy and variety in housing without resulting in significant environmental impacts. *(Former Land Use Element policy 4.7)*

Policy Ag/LU-33: The following standards shall apply to lands designated as Rural Residential on the Land Use Map of this General Plan.

**Intent:** Provide for low density residential use in neighborhoods that are in proximity to existing urban areas but that are currently in agriculture or where further parcelization will be discouraged. On some lands suitable for increased population density near major medical care facilities, large residential care homes may be permitted. Other land near major public recreational areas which, because of its location in relation to existing or future community services, facilities, and access roads, and because underlying soil and geological characteristics, land slope and minimum fire hazard is suitable for low density residential or mixed-use development, tourist-serving commercial development and resident-serving commercial development.

**General Uses:** Single family dwelling, day care center, large residential care homes, existing major medical care facilities (facilities licensed with a minimum of 100 beds), private school, agriculture, stables (and others under specified conditions). In Capell Valley and Berryessa Areas tourist-serving commercial uses and mixed uses will also be allowed.

**Minimum Parcel Size:** 10 acres, except that all permitted commercial development, and legal residential structures in Deer Park existing on December 31, 1994 and master planned as part of St. Helena Hospital may be allowed on smaller parcels, depending on the type of facility, services available, and surroundings.

**Maximum Dwelling Density:** One dwelling per parcel (except as specified in the Housing Element).

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Cont'd

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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#### **Commercial, Industrial, and Transitional Land Use Policies**

Policy Ag/LU-34: The central business district of each urban center will be recognized as the dominant commercial and financial center for the surrounding trade area. *(Former Land Use Element policy 5.1b)*

Policy Ag/LU-35: The County will plan to locate industrial areas adjacent to major transportation facilities. Necessary utilities and services, including day care centers, will be planned to meet the needs of the industrially zoned areas. *(Former Land Use policy 6.7)*

Policy Ag/LU-36: The County will plan for the reservation of sufficient industrial property to satisfy future demands for orderly growth and economic development of the County. Non-agriculturally oriented industry shall not be located on productive agricultural lands, but should be located in areas more suitable for industrial purposes. Industrial areas should be located adjacent to major transportation facilities. *(Former Land Use Element policies 6.1, 6.3, and 6.7)*

Policy Ag/LU-37: The properties known as the "Hess Vineyards" shall remain in agricultural zoning but shall be reserved for industrial uses to meet the county's long term need for industrial space. Prior to rezoning these lands for non-agricultural uses, the County shall make a specific finding that no other suitable industrial land is available in the unincorporated area. The 230-acre Hess Vineyard site is located on the east side of Highway 29, north of the city of American Canyon and diagonally across from Green Island Industrial Park. The site is designated on the Land Use Map for Industrial uses, but is currently (2006) zoned agricultural and is in use as a vineyard.

Policy Ag/LU-38: The County will support the development of tourist facilities where there is a showing there would be no conflict with agriculture and the necessity for this type of service can be documented to the County's satisfaction. *(Former Land Use policy 5.2)*

***Staff Concerns: The Commission may want to discuss whether the proposed County policy is acceptable for the City or whether this policy creates a conflict with our own General Plan and upcoming UDP policies. Furthermore, the Commission may also want to suggest that this be revisited when the NCLOG Visitor Serving Strategy is released.***

***As discussed more thoroughly below, there are several commercial sites located in the County along Hwy. 128/29 which are north of Calistoga as well as sites located north and south of St. Helena. These sites have a County General Plan designation of Agricultural Resource, but are zoned for either Commercial Limited (CL) or Neighborhood Commercial (CN). [Note: The Tubbs/128 commercial property is zoned as CN] This inconsistency between the General Plan and zoning is made consistent by past practice and Policy Ag/LU 42 below.***

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Cont'd

3.0 COMMENTS AND RESPONSES TO COMMENTS

**The CL zoning allows for the following types of tourist facilities with the approval of a use permit.**

- Hotels, motels, inns and bed and breakfast establishments with no more than fifty guest rooms;**
- Restaurants, cafes, coffee shops, delicatessens, bars and taverns with no more than one hundred seats;**
- Tourist information facility;**
- Retail stores less than five thousand square feet in gross floor area selling groceries, candy, ice cream or alcoholic beverages;**
- Tourist and excursion transportation facilities as defined by Section 18.08.610.**

**The CN zoning allows for more local serving uses:**

- Retail business including: candy, ice cream shops and retail bakeries; health food stores; ice sales (not to include ice plants); dry goods and variety stores; gift and novelty shops; hardware stores; liquor stores; tobacco shops; newsstands and bookstores. Each of these uses are limited to a maximum floor area of two thousand five hundred square feet;**
- Food/meat markets, not including slaughtering (less than twenty-eight thousand square feet in floor area); buyback recycling centers as an accessory use;**
- Service businesses including barber and beauty shops; shoe repair; laundry or self-service laundromat; dry cleaning agency (no on-site processing), repair of personal or household items;**
- Child day care centers;**
- Medical, optical and dental offices, and related laboratory facilities as an accessory;**
- Branch post offices;**
- Swimming pool;**
- Gasoline service stations, including incidental repair;**
- Video rentals;**
- Private schools (institutional) subject to compliance with criteria specified in Section 18.104.160;**
- Nurseries and garden stores, including outdoor storage of plant materials;**
- Small financial services such as branch banks and automatic teller machines, but not including drive-through banking;**
- Professional, administrative, executive, financial, real estate, insurance and other general business offices.**

DD-8P  
Cont'd

Policy Ag/LU-39: County review of non-residential development proposals shall address the balance of job creation and the availability of affordable housing. (Derived from former Land Use Element policy 6.4)

**Staff Comments: Recognizing the existing upvalley jobs/housing imbalance, the Commission may want to recommend that the County consider allowing mixed commercial/residential uses within the CL and CN zones, perhaps limiting it only to residential that is designated for work force or affordable.**

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Policy Ag/LU-40: Lands along the west bank of the Napa River south of the City of Napa and specific urban areas within four miles of the high water mark of Lake Berryessa are appropriate areas for marine commercial zoning and development. *(Former Land Use Element policy 5.6)*

Action Item Ag/LU 40.1: Consider amendments to the Zoning Code to allow additional commercial, residential, and mixed uses in the Spanish Flat, Moskowitz Corners, and southern Pope Creek areas which are complementary to recreation activities at Lake Berryessa.

Policy Ag/LU-41: For parcels fronting upon the west side of the Napa River south of the city of Napa which are designated "Agriculture, Watershed, and Open Space" or "Agricultural Resource" on the Land Use Map of this General Plan which have commercial zoning, additional commercial development will be allowed as follows:

- All existing commercial establishments that are currently located within a commercial zoning district shall be allowed to continue to operate and use the existing buildings and/or facilities.
- Additional commercial uses which are permitted by the existing commercial zoning of the parcel shall be permitted on that portion of the parcel zoned commercial.
- Existing restaurants qualifying under this Policy that are currently located within a commercial zoning district shall be allowed to increase the number of seats accommodated within existing buildings and/or facilities on any parcel designated as a historic restaurant combination zoning district. *(Former Land Use Policy 5.4a)*

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Policy Ag/LU-42: All existing commercial establishments that are currently located within a commercial zoning district shall be allowed to continue to operate and use the existing buildings and/or facilities. Additional commercial uses which are permitted by the existing commercial zoning of the parcel shall be permitted on that portion of the parcel zoned commercial. *(Former Land Use Element policy 5.4)*

Policy Ag/LU-43: Legal structures and uses destroyed by fire or natural disaster may be rebuilt within three years of most recent occupancy or as otherwise approved by the County, whether or not they conformed to the zoning ordinance at the time of the fire/disaster.

Policy Ag/LU-44: Land uses in Airport Approach Zones shall comply with applicable Airport Land Use Compatibility policies. This policy shall apply to Napa County Airport and Angwin Airport (Parrett Field). *(Derived from former Land Use Element policy 1.1)*

Action Item Ag/LU-44.1: Use zoning and, if necessary, acquisition of development rights to implement this policy. *(Former Land Use Element policy 1.1)*

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Action Item Ag/LU-44.2: Refer General Plan land use changes, proposed rezonings, and proposed developments in Airport Approach Zones to the Napa County Airport Land Use Commission for review and comment. (*Former Land Use Element policy 1.1*)

#### **Prohibited Uses**

Policy Ag/LU-49: To the maximum extent permitted by law, casinos and gambling operations of any type are specifically prohibited in the unincorporated areas of Napa County.

#### **POLICIES SPECIFIC TO GEOGRAPHIC AREAS OF NAPA COUNTY**

##### **The following general policies apply to all of the areas:**

Policy Ag/LU-50: The County shall ensure that the special features in each geographic area shown in this General Plan shall be retained or enhanced, and shall consider these features in its review of any proposed development project.

Policy Ag/LU-51: In the event of a conflict between policies specific to a geographic area and other policies, the area-specific policies shall supersede.

**Staff Remarks: Policies Ag/LU-52 through Ag/LU-106 apply to specific areas of the County and do not affect the City of Calistoga.**

#### **IMPLEMENTATION POLICIES**

##### **Social Equity/Environmental Justice**

Policy Ag/LU-107: The County shall seek to ensure that equal treatment is provided to all persons, communities, and groups within the county in its planning and decision-making processes, regardless of race, color, creed, or economic status.

Policy Ag/LU-108: The County shall provide a clear, consistent, timely, and predictable review process for all proposed projects, ensuring that all applicants are treated fairly, that staff's analysis is objective, and that decision makers and interested members of the public receive information and notice as required by law.

Policy Ag/LU-109: With the proviso that no rights are absolute, that we will all best be served by striking a balance between private property rights and all our other rights and our other important community values, this General Plan nevertheless explicitly acknowledges that private ownership provides valuable incentives for the proper care of property and the environment, that preservation of property rights is an important cultural, economic, and community value, that protection of property rights is one of the primary and necessary functions of government at all levels, and that private property

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rights are therefore deserving of respect and consideration whenever land use decisions are made.

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#### **Measure J**

**Staff Remarks: Policies Ag/LU-110 does not affect the City of Calistoga.**

#### **Land Use Categories, Land Use Map, and Zoning Consistency**

The following policies shall apply to the interpretation and use of the Land Use Map.

Policy Ag/LU-111: Figure Ag/LU-1 depicts the land use policy of the County of Napa. (Map)

Policy Ag/LU-112: The Land Use Map is a generalized illustration of land use policy as applied to lands within the unincorporated area. The information shown on the map is not intended to be parcel specific and should not be interpreted as such. Information should be interpreted at a printed or displayed scale of one inch = 1,000 feet to ensure that the intended level of specificity is maintained.

Policy Ag/LU-113: Zoning shall be consistent with General Plan land use designations. In areas where the zoning and the land use designation are not identical, Table Ag/LU-B shall be used to determine consistency for rezoning applications.

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Policy Ag/LU-114: The standards shown or contained in this Land Use Element shall apply to the land use categories shown on the Land Use Map. All discretionary approvals shall be in conformance with these standards.

#### **TABLE AG/LU-B: GENERAL PLAN/ZONING CONSISTENCY: FOR USE IN CONSIDERING CHANGES IN ZONING General Plan Land Use Category Consistent Zoning Designations**

##### Urban Residential

- RC- Residential Country
- RS-Residential Single
- RM-Residential Multiple
- RD-Residential Double
- PD-Planned Development
- CL-Commercial Limited
- CN-Commercial Neighborhood

##### Rural Residential

- RC-Residential Country
- RS-Residential Single
- PD-Planned Development

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#### Transitional

IP-Industrial Park

I-Industrial

PD-Planned Development

*Properties in the Transitional land use category may also have other commercial and residential zoning designations if needed to implement the intent of this land use category*

#### **Interagency Cooperation**

Policy Ag/LU-115: The County will seek to work cooperatively with other local, state, and federal agencies to further the goals and policies contained in this Land Use Element and other elements of the General Plan.

Policy Ag/LU-116: The County will work with the Cities, special districts, and Local Agency Formation Commission to define and establish the limits of current and future urban expansion and development. Unincorporated land included within the Rural Urban Limit Line of the 1983 Napa City's General Plan will not be further urbanized without annexation to the City, except that day care centers will be allowed inside the RUL. *(Former Land Use Element policy 4.10)*

Policy Ag/LU-117: The County shall seek to be involved to the maximum extent possible in the decisions of local, state, federal, and other agencies regarding the location of electrical transmission lines, communications towers, water tanks, or other facilities with the potential to negatively affect the visual character of the county.

DD-12P  
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#### **Code Enforcement**

Policy Ag/LU-118: The County is committed to maintaining the quality of life in Napa County through the enforcement of zoning regulations, building codes, fire codes, and other safety related codes and requirements. The County shall uniformly and fairly enforce applicable codes, and shall prioritize abatement of violations that may constitute potential threats to public health or safety.

#### **Growth Management**

Policy ag/LU-119: Establishes a Growth Management System for Napa County.

**Staff Remarks: New annual permit allocation shall be 114 dwelling units. (Second Units are exempted). This policy equates to a 1% population growth rate.**

Policy Ag/LU-120: Certain multi-family residential project proposals, if they meet specific requirements, may—at the discretion of the Board of Supervisors—be allowed to exceed the annual building permit limits outlined in the Growth Management System. These requirements include, but are not limited to: Located in nonagriculturally designated lands; Are subject to a phased development plan; Would make a substantial

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contribution to meeting the County's State-mandated housing needs; and, Would include a significant affordable housing component.

#### **Schools**

Policy Ag/LU-121: Work with the school districts serving students in the County to coordinate the provision of school facilities in conjunction with demographic changes and student populations. Also encourage incorporated areas to reserve school sites within their jurisdictions.

Policy Ag/LU-122: Coordinate an exchange of information with school districts regarding school needs and new residential developments in the unincorporated area. *(Non-numbered policy from the current Schools Element)*

Policy Ag/LU-123: Consider school districts' proposed school sites in relation to:

- a) General Plan designations
- b) Geology and seismic considerations; topography; drainage; soils
- c) Location and general utility of land; population distribution
- d) Access, transportation facilities, utilities
- e) Conflicting or hazardous conditions (e.g. noise, traffic)
- f) Protection of agricultural lands

The results of the review are to be forwarded to the appropriate school district board within 30 days from the receipt of the referral. *(Non-numbered policy from the current Schools Element)*

Policy Ag/LU-124: Establish general school site location criteria such as:

- a) New school facilities shall not be located within two miles of an airport unless approved by the State Department of Education.
- b) School facilities shall, whenever practical, be located in areas designated in the appropriate general plan for urban development.
- c) Coordinate County plans and ordinances to be supportive of school use and to minimize the need for busing students. *(Non-numbered policy from the current Schools Element)*
- d) Ensure that proposals for multi-family housing or multiple-lot subdivisions within the unincorporated area are evaluated to determine their impact on schools and are modified to address potential impacts, including the need for new facilities, if any.

#### **Regional Planning Issues**

Policy Ag/LU-125: State law charges LAFCO with planning the orderly development of local government agencies to advantageously provide for the present and future needs of the community while protecting against the inappropriate conversion of agricultural and open space lands. A principal planning responsibility of LAFCO is to determine a sphere of influence for each city and special district under its jurisdiction. State law defines a sphere of influence as "a plan for the probably physical boundaries and

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service area of a local agency, as determined by" LAFCO. LAFCO is required to review and update, as necessary, each agency's sphere of influence every five years, and the County will work collaboratively with LAFCO in its reviews of spheres to encourage orderly, city-centered growth and development in Napa County and the preservation of agricultural land.

Policy Ag/LU-126: The County will coordinate with cities to establish land use policies for unincorporated lands located within their respective spheres of influence and will do likewise for unincorporated lands within any locally-adopted urban growth boundaries.

Policy Ag/LU-127: The County recognizes the urban limit line or Rural Urban Limit (RUL) established for the City of Napa (See Figure LU-2), and agrees that unincorporated land located within the RUL will not be further urbanized without annexation to the City except as otherwise provided herein. For purposes of this policy only, engaging in uses that are permitted in the applicable zoning district without the issuance of a use permit shall not be considered urbanizing. In all cases, subdividing property shall be deemed urbanizing for purposes of this policy. *(Former Land Use Element policy 7.1 with new introductory text.)*

Policy Ag/LU-128: Notwithstanding the policies immediately above and below, day care centers and schools will be allowed inside the RUL. *(Former Land Use Element policy 4.10 – shortened and expanded to include schools.)*

Policy Ag/LU-129: The County recognizes the urban limit line or Rural Urban Limit (RUL) for the City of American Canyon depicted in Figure LU-3, and agrees that unincorporated land located within the RUL will not be further urbanized without annexation to the City except as otherwise provided herein. For purposes of this policy only, engaging in uses that are permitted in the applicable zoning district shall not be considered urbanizing. In all cases, subdividing property shall be deemed urbanizing for purposes of this policy. The RUL for the City of American Canyon shall be reassessed in the future, if and when the Hess Vineyard property is rezoned for industrial use, pursuant to Policy LU-38.

Policy Ag/LU-130: Pursuant to the agreements between the County and the City of American Canyon, the County will support the City's efforts to include parcels inside its RUL to be included in a revised sphere of influence if the City agrees to accept additional housing units on the County's behalf. In addition, the County agrees to support the annexation of lands within the sphere of influence provided there is mutual agreement that such annexations are needed to meet the long-term regional housing needs for the City and County.

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Cont'd

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#### DRAFT CIRCULATION ELEMENT

**Circulation Goal 1:** The County's transportation system shall be correlated with the policies of the Agricultural Preservation & Land Use Element and protective of the County's rural character.

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Cont'd

**Policy CIR-1.1 – CIR-1.7:** See Attached Listing of Circulation Policies

**Staff Remarks:** Staff concurs with the proposed policies.

**Circulation Goal 2:** The County's transportation system shall provide for safe and efficient movement on well-maintained roads throughout the County, meeting the needs of Napa County residents, businesses, employees, visitors, special needs populations, and the elderly.

Policy CIR-2.1: The Circulation Map contained in this Element shall show the following roadway types as comprising the planned roadway system. Local roadways need not be shown on the Circulation Map.

**Staff Remarks:** *The map shows that Hwy. 29 from Yountville to the County border north of Calistoga, and the Silverado Trail from the City of Napa to Calistoga, as continuing to be a 2 lane rural thoroughfares. This does not preclude modifications for safety, such as the construction of a two way center turn lane.*

DD-14P

Policy CIR-2.3: The County seeks to provide a roadway system that maintains current roadway capacities in most locations, and is both safe and efficient in terms of providing local access. The following list of improvements, illustrated as the County's ultimate road network in Figure CIR-1, has been supported by policy makers within the County and all five incorporated cities/town, and will be implemented over time to the extent that improvements continue to enjoy political support and funding becomes available:

South of Napa

North of Napa

Countywide

- Install safety improvements on rural roads and highways throughout the county including but not limited to new signals, roundabouts, bike lanes, shoulder widening, soften sharp curves, etc.  
Action Item

**Staff Remarks:** Staff concurs with this policy specific to the countywide system.

Policy CIR-2.6: Traffic safety and adequate local access will be priorities on roadway segments and at signalized intersections where a Level of Service D or better cannot be achieved. Therefore, proposed capital improvements and development projects in these

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areas shall be evaluated to determine their effect on safety or local access. Projects that improve safety, improve local access, or alleviate congestion will be prioritized.

DD-15E/P  
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**Staff Remarks:** *The Draft EIR shows that our proposed traffic signals will push more motorists to Silverado Trail.*

**Policy CIR-2.2, 2.4, 2.5 – 2.11:** See Attached Listing of Circulation Policies

DD-16P

**Staff Remarks:** **Staff concurs with the proposed policies.**

**Circulation Goal 3:** The County's transportation system shall encompass the use of private vehicles, transit, paratransit, walking, bicycling, air travel, rail, and water transport.

DD-17P

**Policy CIR-3.1 – 3.14:** See Attached Listing of Circulation Policies

**Staff Remarks:** **Staff concurs with the proposed policies.**

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#### **DRAFT COMMUNITY CHARACTER ELEMENT**

Aspects addressed in this Element

- Aesthetics, Views and Scenic Roadways
- Historic & Cultural Resources
- Noise
- Odors
- Light & Glare

DD-18P

**Staff Remarks: Staff concurs with the proposed Goals and Policies contained in this draft Element.**

**DRAFT CONSERVATION ELEMENT**

Aspects addressed in this Element

- Open Space Conservation
- Natural Resources
- Water Quality
- Air Quality
- Energy
- Waste Management
- Managed Production of Resources

**OPEN SPACE CONSERVATION GOAL**

**Goal CON-1:** The County of Napa will conserve resources by determining the most appropriate use of land, matching land uses and activities to the land's natural suitability, and minimizing conflicts with the natural environment. *(Edited from former Land Use Goal 3)*

DD-19P

**OPEN SPACE CONSERVATION POLICIES**

Policy CON-1: The County will preserve land for greenbelts, forest, recreation, flood control, adequate water supply, air quality improvement, habitat for fish, wildlife and wild vegetation and natural beauty. The County will encourage management of these areas in ways that promote wildlife habitat renewal, diversification and protection. *(edited from Former Land Use Policy 1.6)*

Policy CON-2: The County shall identify, improve, and conserve Napa County's agricultural land through the following measures:

- a) Limit growth to minimize urban development on agricultural land and reduce conflict with the agricultural operations and economy.
- b) Provide a permanent means of preservation of open space land for agricultural production.
- c) Require that existing significant vegetation be retained and incorporated into agricultural projects to reduce soil erosion and to retain wildlife habitat. When retention is found to be infeasible, replanting of native or adapted vegetation shall be required.
- d) Encourage the use of reclaimed water, particularly within groundwater deficient areas, for vegetation enhancement, frost protection and irrigation to enhance agriculture and grazing.
- e) Encourage inter-agency and inter-disciplinary cooperation recognizing the agricultural commissioner's role as liaison and the need to monitor and evaluate pesticide and herbicide programs over time and potentially develop air quality, wildlife habitat, or other programs if needed to prevent environmental degradation.

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- f) Minimize pesticide and herbicide use and encourage research and use on integrated pest control methods such as cultural practices, biological control, host resistance and other factors.
- g) Encourage the use of Williamson Act contracts and use of other techniques to preserve agricultural lands.
- h) Coordinate with cities adopting and implementing policies such as large lot zoning, urban limit lines, etc., to limit urban expansion and encourage development of vacant land in areas already urbanized. (Former Conservation/Agricultural Land policies a-c, e-h, and Conservation/Areas Required for Ecological and Other Scientific Study e, with edits.)

DD-19P  
Cont'd

**Staff Remarks:** Staff concurs with the remaining Policies contained in this section.

#### **NATURAL RESOURCES GOALS & POLICIES**

**Staff Remarks:** Staff concurs with the Goals and Policies contained in this section.

DD-20P

#### **WATER QUALITY, WATER USE & WATER CONSERVATION GOALS**

Goal CON-9: Prioritize the use of available groundwater for agriculture and rural residential uses rather than for urbanized areas.

#### **WATER POLICIES:**

Policy CON-31: The County shall work to improve and maintain the vitality and health of the Napa River. Specifically, the County shall:

- a) Promote and support the use of recycled water wherever possible, including the use of tertiary treated water, to help preserve and recharge groundwater aquifers,
- b) Support completion of the Federal, State, and local government flood control projects,
- c) Reduce water pollutants through education, monitoring, and pollutant elimination programs (e.g., watershed education and monitoring programs identified in the Watershed Information Center and Conservancy (WICC) Strategic Plan and Napa County/Resource Conservation District (RCD) Watershed Programs, and pollution reduction goals outlined in Napa County's Phase II National Pollution Discharge Elimination System (NPDES) General Permit from the State Water Board),
- d) Protect the County's municipal water supply reservoirs to ensure clean and reliable drinking water consistent with State regulations. Continue implementation of current conservation regulations relevant to these areas, such as vegetation retention requirements, consultation of water purveyors/system owners,

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- implementation of erosion controls to minimize water pollution, and prohibition of detrimental recreational uses,
- e) Use all available sources of assistance to protect and enhance the Napa River to meet or exceed water quality standards imposed by State and Federal authorities (e.g., pursue grants and other funding opportunities to assist in the identification, testing and improvement of individual septic, as well as community waste disposal systems, and to support watershed monitoring/sampling and scientific understanding to inform and develop effective and targeted management options in an adaptive and locally driven manner),
  - f) Support voluntary cooperative efforts in watershed planning to identify and establish habitat enhancement goals on various reaches of the Napa River mainstream and its tributaries, including but not limited to the development of localized watershed management plans, project identification and implementation and monitoring to support adaptive management (e.g., Fish Friendly Farming/Green Certification, Rutherford Dust Restoration Team, Resource Conservation District's Stewardship Program, on/off site habitat protection and mitigation programs and dozens of other active efforts currently planned or now underway),
  - g) Support environmentally sustainable vineyard management techniques and beneficial management practices that protect surface and groundwater quality and quantity (e.g., cover crop management, integrated pest management (IPM) and informed surface water withdrawals based upon informative real-time stream flow monitoring),
  - h) Protect and enhance important headwater watershed lands that support larger downstream channels, streams and watercourses.

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Cont'd

Policy CON-36: Cooperate and coordinate the Flood Control and Water Conservation District, the municipalities of Calistoga, St. Helena, Yountville, Napa, and American Canyon, and other water agencies external to the County to ensure stable water supply in the future.

Policy CON-38: Promote a balanced approach to managing reservoir outflows, particularly municipal supply reservoirs through coordination with cities, to maintain a reliable water supply for domestic uses, as well as fish habitat and riparian vegetation.

Policy CON-42: Public agencies and private individuals are encouraged to explore environmentally sensitive ways to store winter runoff in consultation with the State Department of Water Resources and other regulatory agencies.

Policy CON-43: The County shall take a leadership role in water conservation efforts, using low flow fixtures, drought tolerant landscaping, drip irrigation, periodic water use 'audits' and other strategies to conserve water at County-owned facilities.

Policy CON-44: The County shall seek cooperative partnerships with government agencies, non-profit organizations, private industry groups and individuals in furthering water conservation strategies in Napa County.

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**Staff Remarks:** *Should the water conservation policies be strengthened? Do the water policies support the idea of urban growth in urban areas by recognizing the cities need for water?*

**AIR QUALITY GOALS & POLICIES**

**ENERGY GOAL & POLICIES**

**WASTE MANAGEMENT GOAL & POLICIES**

**MANAGED PRODUCTION OF RESOURCES GOALS & POLICIES**

**Staff Remarks:** Staff concurs with the Goals and Policies contained in these sections.

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Cont'd

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**DRAFT ECONOMIC DEVELOPMENT ELEMENT**

***ECONOMIC GOALS & POLICIES***

**Staff Remarks:** Staff concurs with the Goals and Policies contained in this.

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DD-22P

**DRAFT RECREATION & OPEN SPACE ELEMENT**

***RECREATION & OPEN SPACE GOALS & POLICIES***

**Staff Remarks:** Staff concurs with the Goals and Policies contained in these sections.

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DD-23P

**DRAFT SAFETY ELEMENT**

***SAFETY GOALS & POLICIES***

**Staff Remarks:** Staff concurs with the Goals and Policies contained in these sections.

DD-24P

3.0 COMMENTS AND RESPONSES TO COMMENTS

**CITY OF CALISTOGA  
PLANNING COMMISSION**

**SPECIAL MEETING MINUTES  
Wednesday, June 06, 2007  
5:00 p.m.**

**Chairman Jeff Manfredi, Vice-Chairman Clayton Creager  
Commissioners Donna Dill, Paul Coates, and Nicholas Kite  
"California Courts have consistently upheld that  
development is a privilege, not a right."**

Among the most cited cases for this proposition are Associated Home Builders, Inc. v. City of Walnut Creek, 4 Cal.3d633 (1971) (no right to subdivide), and Trent Meredith, Inc. v. City of Oxnard, 114 Cal. App. 3d 317 (1981) (development is a privilege).

- 1
- 2 **Chairman Manfredi** called the meeting to order at 5:35 PM.
- 3
- 4 **A. ROLL CALL**
- 5
- 6 **Present:** Chairman Jeff Manfredi, Commissioners Donna Dill, Paul Coates, and Nick Kite.
- 7 **Late Arrival:** Vice Chairman Clayton Creager (*arrived at 5:53 p.m.*)
- 8
- 9 **Staff Present:** Charlene Gallina, Planning Director; Dorothy Roadman, Deputy City Clerk .
- 10
- 11 **B. PUBLIC COMMENTS**
- 12 None.
- 13
- 14 **C. ADOPTION OF MEETING AGENDA**
- 15 There was motion by **Commissioner Dill**, seconded by **Commissioner Kite** to adopt the meeting agenda
- 16 as presented. **The Motion carried unanimously.**
- 17
- 18 **D. COMMUNICATION**
- 19 None.
- 20
- 21 **E. NEW BUSINESS**
- 22
- 23 **The City of Calistoga's review and assessment of the County of Napa's General Plan Update and**
- 24 **Draft Environmental Impact Report in order to submit comments during their comment period**
- 25 **which ends June 18, 2007.**
- 26
- 27 **Director Gallina** briefed the Commission on the County's recent planning efforts. She explained that since
- 28 2004, the County has embarked on three major planning efforts: 1) creating a baseline data report; 2)
- 29 updating of their General Plan; and 3) producing a draft Environmental Impact Report on the General Plan
- 30 and its updated policies. She further explained that a 2- member Steering Committee comprised of non-
- 31 elected representatives and a consultant were involved in the effort. She added that the City of Calistoga's
- 32 representative (and also representing the surrounding cities) was the St Helena Planning Director, Carol
- 33 Poole.
- 34
- 35 **Director Gallina** stated the County's EIR and the General Plan were released in February, and the
- 36 comment period was extended to June 18<sup>th</sup>. She explained that staff has reviewed the goals, the circulation
- 37 and conservation elements, along with the economic development, recreation, open space and safety
- 38 element within the Plan. She stated there did not appear to be any conflict with the City's goals in the draft
- 39 document.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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- 40 **Chairman Manfredi** opened the meeting up for comments regarding the County's Draft General Plan.  
41  
42 **Director Gallina** informed members that while the meeting was their opportunity to comment to the Draft  
43 Plan, there would be other opportunities to address issues during the Public Hearing process. In response  
44 to a question by Commission Coates, she affirmed that the County's Planning Director could be invited to a  
45 Commission meeting to facilitate further discussion.  
46  
47 **Commissioner Coates** stated that he felt the biggest issue to address was affordable housing. He  
48 questioned how the County is addressing their affordable housing needs, and stressed his desire to see  
49 strong language in the General Plan to encourage affordable housing.  
50  
51 Discussion ensued regarding affordable housing and the need for it to high density and near viable  
52 infrastructure. **Commission Dill** stated she did not feel that using hillsides for high density homes was  
53 appropriate.  
54  
55 **Director Gallina** noted the presence of **Bob Fiddaman**, President of Calistoga Affordable Housing and  
56 member of the Napa County Planning Commission, and suggested he may have useful input to share with  
57 the Commissioners.  
58  
59 **Commissioner Dill** questioned whether the Plan included language relative to the development of Oat Hill  
60 Mine Road.  
61  
62 In response to **Commissioner Dill's** question, **Mr. Fiddaman** stated that the County is in the process of  
63 developing Oat Hill Mine Rd as a recreational use, an easement has been approved and there have been  
64 funds set aside to improve the trail and trailhead.  
65  
66 **Commissioner Dill** brought up the issue of Neighborhood Commercial (NC) zoning, which she stated  
67 provides for so many "local serving uses" that it appears that another town could appear through this  
68 zoning.  
69  
70 **Director Gallina** stated that while she had not had the opportunity to research that issue in depth, it was  
71 something that should be included in the City's comments.  
72  
73 **Director Gallina** stated that the City provides public safety services outside of the City, and she plans to  
74 facilitate better communication with the County Planning Director relative to building issues and permits.  
75  
76 **Bob Fiddaman**, Calistoga Affordable Housing stated there would be another General Plan Public Hearing  
77 in Yountville the following week.  
78  
79 **Commissioner Dill** stated she did not see anything in the Plan about hillside development.  
80  
81 **Bob Fiddaman** stated that the County developed a Viewshed ordinance, which has been very  
82 controversial between property rights advocates and environmentalists. The ordinance significantly  
83 restricts housing on hillsides.  
84  
85 **Director Gallina** stated she would provide the information included in the General Plan relative to hillside  
86 development to the Commissioners.  
87  
88 **Commissioner Manfredi** stated on Page 6 of 20 under "Staff Comments" there were comments regardir  
89 mixed commercial residential use. He stressed that while he is in favor of the mixed commercial residential;  
90 he is not in favor of limiting it only to affordable workforce housing.  
91

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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93 **Commissioner Dill** stated that she was concerned about the word "imbalance" in the staff report, stating  
94 that she didn't feel that Calistoga had a severe housing/job imbalance, but rather it has been created  
95 because so many people live in Calistoga that work in other areas.

96 **Mr. Fiddaman** stated the County's principal efforts toward achieving some balance in housing is *the Napa*  
97 *Pipe property*. It's in the Plan, and is referred to as the transitional zoning effort. The County has started  
98 pursuing the planning and EIR, and it would create another area bigger than the City of Calistoga in south  
99 Napa

100  
101 **Note: Vice Chairman Clayton Creager arrived at 5:53 p.m.**

102  
103 **Commissioner Dill** stated on page 14 of 20 of the Draft EIR it addresses traffic signals and questioned  
104 where they would be located.

105  
106 **Bob Fiddaman** responded that more signals would be placed on Hwy 29, which would not necessarily  
107 help the traffic flow, but rather assist vehicular traffic to get back onto 29.

108  
109 **Commissioner Kite** addressed Inter-county traffic flow and stated he would like to see some opportunities  
110 to divert heavy trucks from the City's main road.

111  
112 **Bob Fiddaman** encouraged the City to comment on inter-county traffic. He stated the City has been  
113 interested in diverting Hwy 29 traffic to another street such as Tubbs Lane or Dunaweal Road for some  
114 time, and it would make sense for the City to take a strong position on addressing an alternative route.

115  
116 **Commissioner Kite** also addressed a north/south bike t rail, railway rights-of-way. He asserted it would be  
117 good to see consolidated goals from the County and City on such issues.

118  
119 **Director Gallina** stated that surrounding cities have provided funding to NCT&PA for a feasibility study to  
120 assess a linking bike trail.

121  
122 **Commission Kite** suggested extending identity signage throughout the County.

123  
124 **Vice Chair Creager** stated the Plan covered many traffic issues, but in terms of long term solutions such  
125 as rail, it was vague. He encouraged the extension of rail service beyond the current wine train as a  
126 feasible transportation alternative to the Valley. He suggested adding comments regarding supporting the  
127 extension rail service and provide more specific alternatives to automobile traffic.

128  
129 **Director Gallina** stated the Napa County Transportation and Planning Agency (NCTPA) is currently  
130 working on a strategic transportation plan, which would look at transportation alternatives.

131  
132 **Commissioner Coates** stated the biggest obstacle when rail was discussed previously were the easement  
133 issues.

134  
135 It was agreed that the City should comment on encouraging rail transportation.

136  
137 **Vice Chair Creager** added the County should include proposed routes on their land use map.

138  
139 **F. MATTERS INITIATED BY COMMISSIONERS**

141 In response to a query by **Commissioner Coates**, **Director Gallina** reported on the status of the Solage  
142 project. She explained a draft financial instrument has been prepared, and the amendment to the

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143 Development Agreement will require an ordinance, which will be on the next Council meeting with a  
144 second reading in July. The Conditional Use Permit can be approved by Resolution.  
145  
146 **Commissioner Dill** stated she was not at the Planning Commission meeting when there was a change  
147 regarding the affordable housing from "low" to "very low". She stated that had she been at the meeting she  
148 would have stressed that it should have included the "moderate" status as well.  
149  
150 **Director Gallina** stated there may be more flexibility to address that subject in future discussions.  
151  
152 **Commissioner Creager:** stated he received three phone calls over the weekend regarding work on  
153 Kortum Canyon.  
154  
155 **Director Gallina** stated she and her staff are working with the property owner on the issue of a building  
156 and grading permit, and the owner will have to go through the proper environmental documentation, which  
157 will require him to come to the Planning Commission.  
158  
159 **Chairman Manfredi** reminded members that if they are out of town or will miss a meeting, to please  
160 contact Kathy Guill in the Planning and Building Department.  
161  
162 **Director Gallina** announced that she would not be at the Regular Commission meeting on the 13<sup>th</sup> of June,  
163 and that Erik Lundquist would be reviewing the conceptual design review on Silver Rose,  
164 recommendations on environmental procedures for the City, and a tentative parcel map.  
165  
166 **Vice Chair Creager** stated the parcel next door to the Jag Patel property is for sale, and questioned  
167 whether the use of that property is consistent with the Urban Design Plan.  
168  
169 **Director Gallina** responded that the Wine Tasting would not fit with the R3 zoning; however, it could fit  
170 with the Spa/Oasis zoning.  
171  
172 **G. ADJOURNMENT**  
173  
174 There was motion by Commissioner Dill, seconded by Commissioner Kite to adjourn the meeting. **Motion**  
175 **carried unanimously. The meeting adjourned at 6:28 p.m.**  
176  
177 The next regular meeting of the Planning Commission was scheduled for **Wednesday, June 13, 2007** at  
178 5:30 PM.  
179  
180  
181  
182 

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Dorothy Roadman, DCC for Kathleen Guill,  
183 Secretary to the Planning Commission

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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LETTER DD: CHARLENE GALLINA, CITY OF CALISTOGA – PLANNING & BUILDING, JUNE 18, 2007

*Response DD-1 E/P:* The commenter states that the City of Calistoga asked permission to submit a formal comment letter after the end of the public review period in order to receive input from Calistoga's City Council on staff's assessments and comments. The County appreciates the City of Calistoga's input and will address these comments as if they were received during the public review period.

*Response DD-2 P:* The City concurs with Goals 1 through 6 of the General Plan Agricultural Preservation and Land Use Element. The County appreciates the City's remarks. Because the City supports these goals, no changes to the General Plan are necessary.

*Response DD-3 P:* The commenter states that the City concurs with Agricultural Preservation Policies AG/LU-20 and AG/LU-21 because they reflect the goal of urban-centered growth, which was agreed upon decades ago. The County appreciates the City's remarks. Because the City supports these policies, no changes to the General Plan are necessary.

*Response DD-4 P:* The City comments that the affordable housing site that is nearest to Calistoga is located in Angwin and other sites include Berryessa and Atlas Peak/Monticello Road. The County appreciates the City's remarks. Because the City does not provide any information that conflicts with the General Plan policies related to affordable housing, no changes to the General Plan are necessary.

*Response DD-5 P:* The City comments that the intent of Policy AG/LU-26 is a bit unclear and the City may want to request clarification from the County on its meaning. The comments interpretation of the policy's intent is correct.

*Response DD-6 P:* The City comments that Policy AG/LU-28 will pertain to the Napa Pipe site which is located south of the City of Napa. The commenter goes on to say that there are no transitional sites located near Calistoga. The County appreciates the City's remarks. Because the commenter does not disagree with the Policy and simply provides information on transitional sites, no changes to the General Plan are necessary.

*Response DD-7 P:* The City comments that the County has agreements with the cities of Napa and American Canyon pertaining to housing. To date the City of Calistoga has not been approached regarding accepting any affordable housing in addition to the City's RHNA obligation. Policy AG/LU-28 would allow for future agreements concerning affordable housing between the County and the City of Calistoga. No changes to this policy are warranted at this time.

*Response DD-8 P:* The commenter has concerns regarding Policy AG/LU-38 in that it may conflict with the City's General Plan and upcoming UDP policies. The commenter also describes several sites that are located in the county along Highway 128/29 that have a General Plan land use designation of agricultural resource but are zoned for commercial use. The commenter

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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also notes that the inconsistency has been made consistent through General Plan Policy AG/LU-42. The commenter is referred to the revised Agricultural Preservation/Land Use Element for the revised land use map.

- Response DD-9 P:* The commenter comments on Policy AG/LU-39 stating that the City may recommend that the County consider allowing mixed uses within the CL and CN zones, perhaps limiting it only to residential that is designated for work force or affordable housing. The commenter is referred to the revised Agricultural Preservation/Land Use Element regarding changes to commercial policies. These policy provisions would allow for accessory residential dwelling units.
- Response DD-10 P:* The commenter states that Policies AG/LU-52 through AG/LU-106 apply to specific areas of the County and do not affect the City of Calistoga. No changes to the General Plan and/or Draft EIR are necessary.
- Response DD-11 P:* The commenter states that Policy AG/LU-110 does not apply to the City. No changes to the General Plan and/or Draft EIR are necessary.
- Response DD-12 P:* The commenter states that under Policy AG/LU-119 the new permit annual permit allocation shall be 114 dwelling units, which equates to a 1% population growth rate. The commenter is referred to the revised Agricultural Preservation/Land Use Element regarding the revised zoning consistency table.
- Response DD-13 P:* The commenter states that the City concurs with Policies AG/LU-120 through AG/LU-130. The County appreciates the City's remarks, and no changes to the General Plan are necessary.
- Response DD-14 P:* The commenter states that the circulation map shows that Highway 29 from Yountville to the County border north of Calistoga and the Silverado Trail from the City of Napa to Calistoga as continuing to be two-lane rural thoroughfares. This does not preclude modification for safety, such as the construction of a two-way center turn lane. The commenter also states support for Policy CIR-2.3. The County appreciates the City's remarks, and no changes to the General Plan are necessary.
- Response DD-15 E/P:* Regarding Policy CIR-2.6, the commenter states that the Draft EIR shows that the City's proposed traffic signals will push more motorists to Silverado Trail. It is unclear whether this statement takes issue with the policy and/or impact analysis contained in the Draft EIR. The County appreciates the City's remarks, and no changes to the General Plan or Draft EIR are necessary.
- Response DD-16 P:* The commenter states that the City concurs with Policies CIR-2.2, CIR-2.4, and CIR-2.5 through CIR-2.11. The County appreciates the City's remarks. No changes to the General Plan are necessary.
- Response DD-17 P:* The commenter states that the City concurs with Policies CIR-3.1 through CIR 3.14. The County appreciates the City's remarks, and no changes to the General Plan are necessary.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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- Response DD-18 P:* The commenter states that the City concurs with the Goals and Policies contained in the Draft Community Character Element. The County appreciates the City's remarks, and no changes to the General Plan are necessary.
- Response DD-19 P:* The commenter states that the City concurs with the goals and policies contained in the Open Space section of the Conservation Element. The County appreciates the City's remarks, and no changes to the General Plan are necessary.
- Response DD-20 P:* The commenter states that the City concurs with the goals and policies contained in the Natural Resources section of the Conservation Element. The County appreciates the City's remarks, and no changes to the General Plan are necessary.
- Response DD-21 P:* The City questions whether the water conservation policies should be strengthened and if the water policies support the idea of urban growth in urban areas and take into account water needs in the cities. The General Plan Steering Committee reviewed the water quality, water use, and water conservation policies in the Conservation Element and has made some modifications to the Element that consider conservation of groundwater, including Goals CON-8 and CON-10. Additionally, changes have been made to Policy CON-35 to incorporate the measures outlined in mitigation measures MM 4.11.5b and 4.13.3b related to water supply and conservation. The commenter is also referred to Water Supply Master Response 3.4.1.
- Response DD-22 P:* The commenter states that the City concurs with the goals and policies contained in the Draft Economic Development Element. The County appreciates the City's remarks, and no changes to the General Plan are necessary.
- Response DD-23 P:* The commenter states that the City concurs with the goals and policies contained in the Draft Recreation and Open Space Element. The County appreciates the City's remarks, and no changes to the General Plan are necessary.
- Response DD-24 P:* The commenter states that the City concurs with the goals and policies contained in the Draft Safety Element. The County appreciates the City's remarks, and no changes to the General Plan are necessary.

3.0 COMMENTS AND RESPONSES TO COMMENTS

Letter EE

STATE OF CALIFORNIA

ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF VETERANS AFFAIRS  
VETERANS HOME OF CALIFORNIA, YOUNTVILLE  
ADMINISTRATION  
YOUNTVILLE, CALIFORNIA 94599  
Telephone: (707) 944-5403  
Fax: (707) 944-5005



June 18, 2007

To: Members of the General Plan Steering Committee  
Members of the County Board of Supervisors:

Re: Appreciation for General Plan development as it affects local  
housing opportunities for our employees

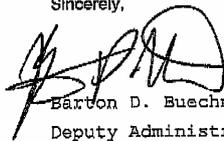
We have reviewed the draft County General Plan and wish to comment on an area of particular interest and concern to us. As one of Napa County's large employers, recruitment and retention of our workforce is of great concern. A substantial portion of our workforce, younger people in particular, are forced to commute to work due to the lack of an adequate housing supply in price ranges and of a type which would be appropriate for them.

EE-1P

We are particularly encouraged by and supportive of the proposed new land use designation for certain centrally-located Industrial Lands (described as "Transitional" on page 47-48 of the draft General Plan) and the proposed Land Use Policy AG/LU-120 (relating to "Exempted Development"). These provisions would allow the Board of Supervisors the flexibility to consider for approval the reuse of one or several of these underutilized industrial sites for "predominantly multifamily residential proposals ... located on non-agriculturally designated lands; ... [which] would make a substantial contribution to meeting the County's State-mandated housing needs; and would include a significant affordable housing component."

It would appear that the broad General Plan policies proposed in this draft would make possible at least the consideration of projects which could materially address the acute shortage of affordable and workforce housing in this County. For this reason, we commend the leadership of the General Plan Steering Committee and County staff in developing them, and urge the Board of Supervisors to include them in the new General Plan, when finalized for adoption.

Sincerely,

  
Barton D. Buechner  
Deputy Administrator

VETERANS FIRST

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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LETTER EE:                   BARTON D. BUECHNER, CALIFORNIA DEPARTMENT OF VETERANS AFFAIRS,  
JUNE 18, 2007

*Response EE-1 P:*        The commenter states that the Department of Veterans Affairs is particularly encouraged by the proposed new land use designation for certain centrally located Industrial lands (described as "Transitional"). The commenter believes that this land use designation would help to provide much-needed affordable housing in the County. The County appreciates the work that the Department of Veterans Affairs conducts on behalf of veterans in Napa County. Since the comment does not call into question the adequacy of General Plan policies and/or the adequacy of the Draft EIR, no changes are necessary. The proposed General Plan Update has been revised and now designates the Napa Pipe site and the Pacific Coast/Boca site as a Study Area, indicating that further study is required before these sites could be used for non-industrial uses.

Letter FF

**CITY OF AMERICAN CANYON**

**Planning/Building Department**

*Gateway to the Napa Valley*



May 25, 2007

Hillary Gitelman, Director  
Napa County Department of Conservation, Development & Planning  
1195 Third Street, Suite 210  
Napa, CA 94559

Subject: City of American Canyon Planning Commission comments on the draft Napa County General Plan Update

Dear Ms. Gitelman:

Thank you for the opportunity to comment on the draft Napa County General Plan update. The American Canyon Planning Commission finds that the Public Review Draft document is generally well done, however we have comments regarding the document's addressing of issues pertinent to the City of American Canyon. Our comments are as follows:

- 1. There's a contradiction in the County's proposed RUL line: The County general plan draft uses the LAFCO Sphere of Influence as the northern RUL, yet along city's eastern boundary the proposed RUL is outside of the LAFCO Sphere and more generous than what the city wants or needs, even exceeding the 15% contour. This could be construed by the Planning Commission as a possible effort by County to limit smart industrial growth in American Canyon in the north, while encouraging more residential growth into the eastern foothills. This is precisely the opposite of what the city desires and what our economic balance requires.

FF-1P

American Canyon's economic growth strategy calls for continued smart industrial growth in the northwest corridor—where it has long been designated and zoned and is appropriate, while preserving the eastern foothills as valuable and scenic open space. It is vital that the city is able to provide for the planning and infrastructure of these areas in order to balance American Canyon's housing and commercial elements with our industrial component.

As a question of basic equity: the northern RUL should be aligned with American Canyon's General Plan Urban Limit Line (ULL) as the city currently and historically provides water, sewer and other services to these areas.

- 2. There is a sense among the commission and the citizenry of American Canyon that there is great interest in preserving the Hess Vineyards along the northeast HWY 29 corridor as an agricultural and scenic resource. The vineyards were identified in the HWY 29 study commissioned a few years ago as an important component of American Canyon's community identity; heralding the beginning of the Napa Valley wine country and American Canyon's vital and inclusive role in the Napa Valley economy.

FF-2P

There is concern among the commission and community that the County's desire to draw an RUL south of the Hess property—putting the vineyards outside of American Canyon—

3423 Broadway, Suite D-2, American Canyon, CA 94503 • (707) 647-4336 • FAX (707) 552-8564 • www.ci.american-canyon.ca.us

LEON GARCIA  
*Mayor*

JOAN BENNETT  
*Vice Mayor*

DON CALLISON  
*Councilmember*

CINDY COFFEY  
*Councilmember*

ED WEST  
*Councilmember*

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

General Plan Comment letter

City of American Canyon Planning Commission comments, p. 2

would result in the vineyards being removed and the scenic and productive agriculture land being developed for other purposes by the County.

FF-2P  
cont'd

3. In regards to the Circulation Element—the commission would like to see additional information about the County’s development fee structures for traffic mitigation. Traffic has significantly thickened along Flosden Road coming from the Solano County border, as well as on American Canyon Road heading into town from I-80, and at HWY 29 at the Solano/Napa County border. Empirically it is strongly evident that much of the new traffic is coming from outside Napa County to points further up valley. As the closest Napa County community to the major freeways- and as a major investor in new roads and road improvements through both our city’s general fund as well as development fees, American Canyon would like to hear more about what the County has done and is doing regarding traffic mitigation.

FF-3P

4. As a general note: it is the sense of the American Canyon Planning Commission that there is a frequent speculative—and often unfounded—perception that American Canyon is engaged in “rapid” or possibly even “unrestrained” growth. A concern that we would like to have addressed and alleviated is that elements of this general plan draft—such as the proposed American Canyon northern RUL—is perhaps based in some of that speculation. The commission would like to point out as general plan commentary that:

FF-4P

- American Canyon has enjoyed a productive period of growth in the last half-dozen years but it is unfair to suggest that it has been excessively rapid or unplanned. What has occurred in our city has been the physical enactment of all elements of our 1994 city general plan. Years of concurrent studying and planning have reached the actual development stage and American Canyon is growing into its economic and community potential.
- This has provided great benefit to the County as well, including American Canyon’s partnering with the county to provide for affordable housing, the addition of new local shops and services thereby reducing local traffic up valley, the creation of amenities to support the overall Napa Valley economy such as more full-service hotels, wine-tasting shops and eateries for tour buses, and plans for wine storage facilities that take advantage of American Canyon’s unique geography along the bay.
- American Canyon’s infrastructural challenges have been no different than any other city experiencing growth and are being addressed proactively by staff. In fact, many other long-term Napa County communities are also experiencing challenges as they increase their profile, including heavy weekend traffic, controversy of increased housing proposals, and limited sewage capacity.
- The solutions to many of American Canyon’s challenges make widespread use of modern smart-growth principles such as heavy implementation of recycled water, water- conserving landscaping, traffic calming, and structural re-use of existing facilities (i.e. Palby’s junction, Town Center project.)
- Additionally American Canyon has over 1,000 acres of open space in the hills east of town and along the river to the west, has preserved wetlands access, and has required new green, family oriented parks and recreation areas to be included and provided by developers in many of the city’s recent new developments.

General Plan Comment letter  
City of American Canyon Planning Commission comments, p. 3

- The Town Center project—which will include the preservation and re-use of historical ruins in our community, incorporation of a natural groundwater lake, and a town green—will be a model city core and is a top priority for American Canyon's citizens.

FF-4P  
cont'd

That concludes the City of American Canyon Planning Commission comments on the draft General Plan. Thank you for the opportunity to comment. Should you have any questions about our comments, please don't hesitate to give Matt Pope, Planning Commissioner a call at 552-6865.

Sincerely,



Michele Castagnola, Chair  
City of American Canyon Planning Commission

cc: Sandra Cleisz, Interim Planning Director  
Rich Ramirez, City Manager  
Mayor and City Council

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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LETTER FF: SANDRA CLEISZ, ON BEHALF OF MICHELE CASTAGNOLA, PLANNING COMMISSION CHAIR, CITY OF AMERICAN CANYON – PLANNING/BUILDING DEPARTMENT, MAY 25, 2007

*Response FF-1 P:* Commenter notes a contradiction in the County's proposed RUL line and states that the northern RUL should be aligned with American Canyon's General Plan Urban Limit Line as the City currently provides water, sewer, and other services to this area. The proposed General Plan Update has been revised and now identifies an RUL for the City of American Canyon that reflects the current status of negotiations between the City and the County.

*Response FF-2 P:* The commenter states that the American Canyon Planning Commission is concerned about the future of the Hess Vineyards property and its potential for eventual removal as scenic and productive agricultural land. The proposed General Plan Update has been revised and now proposes that the Hess Vineyards be designated Agriculture, Watershed and Open Space (AWOS).

*Response FF-3 P:* Commenter requests additional information about the County's development fee structures for traffic mitigation and efforts to alleviate traffic issues. Subsequent to the releases of the proposed General Plan Update and the Draft EIR, further modification has been made to the General Plan under Action Item CIR-19.1 to include language that the county-wide impact fee will require a discussion on the part of the County and the cities and towns in the County. Additional language discusses how the proposed fee will be used for improvements that the fee would fund.

*Response FF-4 P:* Commenter disputes the notion that American Canyon is continuing with excessive unplanned growth. The commenter provides six focused arguments supporting this argument. The commenter asks if the modification of the City's RUL shown in the proposed General Plan Update was based on an incorrect assumption by the County in this respect. The County appreciates the commenter's input in the General Plan Update and refers the commenter to Response FF-1 regarding the RUL. The County's understanding of City growth is derived from data disseminated by the Association of Bay Area Governments.

3.0 COMMENTS AND RESPONSES TO COMMENTS

Letter GG



Making San Francisco Bay Better

June 25, 2007

R. Patrick Lowe, Deputy Director
Napa County Department of Conservation, Development and Planning
1195 Third Street, Suite 210
Napa, CA 94559

SUBJECT: BCDC Inquiry File #MC.MC.0401; Draft Napa County General Plan Update and
Draft Environmental Impact Report; SCH# 2005102088

Dear Mr. Lowe:

Thank you for the opportunity to comment on the Draft Napa County General Plan
Update (General Plan) and Draft Environmental Impact Report (EIR) distributed in February
2007. The San Francisco Bay Conservation and Development Commission (BCDC or
Commission) has not reviewed the General Plan and EIR, but the following staff comments are
based on the San Francisco Bay Plan (Bay Plan) as amended through September 7, 2006, the
McAteer-Petris Act, and staff review of the General Plan and EIR.

GG-1E/P

Jurisdiction. Section 4.5 of the EIR defines the BCDC jurisdiction as, "The San Francisco
Bay Conservation and Development Commission's (BCDC's) primary mission is to analyze,
plan, and regulate the San Francisco Bay as an ecological unit. BCDC has permit jurisdiction
over San Francisco Bay, San Pablo Bay, and the Suisun Marsh—including levees, waterways,
marshes, and grasslands—below the 10-foot contour line (as measured off a USGS quadrangle
map from mean high water). Any person or public agency other than a federal agency that
proposes certain activities in or around these areas must obtain a development permit from the
BCDC. In Napa County, the BCDC's jurisdiction covers the areas listed below: Napa River
from the southern boundary of the County to the northernmost point of Bull Island; Tidal
marshes adjacent to the Napa River; Salt ponds adjacent to the Napa River; Major sloughs;
Wetlands managed by duck clubs in the vicinity of Skaggs Island.

GG-2E

In addition to the above description of BCDC jurisdiction that are contained in Sections
4.5 and 4.6, the EIR could more specifically define the BCDC certain waterway jurisdiction as
"...consisting of all areas that are subject to tidal action, including submerged lands, tidelands,
and marshlands up to five feet above mean sea level..."

Public Access. Policy CON-15 in the General Plan states, "Public water development
projects shall provide public access to the water via public lands..." The EIR should consider
that the Commission can only approve a project within its jurisdiction (i.e. on bay fill) if it
provides maximum feasible public access, consistent with the project. The Bay Plan policies on
public access state, in part that, "in addition to the public access to the Bay provided by
waterfront parks, beaches, marinas, and fishing piers, maximum feasible access to and along the
waterfront and on any permitted fills should be provided in and through every new
development in the Bay or on the shoreline...Whenever public access to the Bay is provided as a
condition of development, on fill or on the shoreline, the access should be permanently
guaranteed....Public access improvements provided as a condition of any approval should be

GG-3E/P

State of California • SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION • Arnold Schwarzenegger, Governor
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### 3.0 COMMENTS AND RESPONSES TO COMMENTS

R. Patrick Lowe  
June 25, 2007  
Page 2

consistent with the project and the physical environment, including protection of natural resources, and provide for the public's safety and convenience. The improvements should be designed and built to encourage diverse Bay-related activities and movement to and along the shoreline; should permit barrier-free access for the physically handicapped to the maximum feasible extent, should include an ongoing maintenance program, and should be identified with appropriate signs....Access to the waterfront should be provided by walkways, trails, or other appropriate means and connect to the nearest public thoroughfare where convenient parking or public transportation may be available...."

GG-3E/P  
cont'd

**Tidal Marshes, Salt Ponds and Managed Wetlands.** The southern area of Napa County contains large complexes of tidal marshes, salt ponds and managed wetlands. Policies CON-16, CON-21, and CON-25 of the General Plan address the enhancement and maintenance of marshlands, sloughs and wetlands. These policies are consistent with the findings and policies of the Bay Plan on Tidal Marshes and Tidal Flats, Salt Ponds and Managed Wetlands.

GG-4E/P

**Transportation.** The EIR states that Impact 4.2.2 Alternatives B and C, related to roadway expansion, will have significant and mitigable effects to habitat areas, including wetlands. The Bay Plan findings on Transportation states, "roads are not water-oriented uses because roads do not need to be located in the water to function properly and do not take advantage of some unique feature of water." Bridges are water-oriented uses and can be located on bay fill if consistent with the policies in Section 66605 of the McAteer-Petris Act. The EIR should address whether the roadway expansion projects proposed in the Alternatives in the EIR might require bay fill in the certain waterway jurisdiction of BCDC.

GG-5E

**Sea Level Rise and Safety of Fills.** Bay Plan findings and policies anticipate the need for planning associated with safety of fills and sea level rise. The safety of fills findings state, in part, "...structures on fill or near the shoreline should be above the highest expected water level during the expected life of the project...Bay water levels are likely to increase in the future because of a relative rise in sea level... Relative rise in sea level is the sum of: (1) a rise in global sea level and (2) land elevation change (lifting and subsidence) around the Bay." Bay Plan policies on safety of fills state, in part, "local governments and special districts with responsibilities for flood protection should assure that their requirements and criteria reflect future relative sea level rise and should assure that new structures and uses attracting people are not approved in flood prone areas or in areas that will become flood prone in the future, and that structures and uses that are approvable will be built at stable elevations to assure long-term protection from flood hazards."

GG-6E/P

Projects in BCDC jurisdiction that involve bay fill must be consistent with the Bay Plan policies on the safety of fill and sea level rise. The EIR should discuss the General Plan policies, and the effects of those policies, that will enable Napa County to effectively plan for sea level rise in areas of BCDC jurisdiction.

Additionally, the Table of Contents in the General Plan lists the Commercial, Industrial, and Transitional Land Use Policies as page 243 instead of page 43.

GG-7P

If you have any questions regarding this letter, or any other matter, please contact me by phone at 415-352-3649 or email [sahryec@bcdc.ca.gov](mailto:sahryec@bcdc.ca.gov).

Sincerely,



SAHRYE COHEN  
Coastal Planner

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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LETTER GG: SAHRYE COHEN, BAY CONSERVATION AND DEVELOPMENT COMMISSION, JUNE 25, 2007

Response GG-1 E/P: The commenter states that the BCDC's comments on the General Plan and EIR are based on the San Francisco Bay Area Plan, the McAteer-Petris Act, and staff review. The comment is noted. This comment does not address a specific issue or the adequacy of the EIR; therefore, no further response is required. Responses to the remainder of the BCDC's comments are provided in GG-2 through GG-6.

Response GG-2 E/P: The commenter requests that additional information be added to correctly identify the jurisdiction of the BCDC. The following language has been added to page to pages 4.5-41 and 4.6-16 of the Draft EIR.

- All areas that are subject to tidal action, including submerged lands, tidelands, and marshlands up to five feet above mean sea level.

Response GG-3 E/P: The commenter references Policy CON-15 and states that the EIR should consider that the BCDC can only approve a project within its jurisdiction (i.e., bay fill) if it provides maximum public access consistent with the project. Additionally, the commenter provides a list of specifications that are outlined in the Bay Plan policies related to providing public access. Section 4.5, Biological Resources, of the Draft EIR includes an overview of the BCDC and the areas that are within the jurisdiction of BCDC in Napa County. While the County understands the sensitive nature of the BCDC's ability to approve a project within its jurisdiction and the specific requirements attached to the Bay Plan policies, the EIR for the Napa County General Plan is not the appropriate place to discuss the specific requirements of the Bay Plan related to public access. The County appreciates input from the BCDC on the General Plan process. However, since this comment does not address the adequacy of the General Plan or Draft EIR, no further response is necessary and no changes to the EIR are warranted.

Response GG-4 E/P: The commenter states that Policies CON-16, CON-21, and CON-25 address the enhancement of marshlands, sloughs, and wetlands, which is consistent with the Bay Plan's policies. Because the commenter supports these policies, no change to the General Plan is necessary.

Response GG-5 E: The commenter states that the EIR should address whether roadway expansions proposed in Alternatives B and C might require bay fill in the waterway jurisdiction of BCDC. There are no roadway improvements associated with the proposed General Plan Update that would require bay fill. Impacts on waterways and biological resources associated with roadway improvements under Alternatives B and C are fully addressed and mitigated in Sections 4.5 (Biological Resources), 4.6 (Fisheries), and Section 4.11 (Hydrology and Water Quality) of the EIR. Additionally, the commenter is referred to Biological Resources Master Response 3.4.3 for a discussion related to impacts on biological resources associated with the proposed General Plan Update. The County is aware of BCDC regulation if fill were placed in areas subject to BCDC jurisdiction. This comment is noted and will be considered prior to adoption of the General Plan and certification of the EIR. No changes are required to the EIR. The proposed General Plan Update has been revised and now designates the Napa

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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Pipe site and the Pacific Coast/Boca site as Industrial with a Study Area designation (under the Preferred Plan) that would allow for future consideration of land use changes to the sites. However, the General Plan Update does not establish any use of the sites beyond industrial.

*Response GG-6 E/P:* The commenter states that projects in BCDC jurisdiction that involve bay fill must be consistent with Bay Plan policies and adds that the EIR should discuss the General Plan policies and the effects of the policies related to sea level rise within the jurisdiction of the BCDC. The commenter is referred to Climate Change Master Response 3.4.4 for a discussion regarding sea level rise. Additionally, since the release of the Public Draft General Plan, a new Climate Protection/Energy section has been added to the Conservation Element.

*Response GG-7 P:* The commenter states that the page number referenced in the General Plan table of contents for the land use policies was incorrectly listed as page 243 rather than page 43. The County appreciates this correction. The General Plan table of contents will be updated prior to adoption.

Letter HH



NAPA COUNTY REGIONAL PARK  
& OPEN SPACE DISTRICT

Director Ward One  
Harold Kelly

Director Ward Two  
Tony Norris

Director Ward Three  
Guy Kay

Director Ward Four  
Dave Finigan

Director Ward Five  
Myrna Abramowicz

June 14, 2007

Patrick Lowe  
Deputy Planning Director  
1195 Third Street, Room 210  
Napa, CA 94559

RE: Comments on the Napa County Draft General Plan

Dear Mr. Lowe:

The Napa County Regional Park and Open Space District appreciates the opportunity to review and comment on the draft Napa County General Plan. The Board of Directors has held three public meetings where it received public comment and discussed the document. The focus of the Board's review has been on the draft Recreation and Open Space Element, since that most directly relates to the mission of the District. Other draft Elements were discussed only to the extent that they had a clear relationship to the District's mission.

HH-1P

Overall, the District Board believes the draft document provides a good policy framework within which the District can carry out its responsibilities to preserve important open space lands and provide nature-based recreational and environmental educational opportunities that benefit our constituents.

Attached are specific comments approved by the Board of Directors. The comments cover a few important opportunities which were missed in the draft document, suggest places where the relationship between the County and the new District should be more clearly defined, and note a few apparent factual or policy inconsistencies.

Sincerely,

John Woodbury  
General Manager  
Napa County Regional Park and Open Space District

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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#### Napa County Regional Park and Open Space District

#### Comments

##### I. Draft General Plan

###### Agricultural Preservation and Land Use Element

**1. (page 39, Policy Ag/LU-24, modify as follows)**

“The County will discourage proposed developments outside of urbanized areas which require urban services. However, nothing in this Land Use Element is intended to preclude the construction and use of a single-family residence, day care center or private school, or public recreational facility on an existing, vacant, legal parcel of land, in compliance with adopted County ordinances and other applicable regulations.”

HH -2P

Note: This policy clarifies Policy Ag/LU-11. Without the proposed additional language, Policy Ag/LU-11 is inconsistent with the intent and policies of the Recreation and Open Space Element.

**2. (page 40, Policy Ag/LU-25, add comma)**

“For the purposes of this General Plan, the terms “urbanized” or “urbanizing” shall include the subdivision, use, or development of any parcel of land for non-agricultural purposes. Engaging in nature-based recreation, or non-agricultural uses that are permitted in the applicable zoning district without the issuance of a use permit, such as development of one single-family house and/or second unit on an existing legal lot, shall not be considered urbanizing.”

HH -3P

Note: Without the addition of the comma, the sentence could be read to mean that only recreation that does not require a use permit is not considered “urbanizing”. Since a use permit is required for virtually all forms of recreation, this interpretation would conflict with the intent and policies of the Recreation and Open Space Element. Addition of the comma eliminates the potential for this inconsistent interpretation.

**3. (pages 45 and 255, review and amend Policy Ag/LU-40, Action Item Ag/LU 40.1, and ROS-3 for consistency)**

Note: Policy Ag/LU-40 and Action Item Ag/LU 40.1 call for adding recreation-serving commercial, residential and mixed use areas on the west bank of the Napa River south of the City of Napa and in various areas near Lake Berryessa, on land which are currently designated and/or used for agriculture. This appears to be in conflict with Policy ROS-3, which states that recreational facilities and uses “shall not contribute to the likelihood that additional non-agricultural uses of agricultural land will be proposed to support or be accessory to the continued existence of the recreational use.” This apparent conflict should be eliminated.

HH -4P

Economic Development Element

**4. (general comment)**

Note: The text of this Element should acknowledge the economic benefits of parks, trails and open space in terms of employment, tourism, commerce, property values and diversification of the County’s economic base. In addition, a policy should be added to Goal E-2 (Develop and promote a diversity of business opportunities) that indicates the County supports developing parks, trails and other outdoor recreational amenities, as well as preserving scenic areas and open space lands, as a way to diversify and strengthen the economy.

HH -5P

Circulation Element

**5. (page 132, Objective CIR-3.1, modify as follows)**

“Increase the number of miles of onstreet bicycle lanes and routes (Class II and III) by X miles, and off-street (Class I) bicycle paths by X miles, through 2030.”

Note: Objectives for bicycle paths should distinguish between Class I paths (which are off-street) and Class II and Class III paths (which are on-street), because the user experience and purposes are considerably different.

HH -6P

Recreation and Open Space Element

**6. (page 241, last line, correct typographical error as follows)**

“...generate the bulk of the operating revenues of these parks.”

**7. (page 243, at end of section on Formation of Napa County Regional Park and Open Space District, add the following sentence)**

Upon creation of the District, the Board of Supervisors approved using a portion of the increase in the County Transient Occupancy Tax approved by the voters in 2004 to provide a basic level of operational and capital support for the District.

Note: The decision by the Board of Supervisors to utilize a portion of the Transient Occupancy Tax to support the District had not been made at the time the draft Element was prepared. Including mention of this decision helps to complete the background information on the formation of the District.

HH-7P

**8. (page 244, Table ROS-D, modify as follows)**

The acreage for conservation easements should be included in this table to make it consistent with the map presented in associated Figure ROS-1.

Note: The map shows conservation easements as well as publicly-owned open space lands, but the associated table only shows open space lands owned in fee title by public agencies or land trusts.

HH -8P

**9. (general comment)**

The numbering system for Action Items is confusing and should be changed. The current system makes it appear that Action Items apply to the Policy just preceding the Action Items, when in fact sometimes they apply to the preceding Policy and sometimes they apply to the overall Goal.

HH -9P

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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**10. (page 254, sixth bullet, modify as follows)**

“Minimize the spread of exotic invasive weeds, pathogens and other pests through public education, eradication programs, installation of shoe and tire cleaning equipment where needed, requirements for weed-free horse feed, and similar techniques.”

HH-10P

Note: The issue is not just about invasive weeds, but also pathogens and other pests.

**11. (page 255, Policy ROS-3, second paragraph, modify as follows)**

“Uses on open space lands shall respect the character of the surrounding area, require a minimum of public support services (such as paved roads, emergency services, or law enforcement); contain a minimum of paved surfaces, structures, natural landform alteration or other introduced or constructed features inconsistent with the environment; require minimal water usage and wildlife habitat removal; be coordinated with neighbors in terms of integrated pest management procedures; and shall not contribute to the likelihood that additional non-agricultural uses of agricultural land will be proposed to support or be accessory to the continued existence of the recreational use.”

HH-11P

Note: IPM captures the concept of minimal usage of herbicides and pesticides while also emphasizing the need for coordinated approaches.

**12. (page 255, add a new Policy as follows)**

“The County shall coordinate with and support the Napa County Regional Park and Open Space District in protecting, preserving, restoring and stewarding important open space lands and resources.”

HH-12P

Note: This policy reflects the fact that with the establishment of the District, the County and the District will be working together on implementation actions.

**13. (page 256, add a new Policy and Action Item as follows)**

“Policy ROS-xx: Publicly-owned open space lands used or suitable for parks and outdoor recreation should be protected and their appropriate use supported through their designation as parks in the County’s Zoning Ordinance.”

HH-13P

“Action Item ROS-xx: Amend the Zoning Ordinance to include a Public Park Combination District, together with appropriate uses, standards and procedures, and amend the Zoning Map to apply the Combination District to appropriate public lands.

[Note: Napa County currently has no Zoning designation for public parks. Having such a designation would help assure the long-term protection of public lands for park uses and facilitate administration and oversight by making it possible to have policies, standards and requirements which are tailored to the uses and issues typically associated with parks.]

**14. (page 256, Action Item ROS-9.1, modify as follows)**

“In cooperation with other public agencies, and in particular with the Napa County Regional Park and Open Space District, maintain a comprehensive inventory of public lands, including their existing and potential resource and recreational values.”

HH-14P

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

Note: This policy reflects the fact that with the establishment of the District, the County and the District will be working together on implementation actions. HH-14P  
cont'd

**15. (page 256, after Action Item ROS-9.2, add the following)**

Policy ROS-10: See text box on page 254 for this policy. HH-15P

Note: Having Policy ROS-10 in a separate text box can be confusing to the reader. Adding this cross-reference can help reduce confusion.

**16. (page 257, Policy ROS-14, modify as follows)**

“The priority of the County, working in cooperation with the Napa County Regional Park and Open Space District, shall generally be to provide parks outside of the cities that are focused on nature-based recreation, recognizing that the County’s cities and town generally provide neighborhood and community parks and urban recreation.” HH-16P

Note: This policy reflects the fact that with the establishment of the District, the County and the District will be working together on implementation actions. Adding the word “generally” is intended to reflect the fact that some of the cities in the county provide parks which are more natural in character, and the County may in some situations provide more developed parks to serve rural communities.

**17. (page 257, Policy ROS-15, modify as follows)**

“The County, in coordination with and generally by working through the Napa County Regional Park and Open Space District, shall plan for and reserve land for recreational facilities...” HH-17P

Note: This policy reflects the fact that with the establishment of the District, the County and the District will be working together on implementation actions.

**18. (page 257, Policy ROS-15, first bullet, modify as follows)**

“Complete the San Francisco Bay Trail through Napa County, including both bicycle lanes and paths and, where possible, recreational alignments in close proximity to the Bay, the Napa River and associated wetlands, including a recreational alignment between the cities of American Canyon and Napa adjacent to existing and planned tidal wetlands west of the Napa Airport. ” HH-18P

Note: Several commentors asked that the section of Bay Trail between American Canyon and Napa receive specific mention.

**19. (page 257, Policy ROS-15, add new bullets as follows)**

“Provide for direct and convenient recreational access to and along the Napa River in the vicinity of the City of American Canyon.” HH-19P

“Provide boating access to the Napa River, along with related support facilities, as part of a regional Bay Area Water Trail.”

“Assure the permanent protection of the Skyline Wilderness Park as a public park and nature-based recreation area.”

“Support efforts by the City of American Canyon, and working in partnership with the Napa County Regional Park and Open Space District, to provide public access to the

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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Newell Preserve as well as a non-motorized trail linking the Newell Preserve and the Napa River. | HH-19P  
cont'd

Note: These are important opportunities in the southern part of the County which were not included in the draft.

**20. (page 258, Policy ROS-15, third bullet, modify language as follows)**  
“Repair, restore and operate the Oat Hill Mine Road as a non-motorized public recreational trail.” | HH-20P

Note: This change brings the proposed policy up to date. Since the draft document was released, the Board of Supervisors has acted to exercise its Oat Hill Mine Road easement and formally open it to public recreational use.

**21. (page 259, Policy ROS-20, add a new first bullet as follows)**  
“The Napa County Regional Park and Open Space District, to manage public access and steward resources on open space lands owned by the County as well as other public agencies.” | HH-21P

Note: This policy reflects the fact that with the establishment of the District, the County and the District will be working together on implementation actions.

**22. (page 259, Action Item ROS 21.1, modify as follows)**  
“Support sufficient and stable funding for the Napa County Regional Park and Open Space District through actions which may include but are not limited to providing direct financial support, studying the nexus between development and park and open space impacts and adopting appropriate impact fees, modifying regulations to facilitate user fee-based recreational activities, and supporting the inclusion of funding for parks, trails, open space protection and environmental education in possible future ballot measures .” | HH-22P

Note: The proposed new language provides more guidance on how long-term funding for the District could be accomplished.

**23. (page 259, add new Action Item after Action Item ROS-21.1)**  
“Support the Napa County Regional Park and Open Space District in obtaining state, federal and foundation grants, using methods such as preparing and adopting local plans and policies which may be required by various grant programs, and providing required local matching funds.” | HH-23E

Note: This policy reflects the fact that with the establishment of the District, the County and the District will be working together on implementation actions.

**24. (page 260, Action Item ROS-21-2, modify as follows)**  
“Develop a new park and open space master plan, and update it at appropriate intervals, working in partnership with the Napa County Regional Park and Open Space District.” | HH-24P

Note: The proposed changes allow the new plan to potentially have different name than the plan adopted in the 1970’s, and also emphasizes that it should be a living document rather than a one-time update.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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| <p><b>25. (page 260, add new Policy to Goal 3 as follows)</b><br/>“The County shall coordinate with and support the Napa County Regional Park and Open Space District in making recreational, cultural, interpretive and environmental education opportunities available to all county residents.”</p> <p>Note: This policy reflects the fact that with the establishment of the District, the County and the District will be working together on implementation actions.</p> | HH-25P |
| <p><b>26. (page 261, make correction)</b><br/>The last four Policies on this page should be renumbered to eliminate duplicate numbering.</p>   | HH-26P |
| <p>II. Draft Environmental Impact Report</p>   | HH-27P |
| <p><b>27. (page 4.13-78, last line in the section of the Napa County Park and Open Space Advisory Committee, modify as follows)</b><br/>“The Advisory Committee has now been dissolved with the creation of the Napa County Regional Park and Open Space District.”</p>  |        |

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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- LETTER HH: JOHN WOODBURY, NAPA COUNTY REGIONAL PARK & OPEN SPACE DISTRICT, JUNE 14, 2007
- Response HH-1 P:* Commenter notes the Napa County Regional Park & Open Space District (the District) Board's belief that the proposed General Plan Update provides a good policy framework within which the District can carry out its responsibilities. Commenter attaches specific comments approved by the Napa County Regional Park and Open Space District Board of Directors on the General Plan. The County appreciates the support by the District. Responses to the comments attached by the commenter are provided below.
- Response HH-2 P:* Commenter requests and suggests modifications to Policy Ag/LU-24 so as to be consistent with Policy Ag/LU-11. This specific edit was not made given that nature-based recreation is identified as not an urban use under Policy Ag/LU-27.
- Response HH-3 P:* Commenter suggests insertion of a comma in Policy Ag/LU-25 in order to eliminate potential errors in interpretation. This suggested edits to what is now Policy Ag/LU-27 was not determined necessary to address the commenter's concerns.
- Response HH-4 P:* Commenter notes there is an apparent conflict between Policy Ag/LU-40, Action Item Ag/LU 40.1, and Policy ROS-3. Commenter suggests elimination of the conflicting language. The commenter is referred to the revisions made to Policy Ag/LU 43 and Action Item 43.1 that have been modified.
- Response HH-5 P:* Commenter requests acknowledgement of the economic benefits of parks, trails, and open space throughout the Economic Development Element and the addition of a policy indicating County support for development of recreational amenities under Goal E-2. The commenter is referred to revisions made to pages 199 and 200 of the Economic Development Element regarding acknowledgement of recreation opportunities in the County. The suggested changes to policies under Goal E-2 were not made.
- Response HH-6 P:* Commenter requests modifications to Policy CIR-3.1 to distinguish between Class I, II, and III bicycle paths. The commenter is referred to Policy CIR-27 and Objective CRI-3. CIR-3 specifically notes the provision of bikeways consistent with the County-wide Bike Master Plan.
- Response HH-7 P:* Commenter notes a typographical error in the last sentence on page 241 of the proposed General Plan Update and requests it be corrected. The commenter also asks that text be inserted on page 243 at the end of the section on formation of Napa County Regional Park and Open Space District. The commenter is referred to revisions to the Recreation and Open Space Element on pages 209 through 237.
- Response HH-8 P:* Commenter requests the acreage of conservation easements be included in Table ROS-D in order to be consistent with Figure ROS-1. Table ROS-D on page 222 has been modified as requested.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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- Response HH-9 P:* Commenter states that the numbering system for the action items is confusing in regard to which policies the action item applies to. Action items are still listed under the applicable policies that they are associated with. The commenter is also referred to the Implementation Plan that is now included with the revised General Plan Update.
- Response HH-10 P:* Commenter suggests modification of the sixth bullet point on page 254 to include pathogens and other pests. The commenter is referred to revisions to Policy ROS-10.
- Response HH-11 P:* Commenter requests modification to Policy ROS-3. Policy ROS-3 has been modified based on these suggested edits.
- Response HH-12 P:* Commenter requests addition of a new policy indicating that the County and the District will coordinate implementation actions. This suggestion has been added as Policy ROS-1.
- Response HH-13 P:* Commenter provides suggested text for a new policy and action item related to zoning for open space lands, parks, and outdoor recreation areas. Commenter further proposes that the zoning ordinance be amended in accordance with the new policy and action item proposed. The commenter is referred to Policy ROS-9 and Action Items 9.1 and 9.2 that include some of the suggested edits.
- Response HH-14 P:* Commenter requests modification of Action Item ROS-9.1 to indicate that a comprehensive inventory of public lands will be maintained. The commenter is referred to revisions to Action Item 9.1.
- Response HH-15 P:* Commenter suggests providing a reference following Action Item ROS-9.2 noting the reader that Policy ROS-10 is located on page 254 in the text box. This suggested edit has been made to the Recreation and Open Space Element.
- Response HH-16 P:* Commenter proposes modification of Policy ROS-14 to indicate that the priority of the County is providing parks outside of cities. The commenter's suggested edits have been made to ROS-14.
- Response HH-17 P:* Commenter states that Policy ROS-15 should be modified to indicate that the County and District will coordinate to plan and reserve land for recreational facilities. The commenter's suggested edits have been made to ROS-15.
- Response HH-18 P:* Commenter requests modifications to Policy ROS-15, first bullet on page 257, to include language related to the completion of the San Francisco Bay Trail through Napa County. The commenter's suggested edits have been made to ROS-15 first bullet.
- Response HH-19 P:* Commenter requests the addition of new bullet points under Policy ROS-15 which identify opportunities in the south County. The commenter's suggested edits have been made to ROS-15's bullets.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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- Response HH-20 P:* Commenter provides text modifications to the third bullet point under Policy ROS-15 to include Oat Hill Mine Road. The commenter's suggested edits have been made to ROS-15.
- Response HH-21 P:* Commenter suggests addition of a new bullet point to Policy ROS-20 regarding District management of public access and stewardship of resources on open space lands. The commenter's suggested edits have been made to ROS-20.
- Response HH-22 P:* Commenter proposes modified language for Action Item ROS-21.1 which provides more guidance for long-term funding for the District. The commenter's suggested edits have generally been made to Action Item ROS-21.2 in the revised element.
- Response HH-23 P:* Commenter recommends a new action item following Action Item ROS-21.1 that would support the District in obtaining grants and indicate the County's provision of required local matching funds. The commenter's suggested edits have been made to Action Item ROS-21.4 in the revised element.
- Response HH-24 P:* Commenter suggests modification to Action Item ROS 21-2 to allow for a possible name change for the updated park and open space master plan. The commenter's suggested edits have generally been made to Action Item ROS-21.1 in the revised element.
- Response HH-25 P:* Commenter requests the addition of a new policy under ROS Goal 3 indicating that the County and the District will work together on implementation actions. Policy ROS-28 has been added to the element that includes the commenter's suggestions.
- Response HH-26 P:* Commenter notes that the last four policies on page 261 should be renumbered to eliminate duplicate policy numbering. The commenter is referred to pages 245 and 246 of the revised Recreation and Open Space Element.
- Response HH-27 E:* Commenter proposes modifications to page 4.13-78 of the Draft EIR to reflect dissolution of the Napa County Park and Open Space Advisory Committee and creation of the District. Textual modifications to the Draft EIR have been made to reflect this fact.

3.0 COMMENTS AND RESPONSES TO COMMENTS

Letter II



ARNOLD SCHWARZENEGGER  
GOVERNOR

STATE OF CALIFORNIA  
GOVERNOR'S OFFICE of PLANNING AND RESEARCH  
STATE CLEARINGHOUSE AND PLANNING UNIT



CYNTHIA BRYANT  
DIRECTOR

RECEIVED

JUN 20 2007

NAPA CO. CONSERVATION  
DEVELOPMENT & PLANNING DEPT.

June 19, 2007

Patrick Lowe  
Napa County  
1195 Third Street, Room 210  
Napa, CA 94559

Subject: Napa County General Plan Update  
SCH#: 2005102088

Dear Patrick Lowe:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on June 18, 2007, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Terry Roberts  
Director, State Clearinghouse

Enclosures  
cc: Resources Agency

II-1/E

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044  
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

#### Document Details Report State Clearinghouse Data Base

**SCH#** 2005102088  
**Project Title** Napa County General Plan Update  
**Lead Agency** Napa County

**Type** EIR Draft EIR  
**Description** General Plan Update including an equal-weight analysis of up to three alternatives.

#### Lead Agency Contact

**Name** Patrick Lowe  
**Agency** Napa County  
**Phone** (707) 259-5937 **Fax**  
**email**  
**Address** 1195 Third Street, Room 210  
**City** Napa **State** CA **Zip** 94559

#### Project Location

**County** Napa  
**City** American Canyon, Calistoga, Napa, St. Helena, Yountville  
**Region**  
**Cross Streets**  
**Parcel No.**  
**Township** **Range** **Section** **Base**

#### Proximity to:

**Highways** 12, 29, 121, 128, 221  
**Airports** Napa County Airport  
**Railways** Southern Pacific RR  
**Waterways** Napa River Watershed, Putah Creek Watershed, and Suisun Creek Watershed; Carneros/Napa River,  
**Schools** Pu  
**Land Use** Napa Valley USD, Calistoga USD, Howell Mtn SD, Pope Valley SD, S  
 The County is currently in the process of updating their General Plan.

**Project Issues** Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Cumulative Effects; Drainage/Absorption; Economics/Jobs; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Growth Inducing; Landuse; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Septic System; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife

**Reviewing Agencies** Resources Agency; Regional Water Quality Control Bd., Region 5 (Sacramento); Regional Water Quality Control Board, Region 2; Department of Parks and Recreation; Native American Heritage Commission; Integrated Waste Management Board; Department of Housing and Community Development; Office of Historic Preservation; Department of Health Services; Office of Emergency Services; Department of Forestry and Fire Protection; Department of Fish and Game, Region 3; Department of Water Resources; Department of Conservation; California Highway Patrol; Caltrans, District 4; San Francisco Bay Conservation and Development Commission; Caltrans, Division of Aeronautics; Air Resources Board, Transportation Projects; Department of Toxic Substances Control; State Lands Commission; State Water Resources Control Board, Division of Water Rights

**Date Received** 02/16/2007 **Start of Review** 02/16/2007 **End of Review** 06/18/2007

Note: Blanks in data fields result from insufficient information provided by lead agency.

### 3.0 COMMENTS AND RESPONSES TO COMMENTS

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LETTER II: TERRY ROBERTS, DIRECTOR – STATE OF CALIFORNIA GOVERNOR’S OFFICE OF PLANNING AND RESEARCH , STATE CLEARINGHOUSE, JUNE 19, 2007

*Response II-1 E:* The State Clearinghouse noted that a list of state agencies that reviewed the Draft EIR is enclosed in the document details and data base report. The letter also acknowledges that Napa County has complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act (CEQA). The County has responded to all letters received from the State Clearing House in this FEIR.

*Response II-2 E:* The State Clearinghouse has provided a document details report and a State Clearinghouse data base. The commenter is referred to Response to Comment II -1 E.